

# House Amendment 3189

## Amendment Text

PAG LIN

1 1 Amend the amendment, [H-3109](#), to [House File 2](#) as  
1 2 follows:  
1 3 #1. Page 1, by inserting after line 26 the  
1 4 following:  
1 5 "Sec. \_\_\_\_\_. Section [669.14](#), Code 1995, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 14. A claim to compensate for  
1 8 miscarriages of justice for any person innocent of any  
1 9 homicidal act who is erroneously sentenced to death.  
1 10 For purposes of this section, damages shall include  
1 11 actual, nominal, and special damages, and may include,  
1 12 but are not limited to, claims for loss of income,  
1 13 consortium, medical expenses, emotional distress, loss  
1 14 of enjoyment of life, and any related legal fees or  
1 15 expenses.  
1 16 Sec. \_\_\_\_\_. NEW SECTION. 669.25 LIABILITY FOR  
1 17 ERRONEOUS DEATH SENTENCES.  
1 18 Notwithstanding any provision of this chapter to  
1 19 the contrary, claims against the state which request  
1 20 the payment of damages to compensate for miscarriages  
1 21 of justice for any person innocent of any homicidal  
1 22 act who is erroneously sentenced to death shall be  
1 23 permitted and may be filed directly in the district  
1 24 court of the state of Iowa for the district in which  
1 25 the plaintiff is resident or in which the act or  
1 26 omission occurred."  
1 27 #2. By renumbering and correcting internal  
1 28 references as necessary.  
1 29  
1 30  
1 31 \_\_\_\_\_  
1 32 [BERNAU](#) of Story  
1 33  
1 34  
1 35 \_\_\_\_\_  
1 36 [MASCHER](#) of Johnson  
1 37  
1 38  
1 39 \_\_\_\_\_  
1 40 [BRAND](#) of Benton  
1 41  
1 42  
1 43 \_\_\_\_\_  
1 44 [KOENIGS](#) of Mitchell  
1 45  
1 46  
1 47 \_\_\_\_\_  
1 48 [CONNORS](#) of Polk  
1 49  
1 50  
2 1 \_\_\_\_\_  
2 2 [HOLVECK](#) of Polk  
2 3 [HF 2.340](#) 76  
2 4 lh/cf