SENATE FILE 2275
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3098)

(As Amended and Passed by the Senate February 19, 2024)

_____ and [= New Language by the Senate

A BILL FOR

An Act requiring notice to the general assembly in appellate actions regarding the constitutionality of a statute and including effective date and applicability provisions.

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

Section 1. NEW SECTION. **625A.7 Challenges to constitutionality of statutes — notice to general assembly.**

1. In an action that challenges the constitutionality of a statute, the appellant shall do all of the following:

a. File a notice of constitutional question stating the question and identifying the pleading, motion, or petition that raises the challenge to the constitutionality of the statute.

b. Serve notice and a copy of the pleading, motion, or petition that raises the challenge to the constitutionality of the statute upon the general assembly by the chief clerk of the house and the secretary of the senate by personal service or by restricted certified mail at the time of application for interlocutory appeal or notice of appeal is filed.

2. After notice has been served upon the general assembly pursuant to subsection 1, both of the following shall occur:

a. The chief clerk of the house shall promptly provide the notice and copy of the pleading, motion, or petition to the speaker of the house of representatives and the minority leader of the house of representatives.

b. The secretary of the senate shall promptly provide the notice and copy of the pleading, motion, or petition to the majority leader of the senate and the minority leader of the senate.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 3. APPLICABILITY. This Act applies to appeals filed on or after the effective date of this Act.