

*2/25/00 Do Pass  
2/28/00 Referred back to Local Gov.*

FEB 16 2000

LOCAL GOVERNMENT

HOUSE FILE **2299**  
BY HOUSER

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

**A BILL FOR**

1 An Act relating to the funding of state mandates.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*HF 2299*

1 Section 1. Section 25B.2, subsection 3, Code 1999, is  
2 amended by striking the subsection.

3 Sec. 2. NEW SECTION. 25B.5A UNFUNDED STATE MANDATES --  
4 EFFECT.

5 If, on or after July 1, 2000, a state mandate is enacted by  
6 the general assembly, or otherwise imposed, on a political  
7 subdivision and the state mandate requires a political  
8 subdivision to engage in any new activity, to provide a new  
9 service, or to provide any service beyond that required by any  
10 law enacted prior to July 1, 2000, and the state does not  
11 appropriate moneys to fully fund the cost of the state mandate  
12 as identified pursuant to section 25B.5, subsections 1 and 2,  
13 the political subdivision is not required to perform the  
14 activity or provide the service and the political subdivision  
15 shall not be subject to any liabilities imposed by the state  
16 or the imposition of any fines or penalties for the failure to  
17 comply with the state mandate.

18 EXPLANATION

19 This bill provides that if a new state mandate is imposed  
20 on or after July 1, 2000, which requires the performance of a  
21 new activity or service or the expansion of a service beyond  
22 what was required before July 1, 2000, the state mandate must  
23 be fully funded. If the state mandate is not fully funded,  
24 the affected political subdivisions are not required to comply  
25 or implement the state mandate. Also, no fines or penalties  
26 may be imposed on a political subdivision for failure to  
27 comply or carry out an unfunded state mandate.

28 This bill strikes Code section 25B.2, subsection 3, and  
29 rewrites it as a new section outside the intent section of  
30 Code chapter 25B. The rewritten section removes a qualifying  
31 phrase which limits the circumstances under which a political  
32 subdivision may fail to carry out an unfunded state mandate.

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