

House Study Bill 668 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to state policies, programs, and licenses with
2 race, gender, or citizenship requirements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.111, subsection 7, Code 2026, is
2 amended by striking the subsection.

3 Sec. 2. Section 8A.402, subsection 1, paragraph d, Code
4 2026, is amended to read as follows:

5 ~~d. Equal employment opportunity, affirmative action, and~~
6 workforce diversity programs.

7 Sec. 3. Section 19B.1, subsection 1, Code 2026, is amended
8 by striking the subsection.

9 Sec. 4. Section 19B.2, subsection 1, Code 2026, is amended
10 to read as follows:

11 1. It is the policy of this state to provide equal
12 opportunity in state employment to all persons. An individual
13 shall not be denied equal access to state employment
14 opportunities because of race, creed, color, religion, national
15 origin, sex, age, or physical or mental disability. ~~It also is~~
16 ~~the policy of this state to apply affirmative action measures~~
17 ~~to correct deficiencies in the state employment system where~~
18 ~~those remedies are appropriate.~~ This policy shall be construed
19 broadly to effectuate its purposes.

20 Sec. 5. Section 19B.3, Code 2026, is amended to read as
21 follows:

22 **19B.3 Administrative responsibilities of department of**
23 **administrative services and board of regents.**

24 1. The department of administrative services is responsible
25 for the administration and promotion of equal opportunity ~~and~~
26 ~~affirmative action~~ efforts in the recruitment, appointment,
27 assignment, and advancement of personnel by all state agencies
28 except the state board of regents and the institutions
29 ~~under its~~ the board's jurisdiction. In carrying out this
30 responsibility, the department shall do all of the following
31 with respect to state agencies other than the state board of
32 regents and ~~its~~ the board's institutions:

33 ~~a. Designate a position as the state affirmative action~~
34 ~~administrator.~~

35 ~~b. Propose affirmative action standards applicable to each~~

~~1 state agency based on the population of the community in which~~
~~2 the agency functions, the population served by the agency, or~~
~~3 the persons that can be reasonably recruited.~~

~~4 c. Gather data necessary to maintain an ongoing assessment~~
~~5 of affirmative action efforts in state agencies.~~

~~6 d. Monitor accomplishments with respect to affirmative~~
~~7 action remedies identified in affirmative action plans of state~~
~~8 agencies.~~

9 ~~e.~~ a. Conduct studies of preemployment and postemployment
10 processes in order to evaluate employment practices and develop
11 improved methods of dealing with all employment issues related
12 to equal employment opportunity and affirmative action.

13 ~~f.~~ Establish a state recruitment coordinating committee
14 to assist in addressing affirmative action recruitment needs,
15 with members appointed by the director of the department of
16 administrative services.

17 ~~g.~~ b. Address equal opportunity and affirmative action
18 training needs of all state agencies by doing all of the
19 following:

20 (1) Providing appropriate training for managers and
21 supervisors.

22 (2) ~~Insuring~~ Ensuring that all state agencies make training
23 available for all staff members whose duties relate to
24 personnel administration.

25 (3) Investigating means for training in the area of career
26 development.

27 ~~h.~~ c. Coordinate and develop equal employment opportunity
28 reports, including the initiation of the processes necessary
29 for the completion of the annual EEO-4 report required by the
30 federal equal employment opportunity commission.

31 ~~i.~~ d. Address equal opportunity and affirmative action
32 policies with respect to employee benefits and leaves of
33 absence.

34 ~~j.~~ e. Adopt equal employment opportunity and affirmative
35 action rules in accordance with [chapter 17A](#).

1 2. The state board of regents is responsible for the
2 administration and promotion of equal opportunity and
3 ~~affirmative action~~ efforts in the recruitment, appointment,
4 assignment, and advancement of personnel by the board and the
5 institutions under its jurisdiction. In carrying out this
6 responsibility, the board shall do all of the following with
7 respect to the board and its institutions:

8 ~~a. Designate a position as the regents' affirmative action~~
9 ~~coordinator.~~

10 ~~b. Propose affirmative action standards applicable to the~~
11 ~~board and each institution under its jurisdiction.~~

12 ~~c. Gather data necessary to maintain an ongoing assessment~~
13 ~~of affirmative action efforts.~~

14 ~~d. Monitor accomplishments with respect to affirmative~~
15 ~~action remedies identified in affirmative action plans.~~

16 ~~e. Conduct studies of preemployment and postemployment~~
17 ~~processes in order to evaluate employment practices and develop~~
18 ~~improved methods of dealing with all employment issues related~~
19 ~~to equal employment opportunity and affirmative action.~~

20 ~~f. Establish an equal employment committee to assist in~~
21 ~~addressing affirmative action needs, including recruitment.~~

22 ~~g. a.~~ Address equal opportunity and affirmative action
23 training needs by doing all of the following:

24 (1) Providing appropriate training for managers and
25 supervisors.

26 (2) ~~Insuring~~ Ensuring that the board and its institutions
27 make training available for all staff members whose duties
28 relate to personnel administration.

29 (3) Investigating means for training in the area of career
30 development.

31 ~~h. b.~~ Require development of equal employment opportunity
32 reports, including the initiation of the processes necessary
33 for the completion of reports required by the federal equal
34 employment opportunity commission.

35 ~~i. c.~~ Address equal opportunity and affirmative action

1 policies with respect to employee benefits and leaves of
2 absence.

3 ~~f.~~ d. Adopt equal employment opportunity and affirmative
4 action rules in accordance with chapter 17A.

5 Sec. 6. Section 19B.4, subsection 1, Code 2026, is amended
6 by striking the subsection.

7 Sec. 7. Section 19B.6, Code 2026, is amended to read as
8 follows:

9 **19B.6 Responsibilities of department of administrative**
10 **services — affirmative action.**

11 The department of administrative services shall oversee
12 the implementation of sections 19B.1 through 19B.5 19B.4 and
13 shall work with the governor to ensure compliance with those
14 sections, including the attainment of affirmative action goals
15 and timetables, by all state agencies, excluding the state
16 board of regents and its the board's institutions.

17 Sec. 8. Section 19B.8, Code 2026, is amended to read as
18 follows:

19 **19B.8 Sanctions.**

20 The department of administrative services may impose
21 appropriate sanctions on individual state agencies, including
22 the state board of regents and its the board's institutions,
23 and upon a community college, area education agency, or school
24 district, in order to ensure compliance with state programs
25 emphasizing equal opportunity through affirmative action,
26 contract compliance policies, and requirements for procurement
27 goals for targeted small businesses.

28 Sec. 9. Section 19B.11, Code 2026, is amended to read as
29 follows:

30 **19B.11 School districts, area education agencies, and**
31 **community colleges — duties of director of department of**
32 **education.**

33 1. It is the policy of this state to provide equal
34 opportunity in school district, area education agency, and
35 community college employment to all persons. An individual

1 shall not be denied equal access to school district, area
2 education agency, or community college employment opportunities
3 because of race, creed, color, religion, national origin, sex,
4 age, or physical or mental disability. ~~It also is the policy~~
5 ~~of this state to apply affirmative action measures to correct~~
6 ~~deficiencies in school district, area education agency, and~~
7 ~~community college employment systems where those remedies~~
8 ~~are appropriate.~~ This policy shall be construed broadly to
9 effectuate its purposes.

10 2. The director of the department of education shall
11 actively promote fair employment practices for all school
12 district, area education agency, and community college
13 employees, and the state board of education shall adopt rules
14 requiring specific steps by school districts, area education
15 agencies, and community colleges to accomplish the goals goal
16 of equal employment opportunity ~~and affirmative action~~ in
17 the recruitment, appointment, assignment, and advancement of
18 personnel. ~~Each school district, area education agency, and~~
19 ~~community college shall be required to develop affirmative~~
20 ~~action standards which are based on the population of the~~
21 ~~community in which it functions, the student population~~
22 ~~served, or the persons who can be reasonably recruited.~~ The
23 director of education shall consult with the department of
24 administrative services in the performance of duties under this
25 section.

26 3. ~~Each school district, area education agency, and~~
27 ~~community college in the state shall submit to the director~~
28 ~~of the department of education an annual report of the~~
29 ~~accomplishments and programs of the district, agency, or~~
30 ~~community college in carrying out its duties under this~~
31 ~~section. The report shall be submitted between December 15 and~~
32 ~~December 31 each year. The director shall prescribe the form~~
33 ~~and content of the report.~~

34 4. 3. The director of the department of education shall
35 ~~prepare a compilation of the reports required by subsection 3~~

1 ~~and shall~~ submit this compilation, together with a report of
2 the director's accomplishments and programs pursuant to this
3 section, to the department of management by January 31 of each
4 year.

5 Sec. 10. Section 80B.11, subsection 1, paragraph d, Code
6 2026, is amended to read as follows:

7 d. Within the existing curriculum, expanded training
8 regarding ~~racial and cultural awareness and~~ dealing with
9 gang-affected youth.

10 Sec. 11. Section 135.63, subsection 1, paragraph a, Code
11 2026, is amended to read as follows:

12 a. The contribution of the proposed institutional health
13 service in meeting the needs of the medically underserved,
14 including persons in rural areas, low-income persons, ~~racial~~
15 ~~and ethnic minorities,~~ persons with disabilities, and the
16 elderly, as well as the extent to which medically underserved
17 residents in the applicant's service area are likely to have
18 access to the proposed institutional health service.

19 Sec. 12. Section 147.3, Code 2026, is amended to read as
20 follows:

21 **147.3 Qualifications.**

22 An applicant for a license to practice a profession under
23 this subtitle is not ineligible because of age, ~~citizenship,~~
24 sex, race, religion, marital status, or national origin,
25 although the application form may require citizenship
26 information.

27 Sec. 13. Section 148.3, subsection 3, Code 2026, is amended
28 to read as follows:

29 3. The board shall give priority to the processing of
30 applications for licensure submitted by physicians and surgeons
31 and osteopathic physicians and surgeons whose practice will
32 primarily involve provision of service to medically underserved
33 populations, including ~~but not limited to minorities or~~
34 low-income persons, or who live in rural areas.

35 Sec. 14. Section 256.36, subsection 2, paragraph a,

1 unnumbered paragraph 1, Code 2026, is amended to read as
2 follows:

3 The goals of the math and science education program may
4 include ~~but are not limited to~~ any of the following:

5 Sec. 15. Section 256.36, subsection 2, paragraph a,
6 subparagraph (6), Code 2026, is amended by striking the
7 subparagraph.

8 Sec. 16. Section 256.177, subsection 10, Code 2026, is
9 amended to read as follows:

10 10. Require any postsecondary institution whose students
11 are eligible for or who receive financial assistance under
12 programs administered by the commission to transmit annually
13 to the commission information about the numbers of minority
14 students enrolled in and minority faculty members employed at
15 the institution. The commission shall compile and report the
16 information collected to the general assembly, the governor,
17 and the legislative services agency by March 1 annually. For
18 purposes of this subsection, "minority" means the same as
19 defined in 12 C.F.R. §4.62, as effective on January 1, 2026.

20 Sec. 17. Section 256.183, subsection 1, paragraph d, Code
21 2026, is amended to read as follows:

22 *d.* Promotes equal opportunity ~~and affirmative action~~ efforts
23 in the recruitment, appointment, assignment, and advancement of
24 personnel at the institution and provides information regarding
25 such efforts to the commission upon request.

26 Sec. 18. Section 256.213, Code 2026, is amended to read as
27 follows:

28 **256.213 Legislative intent.**

29 The general assembly finds that the failure of many young
30 Iowans to complete their education limits their opportunity
31 for a life of fulfillment and hinders the state's efforts to
32 provide a well-trained workforce for business and industry
33 in Iowa. ~~The general assembly also declares that it is the~~
34 ~~policy of this state to apply positive measures to ensure that~~
35 ~~equal opportunities exist for minority persons to pursue their~~

1 ~~educational goals.~~ Therefore, the "Iowa ~~Minority~~ Academic
2 Grants for Economic Success" program is established to provide
3 additional funding to the state board of regents institutions,
4 community colleges, and accredited private institutions in
5 order to encourage resident ~~minority~~ students to remain in
6 Iowa, to attend community colleges, private colleges, and
7 universities in Iowa, and to assure that a limited family
8 income will not be a barrier for a ~~minority~~ person to pursue a
9 postsecondary education.

10 Sec. 19. Section 256.214, subsection 3, Code 2026, is
11 amended to read as follows:

12 3. "*Financial need*" means the difference between the
13 student's financial resources, including resources available
14 from the student's parents and the student, as determined
15 by a completed parents' financial statement and including
16 any noncampus-administered federal or state grants and
17 scholarships, and the student's estimated expenses while
18 attending the institution. A student shall accept all
19 available federal and state grants and scholarships before
20 being considered eligible for grants under the Iowa ~~minority~~
21 academic grants for economic success program. Financial need
22 shall be reconsidered on at least an annual basis.

23 Sec. 20. Section 256.214, subsection 5, Code 2026, is
24 amended by striking the subsection.

25 Sec. 21. Section 256.214, subsection 7, Code 2026, is
26 amended to read as follows:

27 7. "*Program*" means the Iowa ~~minority~~ academic grants for
28 economic success program established in [this subpart](#).

29 Sec. 22. Section 256.215, subsection 1, Code 2026, is
30 amended by striking the subsection.

31 Sec. 23. Section 256.216, subsection 7, Code 2026, is
32 amended by striking the subsection.

33 Sec. 24. Section 256.216, subsection 8, Code 2026, is
34 amended to read as follows:

35 8. Administer funds appropriated for the Iowa ~~minority~~

1 academic grants for economic success program to carry out the
2 duties of the commission.

3 Sec. 25. Section 262.9, subsection 21, Code 2026, is amended
4 to read as follows:

5 21. Direct the administration of the Iowa ~~minority~~ academic
6 grants for economic success program as established in section
7 256.213 for the institutions under its control.

8 Sec. 26. Section 262.93, Code 2026, is amended to read as
9 follows:

10 **262.93 Reports to general assembly.**

11 The college student aid commission ~~and the state board of~~
12 ~~regents each~~ shall submit to the general assembly, by January
13 15 of each year, a report on the progress and implementation
14 of the ~~programs which they administer~~ program under sections
15 256.214 through 256.217 and ~~262.92~~. ~~By January 31 of each~~
16 ~~year, the state board of regents shall submit a report to the~~
17 ~~general assembly regarding the progress and implementation~~
18 ~~of the program administered pursuant to~~ section 262.82. The
19 ~~reports shall~~ report must include but ~~are~~ is not limited to the
20 numbers of students and educators participating in the ~~programs~~
21 program and allocation of funds appropriated for the ~~programs~~
22 program.

23 Sec. 27. Section 542.5, subsection 6, Code 2026, is amended
24 to read as follows:

25 6. The board, when considering the denial or revocation of a
26 certificate pursuant to subsections 2 through 5, shall consider
27 the nature of the offense; any aggravating or extenuating
28 circumstances which are documented; the time lapsed since
29 the revocation, conduct, or conviction; the rehabilitation,
30 treatment, or restitution performed by the applicant or
31 certificate holder; and any other factors the board deems
32 relevant. Character references may be required, but shall not
33 be obtained from certified public accountants. An applicant
34 shall not be denied a certificate because of age, ~~citizenship,~~
35 race, religion, marital status, or national origin, although

1 the application may require citizenship information.

2 Sec. 28. Section 542B.13, Code 2026, is amended to read as
3 follows:

4 **542B.13 Applications and examination fees.**

5 Applications for licensure shall be on forms prescribed and
6 furnished by the board, shall contain statements made under
7 oath, showing the applicant's education and a detailed summary
8 of the applicant's technical work, and the board shall not
9 require that a recent photograph of the applicant be attached
10 to the application form. An applicant is not ineligible for
11 licensure because of age, ~~citizenship~~, sex, race, religion,
12 marital status, or national origin, although the application
13 form may require citizenship information. The board may
14 consider the past felony record of an applicant. The board
15 may require that an applicant submit references. Applications
16 for examination in fundamentals in the practice of engineering
17 and land surveying shall be accompanied by application fees
18 determined by the board. The board shall determine the annual
19 cost of administering the examinations and shall set the fees
20 accordingly.

21 Sec. 29. Section 543B.15, subsection 2, Code 2026, is
22 amended to read as follows:

23 2. To qualify for a license as a real estate broker
24 or salesperson a person shall be eighteen years of age or
25 over. However, an applicant is not ineligible because of
26 ~~citizenship~~, sex, race, religion, marital status, or national
27 origin, although the application form may require citizenship
28 information.

29 Sec. 30. Section 544A.25, subsection 1, Code 2026, is
30 amended to read as follows:

31 1. An applicant is not ineligible for licensure because
32 of age, ~~citizenship~~, sex, race, religion, marital status, or
33 national origin, although the application form may require
34 citizenship information. Character references may be required.

35 Sec. 31. Section 602.1204, subsection 2, Code 2026, is

1 amended to read as follows:

2 2. The state court administrator may issue directives
3 relating to the management of the judicial branch. The subject
4 matters of these directives shall include, but need not be
5 limited to, fiscal procedures, the judicial retirement system,
6 and the collection and reporting of statistical and other
7 data. ~~The directives shall provide for an affirmative action~~
8 ~~plan which shall be based upon guidelines provided by the Iowa~~
9 ~~state civil rights commission.~~ In addition, when establishing
10 salaries and benefits the state court administrator shall not
11 discriminate in the employment or pay between employees on
12 the basis of gender by paying wages to employees at a rate
13 less than the rate at which wages are paid to employees of the
14 opposite gender for work of comparable worth. As used in this
15 section "*comparable worth*" means the value of work as measured
16 by the composite of the skill, effort, responsibility, and
17 working conditions normally required in the performance of
18 work.

19 Sec. 32. Section 602.1209, subsection 3, Code 2026, is
20 amended to read as follows:

21 3. Authorize the filling of vacant court employee
22 positions, and review the qualifications of each person
23 to be employed within the judicial branch, ~~and assure that~~
24 ~~affirmative action goals are being met by the judicial branch.~~
25 The state court administrator shall not approve the employment
26 of a person when either the proposed terms and conditions
27 of employment or the qualifications of the individual do
28 not satisfy personnel policies of the judicial branch. The
29 administrator shall implement the comparable worth directives
30 issued under [section 602.1204, subsection 2](#), in all court
31 employment decisions.

32 Sec. 33. REPEAL. Sections 8.11, 19B.5, 80B.11G, 260C.29,
33 262.81, 262.82, 262.91, and 262.92, Code 2026, are repealed.

34 Sec. 34. CODE EDITOR DIRECTIVE.

35 1. The Code editor is directed to make the following

1 transfer:

2 Section 262.93 to section 256.217A.

3 2. The Code editor shall correct internal references in the
4 Code and in any enacted legislation as necessary due to the
5 enactment of this section.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 Current law sets forth a state policy to apply affirmative
10 action measures to correct deficiencies in the state employment
11 system where those remedies are appropriate, and sets forth
12 various requirements relating to affirmative action for state
13 and educational entities including but not limited to the
14 department of administrative services (DAS), the state board
15 of regents, the judicial branch, the department of education,
16 school districts, area education agencies, community colleges,
17 and accredited private institutions.

18 This bill strikes those provisions, including but not
19 limited to provisions requiring the preparation of an
20 affirmative action plan (Code section 19B.4(1)) and submission
21 of annual affirmative action reports (Code section 19B.5). The
22 bill also strikes provisions requiring DAS and the board of
23 regents to conduct studies to evaluate employment practices and
24 develop improved methods of dealing with all employment issues
25 related to affirmative action.

26 The bill strikes the obligation of school districts,
27 area education agencies, and community colleges to submit an
28 annual report about affirmative action and equal opportunity
29 accomplishments and programs to the director of the department
30 of education.

31 The bill strikes the requirement for the director of the Iowa
32 law enforcement academy to promulgate rules related to racial
33 and cultural awareness training, the requirement for a law
34 enforcement agency to provide annual training to officers on
35 issues relating to de-escalation techniques and the prevention

1 of bias, and the requirement for the Iowa law enforcement
2 academy to develop and disseminate related training guidelines.

3 Under current law, a certificate of need is required for a
4 new or changed institutional health service to be offered or
5 developed. The bill removes the contribution of the proposed
6 institutional health service in meeting the needs of racial and
7 ethnic minorities from the list the department of health and
8 human services must consider in determining whether to issue
9 a certificate of need.

10 Under current law, the board of medicine must prioritize
11 processing applications for licensure submitted by a physician,
12 surgeon, and osteopathic physician or surgeon whose practice
13 will primarily involve serving underserved populations,
14 including but not limited to minorities or low-income persons,
15 or persons who live in rural areas. The bill alters this
16 requirement to require the board of medicine to prioritize
17 applications for those who will primarily serve medically
18 underserved communities, including low-income persons, and
19 those living in rural areas.

20 The bill eliminates the academic incentives for minorities
21 program, the minority and women educators enhancement program,
22 and the college-bound program. The bill also removes the
23 provisions limiting the Iowa minority academic grants for
24 economic success program to minorities and strikes the goal
25 of recruiting and retaining women and minorities in math and
26 science education from the math and science education grant
27 program.

28 The bill defines the term "minority" for purposes of the
29 annual report the college student aid commission must submit
30 on the number of minority students and faculty members at
31 a postsecondary institution whose students are eligible
32 for financial assistance under programs administered by the
33 commission. Under federal regulations referenced in the bill,
34 "minority" means African American, Native American, Hispanic
35 American, Asian-Pacific American, or Subcontinent-Asian

1 American.

2 The bill eliminates provisions stating that an applicant for
3 a license to work in health care, architecture, engineering,
4 land surveying, or real estate is not ineligible because of
5 citizenship and that an applicant for certification as a public
6 accountant is not ineligible due to citizenship.

7 The bill repeals the requirement for an application for
8 a grant from a state agency to include a minority impact
9 statement.