

House Study Bill 129 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act prohibiting counties or cities from imposing
2 restrictions on certain businesses operated by persons
3 under the age of eighteen, and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.301, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 18. A county shall not adopt or enforce
4 an ordinance, motion, resolution, or amendment imposing any
5 requirement to obtain a permit or license, or to pay a fee,
6 for an eligible business operated on an occasional basis for
7 no more than eighty-nine calendar days in a calendar year by
8 a person or persons under the age of eighteen. For purposes
9 of this subsection, "*eligible business*" means an on-site
10 transactional business traditionally operated exclusively by a
11 person under the age of eighteen, including a "*stand operated*
12 *by a minor*" as defined in section 137F.1, that a person under
13 the age of eighteen is not otherwise prohibited by law from
14 operating.

15 Sec. 2. Section 364.3, Code 2021, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 13. A city shall not adopt or enforce
18 an ordinance, motion, resolution, or amendment imposing any
19 requirement to obtain a permit or license, or to pay a fee,
20 for an eligible business operated on an occasional basis for
21 no more than eighty-nine calendar days in a calendar year by
22 a person or persons under the age of eighteen. For purposes
23 of this subsection, "*eligible business*" means an on-site
24 transactional business traditionally operated exclusively by a
25 person under the age of eighteen, including a "*stand operated*
26 *by a minor*" as defined in section 137F.1, that a person under
27 the age of eighteen is not otherwise prohibited by law from
28 operating.

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

31 EXPLANATION

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

34 This bill prohibits counties or cities from adopting or
35 enforcing ordinances, motions, resolutions, or amendments

1 imposing any requirement for eligible businesses to obtain a
2 permit or license, or to pay a fee. An "eligible business"
3 is defined in the bill as an on-site transactional business
4 traditionally operated by a person under the age of 18,
5 including a "stand operated by a minor" as defined in the bill,
6 that a person under the age of 18 is not legally prohibited
7 from operating.

8 The bill takes effect upon enactment.