

**Senate File 2097 - Introduced**

SENATE FILE 2097

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**A BILL FOR**

1 An Act relating to unfunded federal mandates related to federal  
2 health care reforms and including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 1.19 Federal health care reforms  
2 — unfunded federal mandates.

3 1. It is the intent of the general assembly to affirm the  
4 power of this state under the Tenth Amendment to the United  
5 States Constitution to exercise those powers reserved to the  
6 states including but not limited to providing state-based  
7 regulation of the health insurance market, providing aggressive  
8 oversight of all aspects of this market, and enforcing consumer  
9 protection as well as ensuring a local, responsive presence for  
10 Iowa consumers.

11 2. If, on or after the effective date of this Act, the  
12 United States Congress enacts or otherwise imposes a mandate  
13 that requires the state to engage in any new activity, to  
14 provide any new service, or to provide any service beyond that  
15 required by any law enacted or requirement otherwise imposed  
16 prior to the effective date of this Act related to regulation  
17 of the health insurance market, and the United States does not  
18 appropriate moneys to fully fund the cost of the mandate or  
19 other requirement, the state is not required to perform the  
20 activity or provide the service and the state shall not be  
21 subject to the imposition of any fines or penalties for failure  
22 to comply with the federal mandate or other requirement.

23 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
24 immediate importance, takes effect upon enactment.

25 EXPLANATION

26 This bill affirms the intent of the general assembly to  
27 exercise those powers reserved to the states, including  
28 but not limited to providing state-based regulation of the  
29 health insurance market, providing aggressive oversight of  
30 this market, and enforcing consumer protection and a local,  
31 responsive presence for Iowa consumers.

32 The bill provides that if the United States Congress enacts  
33 or otherwise imposes a mandate that requires the state to  
34 engage in any new activity or provide any new or expanded  
35 service and does not appropriate moneys to fully fund the cost

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1 of the mandate or other requirement, the state is not required  
2 to perform the activity or provide the service and shall not be  
3 subject to the imposition of any fines or penalties for failure  
4 to do so. The bill is effective upon enactment.