

House File 429 - Introduced

HOUSE FILE 429

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A BILL FOR

1 An Act relating to circumstances necessary prior to deployment
2 of state military units in active combat or hazardous service
3 related to conflict in a foreign state.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 29A.53, Code 2025, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 4. Notwithstanding any other provision of
4 the Code, the army national guard, the air national guard, and
5 the civil air patrol shall not be released from this state into
6 active combat or into hazardous service relating to an armed
7 conflict in a foreign state pursuant to Article I, section 8,
8 clause 15, of the United States Constitution, unless the United
9 States has officially declared war for the express purpose of
10 repelling an invasion, suppressing an insurrection, or executing
11 the laws of the United States.

12 NEW SUBSECTION. 5. This section shall not be construed to
13 limit the authority of the governor to consent to the deployment
14 of troops pursuant to Tit. 32 of the United States Code.

15 Sec. 2. FEDERAL POWERS TO DECLARE WAR — LEGISLATIVE
16 FINDINGS. The general assembly finds that Article I, section 8,
17 of the Constitution of the United States solely vests the power
18 to declare war in the United States Congress, and Congress, by
19 abdicating its war powers to the president, has failed to follow
20 the Constitution of the United States and the intent of its
21 creators.

22 EXPLANATION

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

25 This bill prohibits the army national guard, the air national
26 guard, and the civil air patrol from being released from this
27 state into active combat or into hazardous service relating to
28 an armed conflict in a foreign state unless the United States
29 has officially declared war for the express purpose of repelling
30 an invasion, suppressing an insurrection, or executing the laws
31 of the United States. The bill does not limit the authority of
32 the governor to consent to the deployment of troops for defense
33 support of civil authorities.

34 The bill makes legislative findings related to United States
35 congressional abdication of powers to declare war.