House File 2319 - Introduced

HOUSE FILE 2319
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 552)

A BILL FOR

- 1 An Act prohibiting counties and cities from providing
- 2 guaranteed income programs, and including effective date
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. 2319

- 1 Section 1. Section 13.2, subsection 1, Code 2024, is amended
- 2 by adding the following new paragraph:
- NEW PARAGRAPH. q. Enforce the prohibitions on guaranteed
- 4 income programs as described in section 331.301, subsection 23,
- 5 and section 364.3, subsection 18.
- 6 Sec. 2. Section 331.301, Code 2024, is amended by adding the
- 7 following new subsection:
- 8 NEW SUBSECTION. 23. a. Unless expressly authorized by
- 9 state law, a county shall not adopt, enforce, or maintain an
- 10 ordinance, order, or rule for the purpose of making payments to
- 11 individuals under a guaranteed income program.
- 12 b. The attorney general shall send a cease and desist order
- 13 to any county that adopts or enforces an ordinance, order, or
- 14 rule in violation of this subsection.
- 15 c. If the county fails to comply with the cease and desist
- 16 order, the attorney general shall bring an action in the name
- 17 of the state for injunctive relief against any county that
- 18 has adopted an ordinance, order, or rule in violation of this
- 19 subsection.
- 20 d. For purposes of this subsection, the term "guaranteed
- 21 income program" means a program under which individuals are
- 22 provided with regular periodic cash payments that are unearned
- 23 and that may be used for any purpose, but does not include a
- 24 program under which an individual is required to perform work
- 25 or attend training.
- 26 e. A guaranteed income program operating prior to or on the
- 27 effective date of this Act may remain in effect until January
- 28 1, 2025, or until expiration of the program, whichever is
- 29 earlier. A county shall not start a guaranteed income program
- 30 or extend an existing guaranteed income program after the
- 31 effective date of this Act.
- 32 Sec. 3. Section 364.3, Code 2024, is amended by adding the
- 33 following new subsection:
- NEW SUBSECTION. 18. a. Unless expressly authorized by
- 35 state law, a city shall not adopt, enforce, or maintain an

lh/js

H.F. 2319

- 1 ordinance, order, or rule for the purpose of making payments to 2 individuals under a quaranteed income program.
- 3 b. The attorney general shall send a cease and desist order
 4 to any city that adopts or enforces an ordinance, order, or
- 5 rule in violation of this subsection.
- 6 $\,$ c. If the city fails to comply with the cease and desist
- 7 order, the attorney general shall bring an action in the name
- 8 of the state for injunctive relief against any city that has
- 9 adopted an ordinance, order, or rule in violation of this
- 10 subsection.
- 11 d. For purposes of this subsection, the term "guaranteed
- 12 income program" means a program under which individuals are
- 13 provided with regular periodic cash payments that are unearned
- 14 and that may be used for any purpose, but does not include a
- 15 program under which an individual is required to perform work
- 16 or attend training.
- 17 e. A guaranteed income program operating prior to or on the
- 18 effective date of this Act may remain in effect until January
- 19 1, 2025, or until expiration of the program, whichever is
- 20 earlier. A city shall not start a guaranteed income program
- 21 or extend an existing guaranteed income program after the
- 22 effective date of this Act.
- 23 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
- 24 importance, takes effect upon enactment.
- 25 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 28 This bill prohibits a county or city from providing a
- 29 guaranteed income program unless expressly authorized by state
- 30 law. The attorney general shall enforce the prohibition on
- 31 the adoption, enforcement, or maintenance of a county or city
- 32 ordinance, order, or rule that provides a guaranteed income
- 33 program by sending the county or city a cease and desist order.
- 34 If the county or city fails to comply, the attorney general
- 35 shall bring an action for injunctive relief against the county

H.F. 2319

- 1 or city. A county or city is prohibited from starting or
- 2 extending a guaranteed income program after the enactment of
- 3 the bill, but a county or city with an operating program prior
- 4 to the enactment of the bill may remain in effect until the
- 5 earlier of January 1, 2025, or the expiration of the program.
- 6 The bill takes effect upon enactment.