

Senate File 228

S-3030

1 Amend Senate File 228 as follows:

2 1. Page 2, line 28, by striking <one> and inserting <two>

3 2. Page 3, by striking lines 7 through 15 and inserting:

4 <Sec. _____. Section 668A.1, subsection 2, paragraphs a and
5 b, Code 2023, as amended by 2023 Iowa Acts, House File 161,
6 section 4, is amended to read as follows:

7 a. If the answer or finding pursuant to subsection 1,
8 paragraph "b", is affirmative, or if the claim is against any
9 physician and surgeon, osteopathic physician and surgeon,
10 dentist, podiatric physician, optometrist, pharmacist,
11 chiropractor, physician assistant, or nurse, licensed under
12 chapter 147, or a hospital licensed under chapter 135B, arising
13 out of patient care, or if the claim is part of a civil action
14 involving the operation of a commercial motor vehicle, then the
15 full amount of the punitive or exemplary damages awarded shall
16 be paid to the claimant.

17 b. If the answer or finding pursuant to subsection 1,
18 paragraph "b", is negative, and if the claim is not against
19 any physician and surgeon, osteopathic physician and surgeon,
20 dentist, podiatric physician, optometrist, pharmacist,
21 chiropractor, physician assistant, or nurse, licensed under
22 chapter 147, or a hospital licensed under chapter 135B,
23 arising out of patient care, and if the claim is not part of
24 a civil action involving the operation of a commercial motor
25 vehicle, then after payment of all applicable costs and fees,
26 an amount not to exceed twenty-five percent of the punitive or
27 exemplary damages awarded may be ordered paid to the claimant,
28 with the remainder of the award to be ordered paid into a
29 civil reparations trust fund administered by the state court
30 administrator. Funds placed in the civil reparations trust
31 shall be under the control and supervision of the executive
32 council, and shall be disbursed only for purposes of indigent
33 civil litigation programs or insurance assistance programs.>

34 3. Title page, line 2, by striking <noneconomic>

35 4. Title page, by striking lines 3 and 4 and inserting

1 <commercial motor vehicles.>

2 5. By renumbering as necessary.

MIKE BOUSSELOT