

Senate File 47 - Introduced

SENATE FILE 47

BY ZAUN

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

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

26 EXPLANATION

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

33 The bill provides that if the United States Congress enacts,
34 effectuates, or otherwise imposes a mandate that requires
35 the state to engage in any new activity or provide any new

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