

SUMMARY

The issue before this subcommittee is a gap in Iowa law that arises when individuals occupy homes, rental properties, or short-term rentals without permission and without a valid lease. Under current Iowa law, these situations are generally treated as civil eviction matters, even when no landlord–tenant relationship exists. This means property owners must go through a court process designed for tenant disputes, which can take weeks or many, many months. During that time, owners may lose access to their property, incur legal costs, and face potential damage, while law enforcement is largely unable to act without a court order.

Other states have recognized this problem and responded by drawing a clear legal distinction between lawful tenants and unauthorized occupants, commonly referred to as squatters. In recent years, states such as Arkansas, Florida, Georgia, Texas, Ohio, Illinois and others have enacted laws that allow for expedited removal when no legal right to occupy exists. These laws typically rely on sworn statements from property owners, limited investigation by law enforcement, and clear statutory guidance to ensure tenant protections remain intact.

Arkansas provides a recent and notable example. In 2025, Arkansas enacted legislation that criminalizes squatting, authorizes law enforcement to remove unauthorized occupants, and establishes penalties for repeat or aggravated conduct. The law is structured to apply only when no tenancy exists and is intended to give officers clarity while protecting lawful tenants. Arkansas lawmakers viewed the issue as one of public safety, property rights, and legal clarity.

It is time for Iowa to protect its homeowners and provide law enforcement with the tools they need to remove unauthorized persons. Potential benefits include faster resolution for property owners, clearer guidance for officers, and reduced strain on the courts. It safeguards property owners from losing unknown amounts of money while their home is tied up in court for months. Their home also has a high risk of being extensively damaged during that waiting period. At the same time, any reform must include safeguards against false claims and misuse which this bill addresses. Ultimately, this is about ensuring Iowa law properly distinguishes between lawful tenancy and unlawful occupation, consistent with how other states are now addressing this issue.

Thank you, Rep. Stone and members of the subcommittee, for your time and careful consideration of this issue. What we are discussing today is a clarification in the law to address situations where no legal right to occupy exists. Iowa now has the opportunity to do the same as other states to protect homeowners. Each of you have handouts with more information in them regarding this issue, to include key elements of the bill. Also attached are some real case scenarios playing out across the country.

I respectfully ask for your support in moving this bill forward so the full committee can continue the discussion and make these much needed changes to Iowa law.