

House File 2556 - Enrolled

House File 2556

AN ACT

RELATING TO DAMAGES AGAINST PARTICIPANTS IN FIREARMS REGULATION VIOLATIONS BY POLITICAL SUBDIVISIONS, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 724.28, subsection 3, Code 2024, is amended to read as follows:

3. If a political subdivision of the state, prior to, on, or after July 1, 2020, adopts, makes, enacts, or amends any ordinance, measure, enactment, rule, resolution, motion, or policy regulating the ownership, possession, carrying, legal transfer, lawful transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons when the ownership, possession, carrying, transfer, transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons is otherwise lawful under the laws of this state, a person adversely affected by the ordinance, measure, enactment, rule, resolution, motion, or policy may file suit in the appropriate court for declaratory and injunctive relief and all damages attributable to the violation, including all of the following:

a. A court shall assess against the political subdivision of the state damages in the amount of not more than five hundred dollars and not less than one hundred dollars per day after providing written notice to the political subdivision of the state of the violation, not to exceed five thousand

dollars. A However, if the political subdivision of the state knowingly participated in such a violation, damages shall be assessed against the political subdivision of the state in the amount of not more than two thousand five hundred dollars and not less than one thousand dollars per day after providing written notice to the political subdivision of the state of the violation, not to exceed twenty-five thousand dollars. These damages shall be paid by the political subdivision of the state directly to the adversely affected person.

b. The court shall also award the prevailing party in any such lawsuit reasonable attorney fees and court costs.

c. The court, for good cause, may assess damages in excess of the amounts set forth in paragraph "a" against the political subdivision of the state found to be in violation of this subsection.

Sec. 2. EFFECTIVE DATE. This Act takes effect January 1, 2025.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2556, Ninetieth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2024

KIM REYNOLDS
Governor