

**CHAPTER 110****LIMITATIONS OF CIVIL RIGHTS CLAIMS  
AND CIVIL LAWSUITS — MINORS, MENTALLY ILL PERSONS,  
AND STATE AND LOCAL GOVERNMENT**

S.F. 384

**AN ACT** relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

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

Section 1. Section 216.15, subsection 12, Code 2007, is amended to read as follows:

12. ~~A~~ Except as provided in section 614.8, a claim under this chapter shall not be maintained unless a complaint is filed with the commission within one hundred eighty days after the alleged discriminatory or unfair practice occurred.

Sec. 2. Section 614.8, Code 2007, is amended to read as follows:

614.8 MINORS AND PERSONS WITH MENTAL ILLNESS.

1. The times limited for actions in this chapter, or chapter 216, 669, or 670, except those brought for penalties and forfeitures, are extended in favor of persons with mental illness, so that they shall have one year from and after the termination of the disability within which to file a complaint pursuant to chapter 216, to make a claim pursuant to chapter 669, or to otherwise commence an action.

2. Except as provided in section 614.1, subsection 9, the times limited for actions in this chapter, or chapter 216, 669, or 670, except those brought for penalties and forfeitures, are extended in favor of minors, so that they shall have one year from and after attainment of majority within which to file a complaint pursuant to chapter 216, to make a claim pursuant to chapter 669, or to otherwise commence an action.

Sec. 3. Section 668.10, Code 2007, is amended to read as follows:

668.10 GOVERNMENTAL EXEMPTIONS.

1. In any action brought pursuant to this chapter, the state or a municipality shall not be assigned a percentage of fault for any of the following:

1. a. The failure to place, erect, or install a stop sign, traffic control device, or other regulatory sign as defined in the uniform manual for traffic control devices adopted pursuant to section 321.252. However, once a regulatory device has been placed, created, or installed, the state or municipality may be assigned a percentage of fault for its failure to maintain the device.

2. b. The failure to remove natural or unnatural accumulations of snow or ice, or to place sand, salt, or other abrasive material on a highway, road, or street if the state or municipality establishes that it has complied with its policy or level of service for snow and ice removal or placing sand, salt, or other abrasive material on its highways, roads, or streets.

3. 2. ~~For~~ In any action brought pursuant to this chapter, the state shall not be assigned a percentage of fault for contribution unless the party claiming contribution has given the state or municipality notice of the claim pursuant to sections section 669.13 and 670.5.

Sec. 4. Section 669.13, subsection 1, Code 2007, is amended to read as follows:

1. ~~A~~ Except as provided in section 614.8, a claim or suit otherwise permitted under this chapter shall be forever barred, unless within two years after the claim accrued, the claim is made in writing and filed with the director of the department of management under this chapter. The time to begin a suit under this chapter shall be extended for a period of six months from the date of mailing of notice to the claimant by the attorney general as to the final disposition of the claim or from the date of withdrawal of the claim under section 669.5, if the time to begin suit would otherwise expire before the end of the period.

Sec. 5. Section 670.5, Code 2007, is amended to read as follows:

670.5 LIMITATION OF ACTIONS.

~~Every~~ Except as provided in section 614.8, a person who claims damages from any municipality or any officer, employee or agent of a municipality for or on account of any wrongful death, loss, or injury within the scope of section 670.2 or section 670.8 or under common law shall commence an action therefor within ~~six months,~~ unless said person shall cause to be presented to the governing body of the municipality within sixty days after the alleged wrongful death, loss or injury a written notice stating the time, place, and circumstances thereof and the amount of compensation or other relief demanded ~~two years after the alleged wrongful death, loss, or injury.~~ Failure to state time or place or circumstances or the amount of compensation or other relief demanded shall not invalidate the notice; providing, the claimant shall furnish full information within fifteen days after demand by the municipality. No action therefor shall be maintained unless such notice has been given and unless the action is commenced within two years after such notice. The time for giving such notice shall include a reasonable length of time, ~~not to exceed ninety days, during which the person injured is incapacitated by the injury from giving such notice.~~

Sec. 6. APPLICABILITY. This Act applies to all complaints, claims, and actions arising out of an alleged death, loss, or injury occurring on or after July 1, 2007.

Approved April 26, 2007

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**CHAPTER 111**  
KILLING TAGGED DOGS  
S.F. 406

**AN ACT** relating to dogs, including the right to kill a tagged dog.

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

Section 1. Section 351.27, Code 2007, is amended to read as follows:

351.27 RIGHT TO KILL TAGGED DOG.

It shall be lawful for any person to kill a dog, wearing a collar with a rabies vaccination tag attached, when the dog is caught in the act of ~~worrying,~~ chasing, maiming, or killing any domestic animal or fowl, or when such dog is attacking or attempting to bite a person.

Approved April 26, 2007