

Senate File 498 - Introduced

SENATE FILE 498

BY ZAUN

A BILL FOR

1 An Act relating to the repayment and cancellation of certain
2 fines issued pursuant to a proclamation of disaster
3 emergency relating to the novel coronavirus pandemic and
4 including effective date provisions.

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

1 Section 1. NEW SECTION. 12.29 Novel coronavirus pandemic —
2 fines — repayment.

3 1. The treasurer of state shall, in consultation with the
4 alcoholic beverages division of the department of commerce
5 and the department of public health, adopt by rule a process
6 allowing a retailer, restaurant, or bar that has paid a fine to
7 the state or an agency or department of the state as a result of
8 the enforcement of a proclamation of disaster emergency issued
9 by the governor in response to the novel coronavirus pandemic
10 to submit an application for the repayment of such a fine. The
11 treasurer of state shall provide public notice of the process.

12 2. Upon receipt of an application for the repayment of a
13 fine submitted pursuant to subsection 1, the treasurer of state
14 shall verify that the applicant is a retailer, restaurant, or
15 bar and that the applicant paid a fine in the amount claimed
16 in the application due to the enforcement of a proclamation
17 of disaster emergency issued by the governor in response to
18 the novel coronavirus pandemic. Notwithstanding any provision
19 of law to the contrary, the treasurer of state shall issue a
20 payment in the amount of such a fine to the applicant.

21 3. For the purposes of this section, "retailer" means the
22 same as defined in section 423.1.

23 Sec. 2. PROCLAMATIONS OF DISASTER EMERGENCY — CANCELLATION
24 OF FINES. Notwithstanding any provision of law to the
25 contrary, the state of Iowa and each department and agency of
26 the state shall cancel any fine issued to but not yet paid by
27 a retailer, restaurant, or bar as a result of the enforcement
28 of a proclamation of disaster emergency issued by the governor
29 in response to the novel coronavirus pandemic on or before the
30 effective date of this Act.

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

33

EXPLANATION

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

1 This bill relates to fines issued to retailers, restaurants,
2 and bars as a result of the enforcement of a proclamation of
3 disaster emergency issued by the governor in response to the
4 novel coronavirus pandemic. The bill requires the treasurer of
5 state, in consultation with the alcoholic beverages division of
6 the department of commerce and the department of public health,
7 to adopt by rule a process allowing a retailer, restaurant, or
8 bar that has paid a fine to the state or an agency or department
9 of the state to submit an application to the treasurer of state
10 for the repayment of such a fine. The treasurer of state
11 shall verify the claims of each applicant prior to issuing a
12 repayment.

13 The bill also requires the state and each agency and
14 department of the state to cancel any fine issued to but not
15 yet paid by a retailer, restaurant, or bar as a result of the
16 enforcement of a proclamation of disaster emergency issued by
17 the governor in response to the novel coronavirus pandemic on
18 or before the effective date of the bill.

19 The bill takes effect upon enactment.