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FILED JAN 11 1995

SENATE FILE 22

BY IVERSON

(COMPANION TO LSB 1116HH BY TEIG)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to state mandates and providing an effective
2 date.

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

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S.F. 22

1 Section 1. Section 25B.2, subsection 3, unnumbered
2 paragraph 1, Code 1995, is amended to read as follows: _

3 If, on or after July 1, 1994, a state mandate is enacted by
4 the general assembly, or otherwise imposed, on a political
5 subdivision and the state mandate requires a political
6 subdivision to engage in any new activity, to provide any new
7 service, or to provide any service beyond that required by any
8 law enacted prior to July 1, 1994, and the state does not
9 appropriate moneys to fully fund the cost of the state
10 mandate, the political subdivision is not required to perform
11 the activity or provide the service and the political
12 subdivision shall not be subject to the imposition of any
13 fines or penalties for the failure to comply with the state
14 mandate ~~unless the legislation specifies the amount or~~
15 ~~proportion of the cost of the state mandate which the state~~
16 ~~shall pay annually.~~ However, this subsection does not apply
17 to any requirement imposed on a political subdivision relating
18 to public employee retirement systems under chapters 97B, 410,
19 and 411.

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

22 EXPLANATION

23 This bill strikes language relating to the state's
24 obligation to fund mandates enacted after July 1, 1994. The
25 language struck by the bill provides that political
26 subdivisions would be required to comply with a state mandate
27 and would be subject to fines and penalties for not performing
28 the mandate if the general assembly has specified in
29 legislation the amount or proportion of the cost of the
30 mandate which the state will pay.

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