

House Study Bill 162 - Introduced

HOUSE FILE _____

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

A BILL FOR

1 An Act providing that public postsecondary institutions
2 are prohibited from requiring students or employees to
3 wear face masks or social distance off campus and only
4 accredited private institutions that do not require students
5 or employees to wear face masks or social distance off
6 campus can qualify for the Iowa tuition grant program, and
7 including effective date provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 260C.14, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 25. Prohibit the community college from
4 requiring a student or employee who is off campus to wear
5 a face mask to cover the nose and mouth for the purpose of
6 blocking or reducing the spread of respiratory droplets or to
7 social distance by maintaining a physical distance of at least
8 six feet from any other individual to prevent the spread of
9 COVID-19 or any other infectious disease.

10 Sec. 2. Section 261.9, subsection 1, unnumbered paragraph
11 1, Code 2021, is amended to read as follows:

12 "*Accredited private institution*" means an institution of
13 higher learning located in Iowa which is operated privately
14 and not controlled or administered by any state agency or
15 any subdivision of the state and which meets the criteria in
16 paragraphs "a" and "b" and all of the criteria in paragraphs "d"
17 through "~~i~~" "j", except that institutions defined in paragraph
18 "c" of [this subsection](#) are exempt from the requirements of
19 paragraphs "a" and "b":

20 Sec. 3. Section 261.9, subsection 1, Code 2021, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. *j.* Does not require a student or employee
23 who is off campus to wear a face mask to cover the nose and
24 mouth for the purpose of blocking or reducing the spread of
25 respiratory droplets or to social distance by maintaining
26 a physical distance of at least six feet from any other
27 individual to prevent the spread of COVID-19 or any other
28 infectious disease.

29 Sec. 4. Section 262.9, Code 2021, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 39. Prohibit an institution of higher
32 learning under its control from requiring a student or employee
33 who is off campus to wear a face mask to cover the nose and
34 mouth for the purpose of blocking or reducing the spread of
35 respiratory droplets or to social distance by maintaining

1 a physical distance of at least six feet from any other
2 individual to prevent the spread of COVID-19 or any other
3 infectious disease.

4 Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate
5 importance, takes effect upon enactment.

6 EXPLANATION

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

9 This bill relates to face mask and social distance
10 requirements imposed by community colleges, accredited private
11 institutions, or regents universities on students and employees
12 who are off campus.

13 The bill directs the state board of regents to prohibit
14 the universities under its control, and directs the board of
15 directors of a community college to prohibit the community
16 college, from requiring a student or employee who is off campus
17 to wear a face mask for the purpose of blocking or reducing
18 respiratory droplets or to social distance by maintaining
19 a physical distance of at least six feet from any other
20 individual to prevent the spread of COVID-19 or any other
21 infectious disease.

22 The bill amends the definition of "accredited private
23 institution" to add to the criteria an institution must meet
24 in order for its students to qualify for an Iowa tuition
25 grant awarded by the college student aid commission. Under
26 the new criterion, only accredited private institutions that
27 do not require a student or employee who is off campus to
28 wear a face mask to cover the nose and mouth for the purpose
29 of blocking or reducing the spread of respiratory droplets
30 or to social distance by maintaining a physical distance of
31 at least six feet from any other individual to prevent the
32 spread of COVID-19 or any other infectious disease can meet the
33 definition.

34 The bill takes effect upon enactment.