

House File 39 - Introduced

HOUSE FILE 39

BY ISENHART

A BILL FOR

1 An Act relating to the process to bind the state to
2 international trade agreements.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 15.108, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 12. *Trade agreements.* To review, analyze,
4 and report on trade agreements, as required pursuant to section
5 15E.81.

6 Sec. 2. NEW SECTION. 15E.81 **Trade agreements.**

7 1. If the United States government provides the state with
8 the opportunity to consent to or to reject binding the state
9 to a trade agreement, or a designated provision within a trade
10 agreement, then an official of the state, including but not
11 limited to the governor, shall not give consent to the United
12 States government to bind the state to the trade agreement,
13 except as provided in this section.

14 2. When a communication from the United States trade
15 representative concerning a trade agreement is received by the
16 state, the governor shall transmit a copy of the communication
17 and the trade agreement, or relevant provisions of the trade
18 agreement, to the director of the authority, the president of
19 the senate, the speaker of the house of representatives, and
20 the chairpersons and ranking members of the general assembly's
21 standing committees on government oversight.

22 3. The director of the authority, in consultation with
23 the attorney general and the faculty of the international and
24 comparative law program at the college of law at the university
25 of Iowa, shall, immediately upon receipt, review and analyze a
26 trade agreement and submit a report to the general assembly and
27 the governor on the potential impact on the state of consenting
28 to be bound by the trade agreement.

29 4. An official of the state, including but not limited to
30 the governor, shall not consent to bind the state to the terms
31 or provisions of a trade agreement unless the general assembly
32 has passed a joint resolution authorizing the governor or
33 other official to give consent to bind the state to the trade
34 agreement or to a provision designated by the United States
35 government within the trade agreement.

1 5. As used in this section, "*trade agreement*" means
2 an agreement reached between the United States government
3 and any other country, countries, or other international
4 political entity or entities that proposes to regulate trade,
5 procurement, services, or investment among the parties to the
6 agreement. "*Trade agreement*" includes but is not limited to any
7 agreements under the auspices of the world trade organization,
8 all regional free trade agreements, and all bilateral trade
9 agreements entered into by the United States, as well as
10 requests for binding agreement received from a United States
11 trade representative.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to the process to bind the state to
16 international trade agreements if the federal government
17 provides the option to states to consent or not consent.

18 The bill provides that an official of the state, including
19 the governor, is not able to give consent to bind the state
20 to the terms or provisions of a trade agreement unless the
21 general assembly has passed a joint resolution authorizing the
22 governor or other official of the state to bind the state to
23 the trade agreement or to a designated provision within the
24 trade agreement.

25 Under the bill, the governor is required to transmit
26 a copy of a trade agreement, or relevant provisions of a
27 trade agreement, to the director of the economic development
28 authority, the president of the senate, the speaker of the
29 house of representatives, and the chairpersons and ranking
30 members of the general assembly's standing committees on
31 government oversight.

32 The bill requires that the director of the economic
33 development authority, in consultation with the attorney
34 general and the faculty of the international and comparative
35 law program at the college of law at the university of Iowa,

1 immediately review, analyze, and submit a report on such a
2 trade agreement. The bill requires the authority to submit the
3 report to the general assembly and the governor.