

H-1-23-96 Do Pass
S-1-30-96 Local Gov

JAN 10 1996
STATE GOVERNMENT

HOUSE FILE 2044
BY THOMSON, LARSON, CARROLL,
RENKEN, LORD, BRUNKHORST,
WARNSTADT, and GREINER

Passed House, ^(p. 139) Date 1/30/96 Passed Senate, Date _____
Vote: Ayes 97 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the authority of cities and counties to
2 restrict public indecent exposure and providing an effective
3 date.

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

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HF 2044

1 Section 1. Section 728.11, Code 1995, is amended to read
2 as follows:

3 728.11 UNIFORM APPLICATION -- EXCEPTIONS.

4 In order to provide for the uniform application of the
5 provisions of this chapter relating to obscene material
6 applicable to minors within this state, it is intended that
7 the sole and only regulation of obscene material shall be
8 under the provisions of this chapter, and ~~no-municipality a~~
9 city, county, or other governmental unit within this state
10 shall not make any law, ordinance, or regulation relating to
11 the availability of obscene materials. All such laws,
12 ordinances, or regulations shall be or become void,
13 unenforceable and of no effect on January 1, 1978. ~~Nothing-in~~
14 However, this section shall not apply to restrict the zoning
15 authority of cities and counties or the ability of cities and
16 counties to adopt laws, ordinances, or regulations that are
17 more restrictive than the provisions concerning public
18 indecent exposure in section 728.5.

19 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
20 immediate importance, takes effect upon enactment.

21 EXPLANATION

22 This bill provides that cities and counties may adopt laws,
23 ordinances, or regulations that are more restrictive than
24 section 728.5 concerning public indecent exposure.

25 This bill takes effect upon enactment.

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