

CHAPTER 23

MUNICIPAL PROPERTY — TORT LIABILITY FOR RECREATIONAL ACTIVITIES

H.F. 570

AN ACT providing for an exemption from municipal tort liability for claims arising from recreational activities on municipality-controlled property.

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

Section 1. Section 670.4, subsection 1, paragraphs n and o, Code 2015, are amended to read as follows:

n. Any claim based upon or arising out of a claim of negligent design or specification, negligent adoption of design or specification, or negligent construction or reconstruction of a public facility designed for ~~purposes of skateboarding, in-line skating, bicycling, unicycling, scootering, river rafting, canoeing, or kayaking~~ recreational activities that was constructed or reconstructed, reasonably and in good faith, in accordance with generally recognized engineering or safety standards or design theories in existence at the time of the construction or reconstruction.

o. Any claim for injuries or damages based upon or arising out of an act or omission of an officer or employee of the municipality or the municipality's governing body ~~by a person skateboarding, in-line skating, bicycling, unicycling, scootering, river rafting, canoeing, or kayaking on public property when~~ and arising out of a recreational activity occurring on public property where the person claimed injuries or damages resulted from the normal and expected risks inherent in the recreational activity and the person engaging in the recreational activity was voluntarily on the public property where the injuries or damages occurred and knew or reasonably should have known that the ~~skateboarding, in-line skating, bicycling, unicycling, scootering, river rafting, canoeing, or kayaking recreational activity~~ created a substantial risk of injury to the person and was voluntarily in the place of risk injuries or damages. ~~The exemption from liability contained in this paragraph shall only apply to claims for injuries or damage resulting from the risks inherent in the activities of skateboarding, in-line skating, bicycling, unicycling, scootering, river rafting, canoeing, or kayaking.~~

Approved April 1, 2015