

FILED FEB 24 '04

STATE GOVERNMENT

SENATE FILE **2169**
BY WARNSTADT and DRAKE

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

A BILL FOR

1 An Act relating to certain protections for members and families
2 of members of the Iowa national guard or United States reserve
3 forces during military service.

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

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SF 2169
STATE GOVERNMENT

1 Section 1. NEW SECTION. 29A.91A LICENSES, REGISTRATIONS,
2 AND PERMITS -- LATE PENALTIES WAIVED.

3 A state agency may adopt rules to provide for
4 administrative waiver of late penalties imposed for failure to
5 renew a license, permit, or registration, or to perform any
6 other obligation subject to a late penalty, for a service
7 member during a period of military service.

8 Sec. 2. Section 29A.101, subsection 1, Code 2003, is
9 amended to read as follows:

10 1. A landlord shall not terminate the lease or rental
11 agreement of a service member or the service member's
12 dependents for nonpayment of rent from any premises used as a
13 dwelling by the service member or dependents during the period
14 of military service if the rent on the premises occupied by
15 the service member or dependents is less than ~~one~~ two thousand
16 ~~two~~ four hundred dollars per month. However, a court may
17 allow an eviction or the recovery of property pursuant to
18 chapter 646 or 648.

19 Sec. 3. Section 260C.14, subsection 20, paragraph a, Code
20 Supplement 2003, is amended to read as follows:

21 a. Withdraw from the student's entire registration and
22 receive a full refund of tuition and mandatory fees. If the
23 student chooses to withdraw, the student shall be readmitted
24 and reenrolled as a student at the community college, without
25 penalty or redetermination of admission eligibility, within
26 one year following release from the state or federal active
27 military service or duty.

28 Sec. 4. Section 261.9, subsection 1, paragraph g,
29 subparagraph (1), Code Supplement 2003, is amended to read as
30 follows:

31 (1) Withdraw from the student's entire registration and
32 receive a full refund of tuition and mandatory fees. If the
33 student chooses to withdraw, the student shall be readmitted
34 and reenrolled as a student at the institution, without
35 penalty or redetermination of admission eligibility, within

1 one year following release from the state or federal active
2 military service or duty.

3 Sec. 5. Section 262.9, subsection 29, paragraph a, Code
4 Supplement 2003, is amended to read as follows:

5 a. Withdraw from the student's entire registration and
6 receive a full refund of tuition and mandatory fees. If the
7 student chooses to withdraw, the student shall be readmitted
8 and reenrolled as a student at the institution, without
9 penalty or redetermination of admission eligibility, within
10 one year following release from the state or federal active
11 military service or duty.

12 Sec. 6. Section 272C.3, Code Supplement 2003, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 5. A licensing board specified in section
15 272C.1, or otherwise regulating a profession or occupation
16 requiring licensure in this state, shall not impose a penalty
17 for failure to remit a licensing application or renewal fee
18 upon a person applying for licensure or licensed to practice
19 the occupation or profession in this state during a period
20 that the person serves honorably on active duty in the
21 military service of this state or of the United States.

22 EXPLANATION

23 This bill allows a state agency to accept rules to provide
24 for administrative waiver of late penalties for failure to
25 renew a license, permit, or registration, or perform any other
26 obligation, for a service member during a period of military
27 service.

28 The bill also provides that a landlord cannot terminate the
29 lease or rental agreement of a service member or the service
30 member's family for nonpayment of rent on premises used as a
31 dwelling by the service member or dependents during the period
32 of military service if the rent on the premises is less than
33 \$2,400 per month. Previously, this rent protection provision
34 only applied to rent on premises that was less than \$1,200 per
35 month.

1 The bill requires accredited private and public
2 postsecondary institutions to provide that when a student who
3 is a member of the Iowa national guard or reserve forces of
4 the United States and who is ordered to active state service
5 or federal service or duty elects to withdraw from the
6 student's entire registration at the time of activation, the
7 student shall be readmitted and reenrolled as a student within
8 one year of release from active service or duty.

9 The bill provides that an individual applying for licensure
10 or licensed to practice a profession or occupation requiring
11 licensure in this state shall not be subject to a penalty
12 imposed by a licensing board for failure to remit a licensing
13 application or renewal fee during a period that the person
14 serves honorably on active duty in the military service of
15 this state or of the United States.

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