HOUSE FILE 2556
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 518)

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

A BILL FOR

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

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

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

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

a. A court shall assess against the political subdivision of the state damages in the amount of not more than five hundred dollars and not less than one hundred dollars per day after providing written notice to the political subdivision of the state of the violation, not to exceed five thousand dollars. ~~A~~ However, if the political subdivision of the state knowingly participated in such a violation, damages shall be assessed against the political subdivision of the state in the amount of not more than two thousand five hundred dollars and not less than one thousand dollars per day after providing written notice to the political subdivision of the state of the violation, not to exceed twenty-five thousand dollars. These damages shall be paid by the political subdivision of the state directly to the adversely affected person.

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

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

subsection.

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