

House File 815 - Introduced

HOUSE FILE 815
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 481)

A BILL FOR

1 An Act relating to executive orders of the president of the
2 United States.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 1.19 Presidential orders — review.

2 1. The legislative council may review an executive order
3 issued by the president of the United States which has not been
4 affirmed by a vote of the Congress of the United States and
5 signed into law as prescribed by the constitution of the United
6 States and recommend to the attorney general and the governor
7 that the executive order be further reviewed.

8 2. Upon recommendation from the legislative council, the
9 attorney general shall review an executive order to determine
10 the constitutionality of the order and whether the state should
11 seek an exemption from the application of the order or seek to
12 have the order declared to be an unconstitutional exercise of
13 legislative authority by the president.

14 3. Notwithstanding any other provision of law to the
15 contrary, the state, a political subdivision of the state, or
16 any other publicly funded organization shall not implement an
17 executive order of the president of the United States that
18 restricts a person's rights or that the attorney general
19 determines to be unconstitutional pursuant to subsection 2 and
20 which relates to any of the following:

21 a. A pandemic or other health emergency.

22 b. The regulation of natural resources, including coal and
23 oil.

24 c. The regulation of the agriculture industry.

25 d. The use of land.

26 e. The regulation of the financial sector as it relates to
27 environmental, social, or governance standards.

28 f. The regulation of the constitutional right to bear arms.

29

EXPLANATION

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

32 This bill relates to executive orders issued by the
33 president of the United States. The bill allows the
34 legislative council to review an executive order issued by the
35 president and not passed into law by the Congress of the United

1 States. The legislative council may refer such orders to the
2 attorney general and governor for further review. The bill
3 requires the attorney general to determine whether an order
4 is constitutional and to decide whether to seek an exemption
5 from the order or a ruling on its constitutionality. The bill
6 prohibits the state, a political subdivision of the state, or
7 any publicly funded organization, from enforcing a presidential
8 executive order that restricts a person's rights or which the
9 attorney general has determined to be unconstitutional and
10 which is related to certain enumerated subjects.