

**85.68 Actions — collection of payments — subrogation.**

The labor commissioner shall be charged with the collection of contributions and payments to the second injury fund required to be made pursuant to [section 85.65](#). In addition, the labor commissioner, on behalf of the second injury fund created under [this subchapter](#), shall have a cause of action under [section 85.22](#) to the same extent as an employer against any person not in the same employment by reason of whose negligence or wrong the subsequent injury of the person with the previous disability was caused. The action shall be brought by the labor commissioner on behalf of the fund, and any recovery, less the necessary and reasonable expenses incurred by the labor commissioner, shall be paid to the treasurer of state and credited to the second injury fund.

[C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §85.68]

[83 Acts, ch 105, §7](#); [96 Acts, ch 1129, §21](#); [98 Acts, ch 1113, §5, 7](#); [2014 Acts, ch 1026, §143](#)

Referred to in [§84A.5](#), [86.12](#), [91.4](#)