

FILED FEB 19 '03

SENATE FILE

171

BY TINSMAN, SCHUERER, HOSCH,
PUTNEY, SIEVERS, HOUSER, WIECK,
BRUNKHORST, SEYMOUR, ANGELO,
VEENSTRA, BOETTGER, IVERSON,
DRAKE, ZIEMAN, GASKILL, BEHN,
REHBERG, MCKINLEY, and
KETTERING

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

A BILL FOR

1 An Act establishing a limitation on the recovery of punitive or
2 exemplary damages in a civil case.

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

SF 171
JUDICIARY

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1 Section 1. Section 668A.1, subsection 2, unnumbered
2 paragraph 1, Code 2003, is amended to read as follows:

3 An award for punitive or exemplary damages shall not be
4 made unless the answer or finding pursuant to subsection 1,
5 paragraph "a", is affirmative. If such answer or finding is
6 affirmative, the jury, or court if there is no jury, shall fix
7 the amount of punitive or exemplary damages to be awarded,
8 and; provided, however, that such award shall not be more than
9 two hundred fifty thousand dollars except upon a finding of
10 especially egregious conduct on the part of the defendant.
11 When awarded, such damages shall be ordered paid as follows:

12 EXPLANATION

13 This bill provides a monetary limitation on an award of
14 punitive or exemplary damages in a civil case of not more than
15 \$250,000. However, the limitation does not apply upon a
16 finding of especially egregious conduct on the part of the
17 defendant.

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