HOUSE FILE 2277

BY HUSER

(COMPANION TO LSB 5834SS BY
JOCHUM)

A BILL FOR

1 An Act prohibiting cities and counties from adopting or
2 enforcing ordinances that require a landlord to evict or
3 impose certain restrictions or penalties on residential
4 tenants and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.304A, Code 2009, is amended by adding
2 the following new subsection:
3 <u>NEW SUBSECTION</u>. 3. *a.* A county shall not adopt or enforce
4 county legislation that requires a landlord under chapter 562A
5 or 562B to do any of the following:
6 (1) Impose restrictions on a tenant's ability to request
7 assistance from a public safety agency as defined in section
8 34.1.
9 (2) Impose a penalty on or evict a tenant who requests
10 assistance from a public safety agency as defined in section
11 34.1.
12 (3) Impose a penalty, impose liability, or evict a tenant as
13 the result of actions taken by a person on the premises without
14 the consent of the tenant.
15 *b.* County legislation in effect on the effective date
16 of this Act that violates this subsection is void and
17 unenforceable and any enforcement activity conducted in
18 violation of this subsection is void.
19 *c.* This subsection shall not be construed to limit the
20 enforcement of or invalidate any provision of a rental
21 agreement.
22 Sec. 2. Section 364.3, Code Supplement 2009, is amended by
23 adding the following new subsection:
24 <u>NEW SUBSECTION</u>. 11. *a.* A city shall not adopt or enforce
25 any ordinance that requires a landlord under chapter 562A or
26 562B to do any of the following:
27 (1) Impose restrictions on a tenant's ability to request
28 assistance from a public safety agency as defined in section
29 34.1.
30 (2) Impose a penalty on or evict a tenant who requests
31 assistance from a public safety agency as defined in section
32 34.1.
33 (3) Impose a penalty, impose liability, or evict a tenant as
34 the result of actions taken by a person on the premises without
35 the consent of the tenant.

1 *b.* An ordinance in effect on the effective date of this Act
2 that violates this subsection is void and unenforceable and any
3 enforcement activity conducted in violation of this subsection
4 is void.
5 *c.* This subsection shall not be construed to limit the
6 enforcement of or invalidate any provision of a rental
7 agreement.
8 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
9 immediate importance, takes effect upon enactment.
10 EXPLANATION
11 This bill prohibits cities and counties from enacting
12 or enforcing ordinances that require a landlord under Code
13 chapter 562A (uniform residential landlord and tenant Act) or
14 Code chapter 562B (manufactured home communities or mobile
15 home parks residential landlord and tenant Act) to impose
16 restrictions on a tenant's ability to request assistance from
17 a public safety agency as defined in the bill, to impose a
18 penalty on or evict a tenant who requests assistance from a
19 public safety agency, or to impose a penalty, impose liability,
20 or evict a tenant as the result of actions taken by a person on
21 the premises without the consent of the tenant.
22 The bill provides that an ordinance in effect on the
23 effective date of the bill that violates the provisions of the
24 bill is void and unenforceable and any enforcement activity
25 conducted in violation of the bill is void.
26 The bill also provides that the restrictions imposed on
27 the enactment and enforcement of such ordinances shall not
28 be construed to limit the enforcement of or invalidate any
29 provision of a rental agreement.
30 The bill takes effect upon enactment.

LSB 5834HH (4) 83
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