HOUSE FILE 2485
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 647)

(COMPANION TO SF 2292 BY
COMMITTEE ON COMMERCE)

(As Amended and Passed by the House February 21, 2024)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to regulation of watercraft and equipment on public lakes by common interest communities and certain nonprofit corporations, and including effective date provisions.

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

Section 1. NEW SECTION. **462A.17A Common interest communities — regulation of watercraft on public lakes.**

1. As used in this section:

a. "*Bylaws*" means the same as defined in section 499C.1.

b. "*Common interest community*" means the same as defined in section 499C.1.

c. "*Public lake*" means any lake located within the boundaries of this state that is a navigable body of water and that is lawfully accessible by the general public.

d. "*Rule*" means the same as defined in section 499C.1.

e. "*Unit*" means the same as defined in section 499C.1.

f. "*Unit owner*" means the same as defined in section 499C.1.

2. Notwithstanding any law to the contrary, a common interest community with one thousand or more units that is adjacent to or abutting in part a public lake may establish policies in the common interest community's bylaws or rules regarding the operation of watercraft, including but not limited to equipment specifications. [The authority granted to a common interest community under this subsection shall only apply to] unit owners and unit owners' guests.

3. Notwithstanding section 462A.32, a common interest community may communicate the common interest community's policies established under subsection 2 through the use of private buoys and other safety-related installations until the date the commission adopts rules regulating buoys and other safety-related installations for the public lake that is adjacent to or abuts the common interest community described in subsection 2.

4. The natural resource commission shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 2. NEW SECTION. **462A.17B Nonprofit corporations — regulation of watercraft on public lakes.**

1. As used in this section:

a. "*Association*" means a nonprofit corporation incorporated under chapter 504, named as an association, and that manages a

community with one thousand or more units that is located on a subdivision that is adjacent to or abuts a public lake.

b. "*Bylaws*" means the same as defined in section 504.141.

c. "*Member*" means a person who is a record lot owner of the association.

d. "*Public lake*" means any lake located within the boundaries of this state that is a navigable body of water and that is lawfully accessible by the general public.

e. "*Rules and regulations*" means the rules and regulations adopted by the association's board of directors as authorized by the bylaws of the association.

f. "*Unit*" means a dwelling unit designated for separate ownership or occupancy or as otherwise defined in the statute under which the association is organized.

2. Notwithstanding any law to the contrary, an association may establish policies in the association's rules and regulations regarding the operation of watercraft, including but not limited to equipment specifications. The authority granted to an association under this subsection shall only apply to the association's members and the association's members' guests.

3. Notwithstanding section 462A.32, an association may communicate the association's policies established under subsection 2 through the use of private buoys and other safety-related installations until the date the commission adopts rules regulating buoys and other safety-related installations for the public lake that is adjacent to or abuts the association.

4. The natural resource commission shall adopt rules pursuant to chapter 17A to administer this section.

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