

House File 2317 - Introduced

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A BILL FOR

1 An Act relating to real property, including the removal of
2 unauthorized persons and trespass, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. SHORT TITLE. This Act shall be known and may be
2 cited as the "Stop Squatters Act".

3 Sec. 2. NEW SECTION. **648.24 Limited alternative remedy to**
4 **remove unauthorized persons from real property.**

5 1. For the immediate removal of an unauthorized occupant, a
6 person may submit a complaint to remove the unauthorized person
7 occupying real property to the police if the real property is
8 located in a city, or the county sheriff if the property is
9 located outside of a city, for a person that is unlawfully
10 entering, remaining upon, or occupying real property if all of
11 the following are true:

12 a. The requesting person is the real property owner or the
13 real property owner's authorized agent.

14 b. The person entering, remaining upon, or occupying the
15 privately owned real property is unauthorized to do so.

16 c. The real property owner or real property owner's
17 authorized agent has notified the person that the person is not
18 permitted to be on the real property.

19 d. The unauthorized person is not a current or former tenant
20 and does not have rights under chapter 562A or 562B related to
21 the real property.

22 e. The unauthorized person is not an immediate family member
23 of the real property owner.

24 f. There is no pending litigation between the property owner
25 and the unauthorized person relating to the real property.

26 2. Upon receipt of the complaint to remove the unauthorized
27 person occupying real property, the law enforcement agency
28 shall investigate, including by reviewing any alleged lease
29 agreement, interviewing neighbors, and making other relevant
30 inquiries to determine the validity of the complaint. If,
31 after investigation, the law enforcement agency determines that
32 sufficient grounds exist to conclude that all of the requirements
33 of subsection 1 are satisfied, the law enforcement agency shall
34 direct the unauthorized occupant to immediately vacate the real
35 property and post or provide a written notice to immediately

1 vacate. The law enforcement agency shall also return possession
2 of the real property to the real property owner.

3 3. The law enforcement agency is entitled to an hourly fee
4 for service, which shall be assessed to the unauthorized person
5 as a civil penalty. Upon service of the notice, the real
6 property owner may request the law enforcement agency to stand
7 by to keep the peace while changing locks and removing personal
8 property of the unauthorized occupant.

9 4. A real property owner who knowingly submits a false
10 complaint to remove an unauthorized person occupying real
11 property shall indemnify the law enforcement agency for any
12 damages awarded against the law enforcement agency for any good
13 faith conduct that was based on the complaint.

14 5. This section does not limit other real property owner
15 rights or law enforcement authority.

16 Sec. 3. Section 716.7, subsection 2, paragraph a, Code 2026,
17 is amended by adding the following new subparagraph:

18 NEW SUBPARAGRAPH. (8) Intentionally occupying a building on
19 real property without legal authority to do so after being
20 notified that the person is unauthorized to do so, has received a
21 request to vacate the premises, and remains on the property.

22 Sec. 4. Section 716.8, Code 2026, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 9. a. A person committing a trespass
25 as defined in section 716.7, subsection 2, paragraph "a",
26 subparagraph (8), and who caused one thousand dollars or less in
27 property damages, commits a simple misdemeanor.

28 b. A person committing a trespass as defined in section
29 716.7, subsection 2, paragraph "a", subparagraph (8), and who
30 caused more than one thousand dollars in property damages,
31 commits a serious misdemeanor.

32 **EXPLANATION**

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

35 This bill relates to real property owners' rights against

1 unauthorized occupants and modifies the definition of trespass.

2 The bill allows a real property owner to submit to law
3 enforcement a complaint to remove unauthorized persons occupying
4 the owner's real property if all of the following conditions are
5 met: (1) the requesting person is the real property owner or
6 the property owner's authorized agent, (2) the person entering,
7 remaining upon, or occupying the real property is not authorized
8 to be there, (3) the unauthorized person has been notified that
9 they are not permitted to be on the real property, (4) the
10 unauthorized person is not a current or former tenant, (5) the
11 unauthorized person is not an immediate family member of the
12 owner, and (6) there is no pending litigation relating to the
13 real property between the property owner and the unauthorized
14 person.

15 The bill provides that law enforcement, upon receipt of the
16 complaint, shall conduct an investigation. If the investigation
17 indicates sufficient grounds that the above conditions are met,
18 the law enforcement agency shall direct the unauthorized occupant
19 to immediately vacate, provide a written notice to immediately
20 vacate, and put the owner in possession of the real property.

21 The bill allows a law enforcement agency to collect an hourly
22 fee for services provided, which shall be assessed against the
23 unauthorized occupant.

24 The bill provides that if a real property owner knowingly
25 submits a false complaint, the real property owner shall
26 indemnify the law enforcement agency for any damages awarded
27 against the agency for any good faith conduct that was based on
28 the complaint.

29 The bill provides for criminal penalties for an unauthorized
30 person occupying real property who, after receiving a notice
31 to vacate the property, fails to do so. If the unauthorized
32 person intentionally damages the property causing damages less
33 than \$1,000, the person commits a simple misdemeanor. A simple
34 misdemeanor is punishable by confinement for no more than 30
35 days and a fine of at least \$105 but not more than \$855.

1 If the unauthorized person intentionally damages the property
2 causing damages more than \$1,000, the person commits a serious
3 misdemeanor. A serious misdemeanor is punishable by confinement
4 for no more than one year and a fine of at least \$430 but not
5 more than \$2,560.

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