

House File 2094

H-8042

1 Amend House File 2094 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 614.1, subsection 11, Code
5 2014, is amended to read as follows:

6 11. *Improvements to real property.*

7 *a. Residential construction.* In addition to
8 limitations contained elsewhere in this section, an
9 action arising out of the unsafe or defective condition
10 of an improvement to ~~real property~~ residential
11 construction based on tort and implied warranty and
12 for contribution and indemnity, and founded on injury
13 to property, real or personal, or injury to the person
14 or wrongful death, shall not be brought more than
15 fifteen years after the date on which occurred the act
16 or omission of the defendant alleged in the action to
17 have been the cause of the injury or death. However,
18 this subsection does not bar an action against a person
19 solely in the person's capacity as an owner, occupant,
20 or operator of an improvement to real property.

21 *b. Nonresidential construction.* In addition to
22 limitations contained elsewhere in this section, an
23 action arising out of the unsafe or defective condition
24 of an improvement to nonresidential construction based
25 on tort and implied warranty and for contribution and
26 indemnity, and founded on injury to property, real or
27 personal, or injury to the person or wrongful death,
28 shall not be brought more than ten years after the date
29 on which occurred the act or omission of the defendant
30 alleged in the action to have been the cause of the
31 injury or death. However, this subsection does not
32 bar an action against a person solely in the person's
33 capacity as an owner, occupant, or operator of an
34 improvement to real property.

35 Sec. 2. Section 614.13A, Code 2014, is amended to
36 read as follows:

37 **614.13A Definitions.**

38 As used in this chapter, unless the context
39 otherwise requires:

40 1. ~~"book"~~ "Book", "list", "record", or "schedule"
41 kept by a county auditor, assessor, treasurer,
42 recorder, sheriff, or other county officer means the
43 county system as defined in section 445.1.

44 2. "Nonresidential construction" means all other
45 construction that is not residential construction as
46 defined in subsection 3.

47 3. "Residential construction" means the same as
48 defined in section 572.1, subsection 10.

49 Sec. 3. APPLICABILITY. This Act does not apply to
50 residential and nonresidential construction projects in

1 existence prior to the effective date of this Act.>
2 2. Title page, by striking lines 1 through 3
3 and inserting <An Act relating to statute of repose
4 periods for improvements to real property involving
5 residential and nonresidential construction and
6 including applicability provisions.>

KAUFMANN of Cedar

RIDING of Polk

JACOBY of Johnson

HEDDENS of Story

RUFF of Clayton

LYKAM of Scott

MUHLBAUER of Crawford

COHOON of Des Moines