

# Senate Study Bill 1213

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON QUIRMBACH)

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

## A BILL FOR

1 An Act relating to local regulation of certain lawn applications.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 2146XC 83  
4 tm/sc/5

PAG LIN

1 1 Section 1. Section 200.22, subsection 2, Code 2009, is  
1 2 amended to read as follows:  
1 3 2. ~~The Except as provided in subsection 2A, the provisions~~  
1 4 of this chapter and rules adopted by the department pursuant  
1 5 to this chapter shall preempt local legislation adopted by a  
1 6 local governmental entity relating to the use, sale,  
1 7 distribution, storage, transportation, disposal, formulation,  
1 8 labeling, registration, or manufacture of a fertilizer or soil  
1 9 conditioner. A local governmental entity shall not adopt or  
1 10 continue in effect local legislation relating to the use,  
1 11 sale, distribution, storage, transportation, disposal,  
1 12 formulation, labeling, registration, or manufacture of a  
1 13 fertilizer or soil conditioner, regardless of whether a  
1 14 statute or rule adopted by the department applies to preempt  
1 15 the local legislation. Local legislation in violation of this  
1 16 section is void and unenforceable. However, local legislation  
1 17 adopted pursuant to subsection 2A is not considered to be in  
1 18 violation of this section.

1 19 Sec. 2. Section 200.22, Code 2009, is amended by adding  
1 20 the following new subsection:  
1 21 NEW SUBSECTION. 2A. A local governmental entity may adopt  
1 22 local ordinances regulating the use of lawn applications  
1 23 containing phosphorus on property zoned for residential use  
1 24 and property zoned for commercial use which is used for  
1 25 residential purposes provided the adopted local ordinances are  
1 26 not less stringent than applicable state law or rules adopted  
1 27 by the department. This subsection shall not apply to  
1 28 property zoned for commercial or residential use if the  
1 29 property is used for agricultural purposes.

### EXPLANATION

1 31 This bill relates to local regulation of certain lawn  
1 32 applications.

1 33 The bill allows local governmental entities to adopt local  
1 34 ordinances regulating the use of lawn applications containing  
1 35 phosphorus on residentially zoned property and commercially  
2 1 zoned property used for residential purposes provided the  
2 2 adopted local ordinances are not less stringent than  
2 3 applicable state law or rule. Such ordinances shall not apply  
2 4 to property zoned for residential or commercial use if the  
2 5 property is used for agricultural purposes.

2 6 LSB 2146XC 83

2 7 tm/sc/5