

CHAPTER 27B

ENFORCEMENT OF STATE, LOCAL, AND MUNICIPAL LAWS

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**27B.1 Definitions.**

1. “Local entity” means the governing body of a city or county. “Local entity” includes an officer or employee of a local entity or a division, department, or other body that is part of a local entity, including but not limited to a sheriff, police department, city attorney, or county attorney.

2. “Policy” includes a rule, procedure, regulation, order, ordinance, motion, resolution, or amendment, whether formal and written or informal and unwritten.

[2021 Acts, ch 183, §30, 38](#)

NEW section

**27B.2 Restriction on enforcement of state, local, and municipal law prohibited.**

A local entity or law enforcement department shall not adopt or enforce a policy or take any other action under which the local entity or law enforcement department prohibits or discourages the enforcement of state, local, or municipal laws.

[2021 Acts, ch 183, §31, 38](#)

NEW section

**27B.3 Discrimination prohibited.**

A local entity or a person employed by or otherwise under the direction or control of a local entity shall not consider race, skin color, language spoken, or national origin while enforcing state, local, and municipal laws except to the extent permitted by the Constitution of the United States or the Constitution of the State of Iowa.

[2021 Acts, ch 183, §32, 38](#)

NEW section

**27B.4 Complaints — notification — civil action.**

1. Any person may file a complaint with the attorney general alleging that a local entity has violated or is violating [this chapter](#) if the person offers evidence to support such an allegation. The person shall include with the complaint any evidence the person has in support of the complaint.

2. A local entity for which the attorney general has received a complaint pursuant to [this section](#) shall comply with any document requests, including a request for supporting documents, from the attorney general relating to the complaint.

3. A complaint filed pursuant to [subsection 1](#) shall not be valid unless the attorney general determines that a violation of [this chapter](#) by a local entity was intentional.

4. If the attorney general determines that a complaint filed pursuant to [this section](#) against a local entity is valid, the attorney general, not later than ten days after the date of such a determination, shall provide written notification to the local entity by certified mail, with return receipt requested, stating all of the following:

- a. A complaint pursuant to [this section](#) has been filed and the grounds for the complaint.
- b. The attorney general has determined that the complaint is valid.
- c. The attorney general is authorized to file a civil action in district court pursuant to [subsection 6](#) to enjoin a violation of [this chapter](#) no later than forty days after the date on which the notification is received if the local entity does not come into compliance with the requirements of [this chapter](#).
- d. The local entity and any entity that is under the jurisdiction of the local entity will be

denied state funds pursuant to [section 27B.5](#) for the state fiscal year following the year in which a final judicial determination in a civil action brought under [this section](#) is made.

5. No later than thirty days after the date on which a local entity receives written notification under [subsection 4](#), the local entity shall provide the attorney general with all of the following:

a. Copies of all of the local entity's written policies relating to the complaint.

b. A description of all actions the local entity has taken or will take to correct any violations of [this chapter](#).

c. If applicable, any evidence that would refute the allegations made in the complaint.

6. No later than forty days after the date on which the notification pursuant to [subsection 4](#) is received, the attorney general shall file a civil action in district court to enjoin any ongoing violation of [this chapter](#) by a local entity.

**2021 Acts, ch 183, §33, 38**

Referred to in [§27B.5](#), [27B.6](#)

NEW section

### **27B.5 Denial of state funds.**

1. Notwithstanding any other provision of law to the contrary, a local entity, including any entity under the jurisdiction of the local entity, shall be ineligible to receive any state funds if the local entity intentionally violates [this chapter](#).

2. State funds shall be denied to a local entity pursuant to [subsection 1](#) by all state agencies for each state fiscal year that begins after the date on which a final judicial determination that the local entity has intentionally violated [this chapter](#) is made in a civil action brought pursuant to [section 27B.4](#), [subsection 6](#). State funds shall continue to be denied until eligibility to receive state funds is reinstated under [section 27B.6](#). However, any state funds for the provision of wearable body protective gear used for law enforcement purposes shall not be denied under [this section](#).

3. The department of management shall adopt rules pursuant to [chapter 17A](#) to implement [this section](#) and [section 27B.6](#) uniformly across state agencies from which state funds are distributed to local entities.

**2021 Acts, ch 183, §34, 38**

Referred to in [§27B.4](#), [27B.7](#)

NEW section

### **27B.6 Reinstatement of eligibility to receive state funds.**

1. Except as provided by [subsection 5](#), no earlier than ninety days after the date of a final judicial determination that a local entity has intentionally violated the provisions of [this chapter](#), the local entity may petition the district court that heard the civil action brought pursuant to [section 27B.4](#), [subsection 6](#), to seek a declaratory judgment that the local entity is in full compliance with [this chapter](#).

2. A local entity that petitions the court as described by [subsection 1](#) shall comply with any document requests, including a request for supporting documents, from the attorney general relating to the action.

3. If the court issues a declaratory judgment declaring that the local entity is in full compliance with [this chapter](#), the local entity's eligibility to receive state funds is reinstated beginning on the first day of the month following the date on which the declaratory judgment is issued.

4. A local entity shall not petition the court as described in [subsection 1](#) more than twice in one twelve-month period.

5. A local entity may petition the court as described in [subsection 1](#) before the date provided in [subsection 1](#) if the person who was the director or other chief officer of the local entity at the time of the violation of [this chapter](#) is subsequently removed from or otherwise leaves office.

6. A party shall not be entitled to recover any attorney fees in a civil action described by [subsection 1](#).

**2021 Acts, ch 183, §35, 38**

Referred to in [§27B.5](#)

NEW section

**27B.7 Attorney general database.**

The attorney general shall develop and maintain a searchable database listing each local entity for which a final judicial determination described in [section 27B.5, subsection 2](#), has been made. The attorney general shall post the database on the attorney general's internet site.

[2021 Acts, ch 183, §36, 38](#)

NEW section