

Senate Study Bill 3027 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to injunctions issued to employers for certain
2 violations of the state unemployment insurance law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.14, subsection 16, Code 2020, is
2 amended to read as follows:

3 16. *Injunction upon nonpayment.* Any employer or employing
4 unit refusing or failing to make and file required reports,
5 records, or to pay any contributions, interest, or penalty
6 under the provisions of this chapter, after ten days' written
7 notice sent by the department to the employer's or employing
8 unit's last known address by certified mail, may be enjoined
9 from operating any business in the state while in violation
10 of this chapter upon the complaint of the department in the
11 district court of a county in which the employer or employing
12 unit has or had a place of business within the state, and
13 any temporary injunction enjoining the continuance of such
14 business may be granted without notice and without a bond being
15 required from the department. Such injunction may enjoin any
16 employer or employing unit from operating a business unit
17 until the delinquent contributions, interest, or penalties
18 shall have been made and filed or paid; or the employer shall
19 have furnished a good and sufficient bond conditioned upon the
20 payment of such delinquencies in such an amount and containing
21 such terms as may be determined by the court; or the employer
22 has entered into a plan for the liquidation of the business to
23 pay for such delinquencies as the court may approve, provided
24 that such injunction may be reinstated upon the employer's
25 failure to comply with the terms of said plan.

26 EXPLANATION

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

29 This bill provides that an employer or employing unit
30 subject to unemployment insurance that refuses or fails to make
31 and file required records is subject to a possible injunction
32 by the department of workforce development for the violation.

33 The bill modifies a reference to plans for liquidation of
34 deficiencies relating to unemployment insurance by an employer
35 or employing unit to specify that such a plan is for the

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1 liquidation of a business to pay for such deficiencies.