

House File 2556 - Reprinted

HOUSE FILE 2556

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 518)

(As Amended and Passed by the House February 29, 2024)

A BILL FOR

1 An Act relating to damages against participants in firearms
2 regulation violations by political subdivisions, and
3 including effective date provisions.

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

1 Section 1. Section 724.28, subsection 3, Code 2024, is
2 amended to read as follows:

3 3. If a political subdivision of the state, prior to, on,
4 or after July 1, 2020, adopts, makes, enacts, or amends any
5 ordinance, measure, enactment, rule, resolution, motion, or
6 policy regulating the ownership, possession, carrying, legal
7 transfer, lawful transportation, modification, registration,
8 or licensing of firearms, firearms attachments, or other
9 weapons when the ownership, possession, carrying, transfer,
10 transportation, modification, registration, or licensing
11 of firearms, firearms attachments, or other weapons is
12 otherwise lawful under the laws of this state, a person
13 adversely affected by the ordinance, measure, enactment, rule,
14 resolution, motion, or policy may file suit in the appropriate
15 court for declaratory and injunctive relief and all damages
16 attributable to the violation, including all of the following:

17 a. A court shall assess against the political subdivision
18 of the state damages in the amount of not more than five
19 hundred dollars and not less than one hundred dollars per day
20 after providing written notice to the political subdivision
21 of the state of the violation, not to exceed five thousand
22 dollars. A However, if the political subdivision of the state
23 knowingly participated in such a violation, damages shall be
24 assessed against the political subdivision of the state in the
25 amount of not more than two thousand five hundred dollars and
26 not less than one thousand dollars per day after providing
27 written notice to the political subdivision of the state of the
28 violation, not to exceed twenty-five thousand dollars. These
29 damages shall be paid by the political subdivision of the state
30 directly to the adversely affected person.

31 b. The court shall also award the prevailing party in any
32 such lawsuit reasonable attorney fees and court costs.

33 c. The court, for good cause, may assess damages in excess
34 of the amounts set forth in paragraph "a" against the political
35 subdivision of the state found to be in violation of this

1 subsection.

2 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
3 2025.