

House File 2309 - Introduced

HOUSE FILE 2309
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 519)

A BILL FOR

1 An Act relating to the regulation by counties and cities of
2 certain conditions of employment, and including effective
3 date and applicability provisions.

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

1 Section 1. Section 331.304, subsection 12, Code 2020, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. c. In an action to challenge the enforcement
4 or administration of an ordinance, motion, resolution, or
5 amendment that violates this subsection, or in an action
6 brought by a county to enforce or administer an ordinance,
7 motion, resolution, or amendment that violates this subsection,
8 the court shall award attorney fees and costs to a party who
9 prevails in challenging the ordinance, motion, resolution, or
10 amendment.

11 Sec. 2. Section 364.3, subsection 12, Code 2020, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. c. In an action to challenge the enforcement
14 or administration of an ordinance, motion, resolution, or
15 amendment that violates this subsection, or in an action
16 brought by a city to enforce or administer an ordinance,
17 motion, resolution, or amendment that violates this subsection,
18 the court shall award attorney fees and costs to a party who
19 prevails in challenging the ordinance, motion, resolution, or
20 amendment.

21 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
22 importance, takes effect upon enactment.

23 Sec. 4. APPLICABILITY. The following apply to actions
24 regarding the enforcement or administration of an ordinance,
25 motion, resolution, or amendment that is pending on the
26 effective date of this Act or is filed on or after the
27 effective date of this Act:

28 1. The section of this Act enacting section 331.304,
29 subsection 12, paragraph "c".

30 2. The section of this Act enacting section 364.3,
31 subsection 12, paragraph "c".

32 EXPLANATION

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

35 This bill relates to the regulation by counties and cities

1 of certain conditions of employment. Current law prohibits
2 a county or city from adopting, enforcing, or otherwise
3 administering an ordinance, motion, resolution, or amendment
4 providing for any terms or conditions that exceed or conflict
5 with the requirements of federal or state law relating to a
6 minimum or living wage rate, any form of employment leave,
7 hiring practices, employment benefits, scheduling practices,
8 or other terms or conditions of employment. The bill provides
9 that the court shall award attorney fees and costs to the
10 prevailing party challenging the enforcement or administration
11 of a prohibited ordinance, motion, resolution, or amendment.
12 The bill applies to actions regarding the enforcement or
13 administration of a prohibited ordinance, motion, resolution,
14 or amendment that is pending on the effective date of the bill
15 or is filed on or after the effective date of the bill. The
16 bill takes effect upon enactment.