

intent to use such device or material to commit any public offense shall be guilty of a class "C" felony.

2. Any person, with the intent to intimidate, annoy, or alarm another person, who places a simulated explosive or simulated incendiary device in or near an occupied structure as defined in section 702.12, is guilty of a serious misdemeanor.

Sec. 17. APPLICABILITY DATE. The sections of this Act enacting sections 100C.1 through 100C.6, 100C.8, and 100C.9 shall not be applicable until July 1, 2005.

Approved May 3, 2004

CHAPTER 1126

LIQUEFIED PETROLEUM GAS SYSTEMS — LIABILITY FOR INJURIES OR DAMAGES

H.F. 2243

AN ACT regarding user responsibility and liability with respect to liquefied petroleum gas systems.

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

Section 1. NEW SECTION. 101.14 USER RESPONSIBILITY.

1. In any action or claim seeking damages for personal injuries or damage to property arising out of injuries or loss due to defects in a liquefied petroleum gas system, or arising out of the condition of any portion of that system, the negligence or other fault of the customer, owner, or other person in possession of or making use of that system relating to the installation, modification, maintenance, or repair of the system or damage incurred to the system, shall be admissible in evidence and considered by the finder of fact if such conduct was a cause in fact of the accident or condition leading to the injuries or damages.

2. For purposes of this section, "liquefied petroleum gas system" means any container designed to hold liquefied petroleum gas and attached valves, regulators, piping, appliances, controls on appliances, and venting of appliances.

Approved May 3, 2004