

FILED JAN 27 1987

SENATE FILE 68
BY COMMITTEE ON JUDICIARY

(formerly SSB 28)

Approved 1/27 (p. 151)

Substituted for H. 7. 77

Passed Senate, Date 2-2-87 (p. 228) Passed House, Date 2-5-87 (p. 310)

Vote: Ayes 45 Nays 0 Vote: Ayes 98 Nays 0

Approved February 19, 1987 (p. 413)

A BILL FOR

1 An Act relating to the effective dates of laws and resolutions
2 passed by the general assembly, providing for the
3 applicability of the Act, and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 68

1 Section 1. Section 3.7, Code 1987, is amended to read as
2 follows:

3 3.7 ACTS EFFECTIVE JULY-1-OR-AUGUST-15 DATES OF ACTS AND
4 RESOLUTIONS.

5 1. All Acts and resolutions of a public nature passed at
6 regular sessions of the general assembly shall take effect on
7 the first day of July following their passage, unless some
8 other specified time is provided in the an Act, -or- they have
9 sooner-taken-effect-by-publication or resolution.

10 2. All Acts and resolutions of a public nature which are
11 passed prior to July 1 at a regular session of the general
12 assembly and which are approved by the governor on or after
13 such July 1, shall take effect on-August-15-next forty-five
14 days after approval. However, this section subsection shall
15 not apply to Acts provided for in section 3.12, or Acts and
16 resolutions which specify when they take effect, -or-Acts-which
17 take-effect-by-publication.

18 3. All Acts and resolutions passed at a special session of
19 the general assembly shall take effect ninety days after
20 adjournment of the special session unless a different
21 effective day is stated in an Act or resolution.

22 4. An Act which is effective upon enactment is effective
23 upon the date of signature by the governor; or if the governor
24 fails to sign it and returns it with objections, upon the date
25 of passage by the general assembly after reconsideration as
26 provided in article III, section 16 of the Constitution of the
27 State of Iowa; or if the governor fails to sign or return an
28 Act submitted during session, but prior to the last three days
29 of a session, on the fourth day after it is presented to the
30 governor for the governor's approval. An Act which has an
31 effective date which is dependent upon the time of enactment
32 shall have the time of enactment determined by the standards
33 of this subsection.

34 5. A concurrent or joint resolution which is effective
35 upon enactment is effective upon the date of final passage by

1 both chambers of the general assembly, except that such a
2 concurrent or joint resolution requiring the approval of the
3 governor under section 262A.4 or otherwise requiring the
4 approval of the governor is effective upon the date of such
5 approval. A resolution which is effective upon enactment is
6 effective upon the date of passage. A concurrent or joint
7 resolution or resolution which has an effective date which is
8 dependent upon the time of enactment shall have the time of
9 enactment determined by the standards of this subsection.

10 6. Unless retroactive effectiveness is specifically
11 provided for in an Act or resolution, an Act or resolution
12 which is enacted after an effective date provided in the Act
13 or resolution shall take effect upon the date of enactment.

14 7. Proposed legalizing Acts shall be published prior to
15 passage as provided in chapter 585.

16 8. An Act or resolution under this section is also subject
17 to the applicable provisions of sections 16 and 17 of article
18 III of the Constitution of the State of Iowa.

19 Sec. 2. Section 3.8, 3.9, 3.10, 3.15, and 3.16, Code 1987,
20 are repealed.

21 Sec. 3. This Act applies to all Acts and resolutions of
22 the 1987 regular session and subsequent sessions of the
23 general assembly.

24 Sec. 4. This Act takes effect upon enactment.

25 EXPLANATION

26 The bill amends chapter 3 to remove references to
27 publication of Acts prior to these Acts taking effect. The
28 bill also amends the provision applicable to the effective
29 date of Acts and resolutions of a regular session which are
30 approved by the governor on or after July 1. The bill
31 provides standards for the effective dates of Acts and
32 resolutions where effectiveness is dependent upon time of
33 enactment. Cross-references are provided to other relevant
34 applicable laws. The Act applies to Acts and resolutions of
35 the 1987 session and subsequent sessions. This Act takes
36 effect upon enactment.

SSB # 28
Judiciary
Handwritten initials

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the effective date of laws enacted by the
2 general assembly; and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SUB COMMITTEE ASSIGNMENTS
CHIEF: *Carr*
COMMITTEE: *Judiciary*
1-21-87

1 Section 1. Section 3.7, Code 1987, is amended to read as
2 follows:

3 3.7 ACTS EFFECTIVE JULY 1 OR AUGUST 15.

4 All Acts and resolutions of a public nature passed at
5 regular sessions of the general assembly shall take effect on
6 the first day of July following their passage, unless some
7 other specified time is provided in the Act~~7-or-they-have~~
8 ~~sooner-taken-effect-by-publication~~. All Acts and resolutions
9 of a public nature which are passed prior to July 1 at a
10 regular session of the general assembly and which are approved
11 by the governor on or after ~~such~~ July 1, shall take effect on
12 August 15 next after approval. However, this section shall
13 not apply to Acts provided for in section 3.12~~7~~ or Acts which
14 specify when they take effect~~7-or-Acts-which-take-effect-by~~
15 ~~publication~~.

16 Sec. 2. Section 3.8, 3.9, 3.10, 3.15, and 3.16, Code 1987,
17 are repealed.

18 Sec. 3. This Act applies to all Acts and resolutions of
19 the 1987 regular session and subsequent sessions of the
20 general assembly.

21 Sec. 4. This Act takes effect upon enactment.

22 EXPLANATION

23 The bill amends chapter 3 to remove references to
24 publication of Acts prior to these Acts taking effect. This
25 Act takes effect upon enactment and applies to Acts and
26 resolutions of the 1987 session and subsequent sessions.

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SENATE FILE 68

AN ACT

RELATING TO THE EFFECTIVE DATES OF LAWS AND RESOLUTIONS
PASSED BY THE GENERAL ASSEMBLY, PROVIDING FOR THE APPLI-
CABILITY OF THE ACT, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 3.7, Code 1987, is amended to read as follows:

3.7 ACTS EFFECTIVE JULY-1-OR-AUGUST-15 DATES OF ACTS AND RESOLUTIONS.

1. All Acts and resolutions of a public nature passed at regular sessions of the general assembly shall take effect on the first day of July following their passage, unless some other specified time is provided in the an Act; or they have sooner-taken-effect-by-publication or resolution.

2. All Acts and resolutions of a public nature which are passed prior to July 1 at a regular session of the general assembly and which are approved by the governor on or after such July 1, shall take effect on-August-15-next forty-five days after approval. However, this section subsection shall not apply to Acts provided for in section 3.127 or Acts and resolutions which specify when they take effect; or Acts which take-effect-by-publication.

3. All Acts and resolutions passed at a special session of the general assembly shall take effect ninety days after adjournment of the special session unless a different effective day is stated in an Act or resolution.

4. An Act which is effective upon enactment is effective upon the date of signature by the governor; or if the governor fails to sign it and returns it with objections, upon the date of passage by the general assembly after reconsideration as provided in article III, section 16 of the Constitution of the State of Iowa; or if the governor fails to sign or return an Act submitted during session, but prior to the last three days of a session, on the fourth day after it is presented to the governor for the governor's approval. An Act which has an effective date which is dependent upon the time of enactment shall have the time of enactment determined by the standards of this subsection.

5. A concurrent or joint resolution which is effective upon enactment is effective upon the date of final passage by both chambers of the general assembly, except that such a concurrent or joint resolution requiring the approval of the governor under section 262A.4 or otherwise requiring the approval of the governor is effective upon the date of such approval. A resolution which is effective upon enactment is effective upon the date of passage. A concurrent or joint resolution or resolution which has an effective date which is dependent upon the time of enactment shall have the time of enactment determined by the standards of this subsection.

6. Unless retroactive effectiveness is specifically provided for in an Act or resolution, an Act or resolution which is enacted after an effective date provided in the Act or resolution shall take effect upon the date of enactment.

7. Proposed legalizing Acts shall be published prior to passage as provided in chapter 585.

8. An Act or resolution under this section is also subject to the applicable provisions of sections 16 and 17 of article III of the Constitution of the State of Iowa.

Sec. 2. Sections 3.8, 3.9, 3.10, 3.15, and 3.16, Code 1987, are repealed.

Sec. 3. This Act applies to all Acts and resolutions of the 1987 regular session and subsequent sessions of the general assembly.

Sec. 4. This Act takes effect upon enactment.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 68, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved February 19, 1987

TERRY E. BRANSTAD
Governor