

SENATE FILE 65  
BY HALVORSON

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the governor's power to suspend or modify  
2 provisions of a statute, order, or rule during disaster  
3 emergencies.

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

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S.F. 65

1 Section 1. Section 29C.6, subsections 2 and 6, Code 1995,  
2 are amended to read as follows:

3 2. When, at the request of the governor, the president of  
4 the United States has declared a major disaster to exist in  
5 this state, enter into purchase, lease, or other arrangements  
6 with any agency of the United States for temporary housing  
7 units to be occupied by disaster victims and to make such  
8 those units available to any political subdivision of the  
9 state, to assist any political subdivision of this state which  
10 is the locus of temporary housing for disaster victims, to  
11 acquire sites necessary for such temporary housing and to do  
12 all things required to prepare such the sites to receive and  
13 utilize temporary housing units, by advancing or lending funds  
14 available to the governor from any appropriation made by the  
15 legislature general assembly or from any other source,  
16 allocating funds made available by any agency, public or  
17 private, or becoming a copartner with the political  
18 subdivision for the execution and performance of any temporary  
19 housing for disaster victims project. Any political  
20 subdivision of this state is expressly authorized to acquire,  
21 temporarily or permanently, by purchase, lease, or otherwise,  
22 sites required for installation of temporary housing units for  
23 disaster victims, and to enter into whatever arrangements are  
24 necessary to prepare or equip such the sites to utilize the  
25 housing units. The governor may temporarily suspend or  
26 modify, for not to exceed sixty days, any public health,  
27 safety, zoning, transportation, or other requirement of law or  
28 regulation within this state, which law or regulation is  
29 directly related to the disaster, when by proclamation, the  
30 governor deems such the suspension or modification essential  
31 to provide temporary housing for disaster victims.

32 6. Suspend the provisions of any regulatory statute  
33 prescribing the procedures for conduct of state business, or  
34 the orders or rules, of any state agency, which statute,  
35 order, or rule is directly related to the disaster and

1 essential for the protection of human life or the prevention  
2 of the destruction of property, if strict compliance with the  
3 provisions of any statute, order, or rule would in any way  
4 prevent, hinder, or delay necessary action in coping with the  
5 emergency by stating in a proclamation such reasons. Upon the  
6 request of a local governing body, the governor may also  
7 suspend statutes limiting directly related to the disaster and  
8 essential for the protection of human life or the prevention  
9 of the destruction of property which limit local governments  
10 in their ability to provide services to aid disaster victims.

11 EXPLANATION

12 Present law allows the governor, once a disaster emergency  
13 has been proclaimed, to suspend or modify statutes,  
14 regulations, orders, or requirements of certain laws in order  
15 to assist in the providing of disaster services. This bill  
16 requires that these statutes, regulations, orders, or  
17 requirements be directly related to the disaster before the  
18 governor may suspend or modify them.

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