

CHAPTER 1031

NATIONAL GUARD — MORALE, WELFARE, AND RECREATION ACTIVITY — CIVILIAN CRIMINAL OFFENSES BY GUARD MEMBERS

S.F. 2201

AN ACT relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. **29A.12A Morale, welfare, and recreation activity.**

1. The adjutant general may establish a morale, welfare, and recreation activity in the department of public defense, for the purposes of supporting the readiness and resilience of members of the national guard. The adjutant general shall prescribe regulations governing the operation of the morale, welfare, and recreation activity.

2. An obligation created under [this section](#) shall not be a charge against the state of Iowa and all obligations of the activity shall be paid from the operations of the activity.

3. There is no liability to the state of Iowa under [this section](#). Members of the governing body of the activity shall not be held to any personal or individual liability for any action taken by them under [this chapter](#).

Sec. 2. [Section 29B.116A, subsection 2](#), paragraph a, Code 2018, is amended to read as follows:

a. A commander, who is made aware of an allegation that an offense under [subsection 1](#), paragraph “a” or “b”, has been committed by a member of the state military forces against another member of the state military forces while both are subject to this code, shall notify local, without delay, the civilian law enforcement authorities without delay agency having primary jurisdiction over the alleged offense. Upon notification, the agency shall promptly assign a case number to the allegation and shall share with the national guard the results of any investigation or inform the national guard of the reasons for not conducting an investigation.

Approved March 28, 2018