

**Senate File 2198 - Introduced**

SENATE FILE 2198

BY SORENSON

(COMPANION TO HF 575 BY  
PEARSON)

**A BILL FOR**

1 An Act establishing an Iowa freedom and sovereignty Act and  
2 including penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 1.19 Iowa freedom and sovereignty  
2 Act.

3 1. *Short title.* This section shall be known as and may be  
4 cited as the "*Iowa Freedom and Sovereignty Act*".

5 2. *Findings.* The general assembly finds and declares all of  
6 the following relating to federal and state law:

7 a. The Declaration of Independence states the principles  
8 underlying all law in the United States.

9 b. The principles from the Declaration of Independence  
10 provided the basis for the Constitution of the United States  
11 and the Constitution of the State of Iowa, and for providing  
12 that basis many consider those principles to be supreme over  
13 those constitutions.

14 c. The purpose of the constitutions and for governments  
15 is to secure for all citizens of the United States, as stated  
16 by the Declaration of Independence, certain "unalienable  
17 Rights, that among these are Life, Liberty, and the pursuit of  
18 Happiness".

19 d. The form of government established by the founders  
20 of this nation can be best described as a republic, not a  
21 democracy, and as a republic, sovereign power is vested in  
22 citizens individually, not collectively.

23 e. The ninth, tenth, and eleventh amendments to the  
24 Constitution of the United States address the rights retained  
25 by the people, the powers reserved to the states or to the  
26 people, and constraints on the judicial power of the United  
27 States relative to suits against one state by citizens of  
28 another state or by citizens or subjects of a foreign state.

29 f. The Constitution of the United States establishes the  
30 constitution and the laws and treaties of the United States as  
31 the supreme law of the United States.

32 g. The sovereign people of the United States have  
33 not approved any amendment to alter the authority of the  
34 Constitution of the United States.

35 3. *Definitions.* For the purposes of this section, unless

1 the context otherwise requires:

2     *a.* "Contract" includes arbitration agreement or other  
3 agreement.

4     *b.* "Foreign law" means any law enacted by a jurisdiction  
5 or a governmental or quasi-governmental body other than the  
6 federal government or a state of the United States. "Foreign  
7 law" includes a religious law, legal code, accord, or ruling  
8 promulgated or made by an international organization, tribunal,  
9 or formal or informal administrative body.

10     4. *Implementation and effect.*

11     *a.* Any foreign law or other law that is in conflict with the  
12 principles of the Declaration of Independence, the Constitution  
13 of the United States, or the Constitution of the State of Iowa  
14 shall not have force or effect in this state.

15     *b.* The general assembly shall enact laws necessary for the  
16 implementation of this section.

17     *c.* This section takes precedence over any other law relating  
18 to the sovereignty and rights of the citizens of this state.

19     5. *Jurisdiction.*

20     *a.* A court of this state shall not relinquish jurisdiction  
21 over a sovereign citizen of this state in any proceeding that  
22 would be in conflict with the requirements and intent of this  
23 section.

24     *b.* It is the public policy of this state that the only  
25 factor that a court, administrative agency, arbitrator,  
26 mediator, or other person acting under authority of this  
27 state's laws shall consider in granting comity to a decision  
28 rendered under a foreign law that affects a sovereign citizen  
29 of this state is whether the decision violates the sovereign  
30 citizen's rights under the Constitution of the United States or  
31 the Constitution of the State of Iowa.

32     6. *Contracts.*

33     *a.* If a contract provides for the choice of a foreign law  
34 to govern the enforcement or interpretation of the contract or  
35 the resolution of any claim or dispute involving the contract

1 and a sovereign citizen of this state, and if the choice of a  
2 foreign law either results or would result in a violation of  
3 the sovereign citizen's rights under the Constitution of the  
4 United States or the Constitution of the State of Iowa, it is  
5 the public policy of this state that the only factor considered  
6 in interpreting, enforcing, or applying the contract shall be  
7 the preservation of the sovereign citizen's rights under the  
8 Constitution of the United States or the Constitution of the  
9 State of Iowa.

10     *b.* If a sovereign citizen of this state who is subject  
11 to personal jurisdiction in this state pursues litigation,  
12 arbitration, agency action, or other similar binding proceeding  
13 in this state and a court in this state finds that the court  
14 granting a claim of forum non conveniens or other claim  
15 that the convenience of the parties and ends of justice  
16 would be better served if the proceeding is heard in another  
17 jurisdiction, or if the court finds that granting the claim  
18 would result in a violation of the constitutional rights of the  
19 sovereign citizen of this state in the foreign forum, it is the  
20 public policy of this state that the claim be denied.

21     *c.* This subsection shall not be interpreted as a limitation  
22 on the right of a sovereign citizen of this state to  
23 voluntarily reject or otherwise limit the sovereign citizen's  
24 constitutional rights in a contract or to make a specific  
25 waiver of such right consistent with constitutional principles.  
26 However, the language of such contract or waiver shall be  
27 strictly construed in favor of preserving the sovereign  
28 citizen's constitutional rights.

29     7. *Compliance.*

30     *a.* A judge in this state shall not issue orders to levy or  
31 execute on the property of a sovereign citizen of this state  
32 to collect any amount assessed against the sovereign citizen  
33 for failure to comply with a foreign law that violates the  
34 sovereign citizen's rights under the Constitution of the United  
35 States or the Constitution of the State of Iowa. A person

1 who violates this subsection is subject to any disciplinary  
2 sanction available to the state bar, including but not limited  
3 to suspension or disbarment.

4 *b.* A federal judge in this state who exercises jurisdiction  
5 over a sovereign citizen of this state in a case involving  
6 foreign law which results in violation of the sovereign  
7 citizen's rights and privileges under the Constitution of the  
8 United States or the Constitution of the State of Iowa is  
9 subject to sua sponte and sovereign citizen-initiated grievance  
10 proceedings before the state bar for doing so. If the exercise  
11 of jurisdiction is determined to have resulted in violation of  
12 the sovereign citizen's rights and privileges, the judge is  
13 subject to any disciplinary sanction available to the state  
14 bar, including but not limited to suspension or disbarment.

15 *c.* A federal official in this state or a state official  
16 shall not issue orders to levy or execute on the property of a  
17 sovereign citizen of this state to collect any amount assessed  
18 against the sovereign citizen for failure to comply with a  
19 foreign law that violates the sovereign citizen's rights under  
20 the Constitution of the United States or the Constitution of  
21 the State of Iowa.

22 *d.* A bank, credit union, trustee, investment broker, or  
23 depository in this state is not authorized to pay over any  
24 sums claimed to be due under an order or writ of attachment  
25 or garnishment if the order or writ is for the purpose of  
26 collecting any amounts assessed against a sovereign citizen  
27 for failure to comply with a foreign law that violates the  
28 sovereign citizen's rights under the Constitution of the United  
29 States or the Constitution of the State of Iowa.

30 *e.* (1) An official, agent, or employee of a state or  
31 federal government or an employee of a corporation providing  
32 services to state or federal government in this state who  
33 enforces or attempts to enforce a foreign law in violation of  
34 this section commits a class "D" felony.

35 (2) A party aggrieved by a violation of this section as

1 described in this paragraph "e" shall have a private right of  
2 action against the person who committed the violation.

3 8. *Applicability.* The public policies expressed in this  
4 section are applicable only to an actual or foreseeable  
5 violation of a sovereign citizen's rights under the  
6 Constitution of the United States or the Constitution of the  
7 State of Iowa resulting from compliance with or enforcement of  
8 a foreign law.

9

EXPLANATION

10 This bill establishes an Iowa freedom and sovereignty Act  
11 in new Code section 1.19. The bill restricts enforcement of  
12 provisions based on foreign law, as defined by the bill, that  
13 would violate the rights and privileges under the Constitution  
14 of the United States or the Constitution of the State of Iowa  
15 of a sovereign citizen of this state. The bill establishes  
16 that sovereignty is vested in citizens individually and not  
17 collectively.

18 New Code section 1.19 is organized into subsections  
19 establishing the "Iowa Freedom and Sovereignty Act" as the  
20 short title for the legislation. "Foreign law" is defined  
21 to mean any law enacted by a jurisdiction or a governmental  
22 or quasi-governmental body other than the federal government  
23 or a state of the United States. "Foreign law" includes a  
24 religious law, legal code, accord, or ruling promulgated by an  
25 international organization, tribunal, or formal or informal  
26 administrative body.

27 The bill lists legislative findings concerning the meaning  
28 and effect of the Declaration of Independence, the Constitution  
29 of the United States, and the Constitution of the State of  
30 Iowa; defines terms; describes the implementation and effect  
31 of the bill; protects the jurisdiction of the courts of  
32 this state; addresses how the provisions of the bill affect  
33 contracts; addresses judicial compliance by authorizing the  
34 state bar to apply sanctions to judges; prohibits financial  
35 institutions from paying on an order of attachment or

1 garnishment if in conflict with the bill; and prohibits federal  
2 and state officials from enforcing or attempting to enforce  
3 a foreign law in violation of the bill, applying criminal  
4 penalties and a private right of action against federal and  
5 state officials for violating the bill's prohibitions. If an  
6 official, agent, or employee of a state or federal government  
7 or an employee of a corporation providing services to a state  
8 or federal government enforces or attempts to enforce a foreign  
9 law in violation of the bill, the penalty is a class "D"  
10 felony, which is punishable by confinement for no more than  
11 five years and a fine of at least \$750 but not more than \$7,500.

12 The bill provides that the public policies expressed are  
13 applicable only to an actual or foreseeable violation of a  
14 sovereign citizen's constitutional rights resulting from  
15 compliance with or enforcement of a foreign law.