

House File 161

H-1003

1 Amend the amendment, H-1002, to House File 161, as follows:

2 1. By striking page 1, lines 1 through 19, and inserting:

3 <Amend House File 161 as follows:

4 1. By striking everything after the enacting clause and  
5 inserting:

6 <Section 1. Section 147.136A, subsection 1, paragraph b,  
7 Code 2023, is amended to read as follows:

8 *b. (1) "Noneconomic damages" means damages arising from*  
9 *pain, suffering, inconvenience, physical impairment, mental*  
10 *anguish, emotional pain and suffering, loss of chance, loss of*  
11 *consortium, or any other nonpecuniary damages.*

12 *(2) "Noneconomic damages" does not include the loss of*  
13 *dependent care, including the loss of child care, due to the*  
14 *death of or severe injury to a spouse or parent who is the*  
15 *primary caregiver of a child under the age of eighteen or a*  
16 *disabled adult. Such damages shall be considered economic*  
17 *damages.*

18 Sec. 2. Section 611.20, Code 2023, is amended to read as  
19 follows:

20 **611.20 Actions survive.**

21 1. All causes of action shall survive and may be brought  
22 notwithstanding the death of the person entitled or liable to  
23 the same.

24 2. For the purposes of this section:

25 a. "Death" includes a fetal death for which a fetal death  
26 certificate is issued pursuant to section 144.29.

27 b. "Person" includes a viable unborn child.

28 c. "Unborn child" means an individual organism of the  
29 species homo sapiens from fertilization until live birth.

30 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate  
31 importance, takes effect upon enactment.

32 Sec. 4. APPLICABILITY. This Act applies to causes of action  
33 accrued on or after the effective date of this Act.>>

34 2. Title page, line 1, after <to> by inserting <causes of  
35 action and damage awards, including>

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