

House File 2556

H-8095

1 Amend House File 2556 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

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

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

20 a. A court shall assess against the political subdivision of  
21 the state and other persons who participated in the violation  
22 damages in the amount of not more than five hundred dollars  
23 and not less than one hundred dollars per day after providing  
24 written notice to the political subdivision of the state of the  
25 violation, not to exceed five thousand dollars. A However,  
26 if the political subdivision of the state or other persons  
27 knowingly participated in such a violation, damages shall  
28 be assessed against the political subdivision of the state  
29 or participating person in the amount of not more than two  
30 thousand five hundred dollars and not less than one thousand  
31 dollars per day after providing written notice to the political  
32 subdivision of the state of the violation, not to exceed  
33 twenty-five thousand dollars. These damages shall be paid  
34 by the political subdivision of the state directly to the  
35 adversely affected person.

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

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

7 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,  
8 2025.>

9 2. Title page, line 2, by striking <subdivisions.>  
10 and inserting <subdivisions, and including effective date  
11 provisions.>

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GUSTOFF of Polk