

Reprinted 3/23

MAR 6 1984

Place On Calendar

HOUSE FILE 2466

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly Study Bill 782)

Passed House, Date 3-21-84 (p. 1207) Passed Senate, Date 4-2-84 (p. 1248)
Vote: Ayes 97 Nays 0 Vote: Ayes 40 Nays 5
Approved April 17, 1984

A BILL FOR

5793 1 An Act relating to the definition of public accommodation
2 under the Iowa civil rights law.

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

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HF 2466

1 Section 1. Section 601A.2, subsection 10, Code 1983, is
2 amended to read as follows:

5777 3 10. "Public accommodation" means each and every place,
4 establishment, or facility of whatever kind, nature, or class
5 that caters or offers services, facilities, or goods to the
6 general public for a fee or charge, provided that any place,
7 establishment, or facility that caters or offers services,
8 facilities, or goods to the general public gratuitously shall
9 be deemed a public accommodation if the accommodation receives
10 ~~any-substantial~~ governmental support or subsidy. ~~Public~~
11 ~~accommodation-shall-not-mean-any-bona-fide-private-club-or~~
12 ~~other-place,-establishment,-or-facility-which-is-by-its-nature~~
13 ~~distinctly-private,-except-when-such-distinctly-private-place,-~~
14 ~~establishment,-or-facility-eaters-or-offers-services,-~~
15 ~~facilities,-or-goods-to-the-general-public-for-fee-or-charge~~
16 ~~or-gratuitously,-it-shall-be-deemed-a-public-accommodation~~
17 during-such-period. Public accommodation also means each
18 and every place, establishment or facility of whatever kind,
19 nature or class that holds a sales tax permit issued pursuant
20 to chapter 422 or a liquor control license issued pursuant
21 to chapter 123.

22 "Public accommodation" includes each state and local
23 government unit or tax-supported district of whatever kind,
24 nature, or class that offers services, facilities, benefits,
25 grants or goods to the public, gratuitously or otherwise.
26 This paragraph shall not be construed by negative implication
27 or otherwise to restrict any part or portion of the pre-
28 existing definition of the term "public accommodation".

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29 EXPLANATION

30 This bill expands the definition of public accommodation
31 under the Iowa civil rights law.

32 This bill takes effect July 1 following its enactment.

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H-5777

1 Amend House File 2466 as follows:

- 2 1. Page 1, by striking lines 5 and 6 and inserting
 3 in lieu thereof the following: "that caters or offers
 4 services, facilities, or goods ~~to the general public~~
 5 for a fee or charge to nonmembers of any organization
 6 or association utilizing the place, establishment,
 7 or facility, provided that any place,".
- 8 2. Page 1, by striking line 8 and inserting in
 9 lieu thereof the following: "facilities, or goods
 10 to the ~~general public~~ nonmembers gratuitously shall".
- 11 3. Page 1, by striking lines 10 through 21 and
 12 inserting in lieu thereof the following: "any
 13 ~~substantial~~ governmental support or subsidy. Public
 14 accommodation shall not mean any bona fide private
 15 club or other place, establishment, or facility which
 16 is by its nature distinctly private, except when such
 17 distinctly private place, establishment, or facility
 18 caters or offers services, facilities, or goods to
 19 the ~~general public~~ nonmembers for fee or charge or
 20 gratuitously, it shall be deemed a public accommodation
 21 during such period."
- 22 4. Page 1, by inserting after line 28 the
 23 following:
 24 "Sec. 2. Section 601A.16, subsection 3, Code 1983,
 25 is amended to read as follows:
 26 3. An action authorized under this section is
 27 barred unless commenced within ninety days after
 28 issuance by the commission of a release under
 29 subsection 2 of this section ~~or within one year after~~
 30 ~~the filing of the complaint, whichever occurs first.~~
 31 If a complainant obtains a release from the commission
 32 under subsection 2 of this section, the commission
 33 ~~shall be~~ is barred from further action on that
 34 complaint."

BY CHAPMAN of Linn

H-5777 FILED MARCH 20, 1984

BRAMMER of Linn

Adopted 3/21 (p. 1206)

H-5783

1 Amend House File 2466 as follows:

- 2 1. Title page, line 1, by inserting after the word
 3 "accommodation" the words "and extending the time for
 4 bringing an action".

H-5783 FILED MARCH 21, 1984

BY CHAPMAN of Linn

ADOPTED BY UNANIMOUS CONSENT

(p. 1206)

De HOUSE FILE 2466 3/22 Do Pass 3/23 (p. 999)

Judiciary
Mann, Chair
Horn
Goodwin

HOUSE FILE 2466

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(As Amended and Passed by the House)

Passed House, Date 3-21-84 (p. 1207) Passed Senate, Date 4-2-84 (p. 1248)

Vote: Ayes 97 Nays 0 Vote: Ayes 40 Nays 5

Approved April 17, 1984 (p. 2116)

A BILL FOR

- 1 An Act relating to the definition of public accommodation
- 2 and extending the time for bringing an action under the
- 3 Iowa civil rights law.

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

HOUSE FILE 2466

S-5549

- 1 Amend House File 2466 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. Page 1, by striking lines 27 through 35.

S-5549 FILED
MARCH 27, 1984

BY LEE HOLT
WM. W. DIELEMAN

*Adopted 3/28 (p. 1103)
Reconsidered & Lost 4/2 (p. 1248)*

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1 Section 1. Section 601A.2, subsection 10, Code 1983, is
2 amended to read as follows:

3 10. "Public accommodation" means each and every place,
4 establishment, or facility of whatever kind, nature, or class
5 that caters or offers services, facilities, or goods to the
6 general-public for a fee or charge to nonmembers of any
7 organization or association utilizing the place, establishment,
8 or facility, provided that any place, establishment, or
9 facility that caters or offers services, facilities, or goods
10 to the general-public nonmembers gratuitously shall be deemed
11 a public accommodation if the accommodation receives any
12 substantial governmental support or subsidy. Public
13 accommodation shall not mean any bona fide private club or
14 other place, establishment, or facility which is by its nature
15 distinctly private, except when such distinctly private place,
16 establishment, or facility caters or offers services,
17 facilities, or goods to the general-public nonmembers for
18 fee or charge or gratuitously, it shall be deemed a public
19 accommodation during such period.

20 "Public accommodation" includes each state and local
21 government unit or tax-supported district of whatever kind,
22 nature, or class that offers services, facilities, benefits,
23 grants or goods to the public, gratuitously or otherwise.
24 This paragraph shall not be construed by negative implication
25 or otherwise to restrict any part or portion of the pre-
26 existing definition of the term "public accommodation".

54927 Sec. 2. Section 601A.16, subsection 3, Code 1983, is
28 amended to read as follows:

29 3. An action authorized under this section is barred
30 unless commenced within ninety days after issuance by the
31 commission of a release under subsection 2 of this section
32 or within one year after the filing of the complaint, whichever
33 occurs first. If a complainant obtains a release from the
34 commission under subsection 2 of this section, the commission
35 shall be is barred from further action on that complaint.

HOUSE FILE 2466

AN ACT

RELATING TO THE DEFINITION OF PUBLIC ACCOMMODATION AND EXTENDING THE TIME FOR BRINGING AN ACTION UNDER THE IOWA CIVIL RIGHTS LAW.

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

Section 1. Section 601A.2, subsection 10, Code 1983, is amended to read as follows:

10. "Public accommodation" means each and every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods ~~to the general-public~~ for a fee or charge to nonmembers of any organization or association utilizing the place, establishment, or facility, provided that any place, establishment, or facility that caters or offers services, facilities, or goods to the ~~general-public nonmembers~~ gratuitously shall be deemed a public accommodation if the accommodation receives any substantial governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment, or facility which is by its nature distinctly private, except when such distinctly private place, establishment, or facility caters or offers services, facilities, or goods to the ~~general-public nonmembers~~ for fee or charge or gratuitously, it shall be deemed a public accommodation during such period.

"Public accommodation" includes each state and local government unit or tax-supported district of whatever kind, nature, or class that offers services, facilities, benefits, grants or goods to the public, gratuitously or otherwise. This paragraph shall not be construed by negative implication or otherwise to restrict any part or portion of the pre-existing definition of the term "public accommodation".

Sec. 2. Section 601A.16, subsection 3, Code 1983, is amended to read as follows:

3. An action authorized under this section is barred unless commenced within ninety days after issuance by the commission of a release under subsection 2 of this section ~~or within one year after the filing of the complaint, whichever occurs first~~. If a complainant obtains a release from the commission under subsection 2 of this section, the commission ~~shall be~~ is barred from further action on that complaint.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2466, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 17, 1984

TERRY E. BRANSTAD
Governor