

FEB 7 2006
STATE GOVERNMENT

HOUSE FILE 2281
BY JACOBY and McCARTHY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning employment protection for members of the
2 national defense medical system and providing an effective
3 date and applicability provision.

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

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HF 2281

1 Section 1. Section 29A.28, subsection 1, Code 2005, is
2 amended to read as follows:

3 1. All officers and employees of the state, or a
4 subdivision thereof, or a municipality other than employees
5 employed temporarily for six months or less, who are members
6 of the national guard, organized reserves or any component
7 part of the military, naval, or air forces or nurse corps of
8 this state or nation, or who are or may be otherwise inducted
9 into the military service of this state or of the United
10 States, shall, when ordered by proper authority to state
11 active duty, state military service, or federal service, be
12 entitled to a leave of absence from such civil employment for
13 the period of state active duty, state military service, or
14 federal service, without loss of status or efficiency rating,
15 and without loss of pay during the first thirty days of such
16 leave of absence. Where state active duty, state military
17 service, or federal service is for a period less than thirty
18 days, a leave of absence under this section shall only be
19 required for those days that the civil employee would normally
20 perform services for the state, subdivision of the state, or a
21 municipality. The provisions of this section shall also apply
22 to a leave of absence by a member of the federal national
23 disaster medical system within the United States department of
24 homeland security when activated for federal service with the
25 system.

26 Sec. 2. EFFECTIVE DATE -- RETROACTIVE APPLICABILITY. This
27 Act, being deemed of immediate importance, takes effect upon
28 enactment and is retroactively applicable to July 1, 2005, and
29 is applicable on and after that date.

30 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
31 3, Code 2005, shall not apply to this Act.

32 EXPLANATION

33 This bill provides that the leave of absence protections
34 applicable to members of the military who are activated for
35 military service shall also apply to members of the national

1 disaster medical system within the United States department of
2 homeland security when they are called to federal service.
3 Current law, made applicable to members of the national
4 disaster medical system by this bill, provides that members
5 activated for military or federal service are entitled to a
6 leave of absence from governmental employment for the period
7 of military or federal service without loss of status or
8 efficiency rating, and without loss of pay during the first 30
9 days of such leave of absence.

10 The bill may include a state mandate as defined in Code
11 section 25B.3. The bill makes inapplicable Code section
12 25B.2, subsection 3, which would relieve a political
13 subdivision from complying with a state mandate if funding for
14 the cost of the state mandate is not provided or specified.
15 Therefore, political subdivisions are required to comply with
16 any state mandate included in the bill.

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