

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 1028 (HF 756/HSB 72)	House Committee:	PASSED February 26 (23-0)
Committee:	State Government	House Approps:	PASSED April 17 (24-0)
Floor Manager:	Representative Bergan	House Floor:	
Date:	April 24, 2025	Senate Floor:	
Staff:	Jason Covey (1-3626)	Governor:	

DOM Department Bill

- Money in the Technology Reinvestment Fund shall be provided by DOM to implement prioritized state IT projects to improve technology infrastructure, services, and promote innovation.
- Increase frequency of FBI background checks for IT staff.
- Provides that IT contract language that is counter to Iowa's public policy are void and limits litigation venue to Des Moines.
- Communications with the CISO and government entities concerning a cybersecurity threat are confidential.
- Moves the Iowa Statistical Analysis Center from HHS to DOM.
- DOM is not the lawful custodian of any records it maintains in an IT capacity for other state entities.

Section by Section Analysis

Section 1 – Technology reinvestment fund (Iowa Code 8.57C(2,3,4))

Money in the Technology Reinvestment Fund to the Department to implement state information technology projects to improve technology infrastructure, improve services, and promote innovation. A prioritized project list for funding shall be provided to the Governor for budgetary recommendation.

Section 2 – Background checks (Iowa Code 8.78)

Increase FBI background checks for information technology staff from once every ten years to five years.

Section 3 – Contracts (Iowa Code 8.94)

NEW SECTION - Provisions of a contract that are prohibited by this section are void contrary to public policy. The contract is enforced as if those provisions were not included. Prohibits litigation venue to be outside the District Court of Polk County or the US District Court for the Southern District of Iowa.

Section 4 – Contracts – required terms (Iowa Code 8.95)

NEW SECTION - Contracts shall be governed by the laws of the State of Iowa and the venue for any litigation in connection with the contract will be brought in either the District Court of Polk County or the US District Court for the Southern District of Iowa.

Section 5 – Contracts – limitation of liability – prohibited terms (Iowa Code 8.96)

NEW SECTION – Allows for the inclusion of contractual limitation of vendor liability in IT goods and services contracts.

Section 6 – Confidentiality of communications with chief information security officer (Iowa Code 8.97)

NEW SECTION – All communications and documents generated in communication with the Chief Information Security Officer concerning security incidents and security breaches are not to be released by the Department and are confidential.

Section 7 – Criminal justice information (Iowa Code 8.98)

NEW SECTION – Authorizes the maintenance of an integrated information system to share data between the executive branch, judicial branch, and local governments. The department is the Iowa Statistical Analysis Center to coordinate the data and analytical information to federal, state, and local governments. The Department is authorized to provide data analysis and report on issues effecting the state correctional population, maintain a multiagency information system to track progress of juveniles and track decision points for juveniles in the juvenile justice system.

Section 8 – Confidentiality of data (Iowa Code 8.99)

NEW SECTION – The Department is not the lawful custodian of records it maintains for another department. If a request is received pursuant to Chapter 22 for a record that the Department is not the custodian for the request shall be denied and inform the requester to seek the information from the lawful custodian.

Section 9 – Criminal and juvenile justice planning (Iowa Code 216A.131A)

Conforming code change.

Section 10 – Department duties (Iowa Code 216A.133(1)(d,e,f))

Conforming code change.

Section 11 - Department duties (Iowa Code 216A.133(1)(g)(1,6))

Conforming code change.

Section 12 – Department duties (Iowa Code 216A.133(1)(s))

Conforming code change.

Section 13 – Plan and report (Iowa Code Iowa Code 216A.135(2)(e))

Conforming code change.

Section 14 – Confidentiality of juvenile court records (Iowa Code 232.147(2)(i))

Conforming code change.

Section 15 – Confidentiality of juvenile court records (Iowa Code 232.147(3)(n))

Conforming code change.

Section 16 – Confidentiality of juvenile court records (Iowa Code 232.147(4)(i))

Conforming code change.

Section 17 – Records of criminal or juvenile justice agencies, intake officers, and juvenile court officers (Iowa Code 232.149 (5)(f))

Conforming code change.

Section 18 – Confidentiality orders (Iowa Code 232.149A(3)(m))

Conforming code change.

Section 19 – REPEAL

Repeals three sections of Iowa Statistical Analysis Center under HHS. Now under Department of Management.

Section 20 - APPLICABILITY

Sections 3, 4, and 5 of this bill concerning contract terms and conditions shall apply to contracts entered into or renewed after the effective date of this bill.

Amendment Analysis

H-1275 by Bergan

Adds to the powers and duties of the legislative council to review and disapprove interdepartmental transfers.

Defines for interdepartmental transfers that an “appropriation in excess of its needs” means the amount appropriated for a purpose determined by the department, institution, or agency deems to be more than necessary to carry out that purpose. An unspecified amount that is appropriated shall not be considered an “appropriation in excess of its needs.”

Defines “entitlement appropriation” as a line item appropriation to the state public defender for indigent defense or the DHHS for foster care, state supplementary assistance, medical assistance, or family investment program.

For a transfer between July 1 and the first day of the legislative session the Director shall submit notice of an interdepartmental transfers shall be sent to the appropriation subcommittee chairpersons at least 3 weeks before the transfer is made. The Legislative Council may meet prior to the proposed transfer date and vote to disapprove the transfer.

