

Senate File 260 - Enrolled

Senate File 260

AN ACT

RELATING TO THE LIABILITY OF POSSESSORS AND OCCUPANTS OF
LAND FOR INJURY TO TRESPASSERS AND INCLUDING APPLICABILITY
PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. **462.1 Liability of possessors and occupants of land to trespassers.**

1. A possessor of any fee, reversionary, or easement interest in real property, including but not limited to an owner, lessee, or other lawful occupant, owes no duty of care to a trespasser except to refrain from willfully or wantonly injuring the trespasser and to use reasonable care to avoid injuring the trespasser after that trespasser's presence becomes known.

2. This section shall not be construed to affect the common law doctrine of attractive nuisance.

3. This section does not create or increase the civil liability of any possessor or occupant of real property and does not affect any immunities from or defenses to civil liability established by another section of the Code or available at common law to which a possessor or occupant of real property may be entitled.

Sec. 2. APPLICABILITY. This Act applies to all causes of action accrued on or after the effective date of this Act.

JACK WHITVER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 260, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2017

TERRY E. BRANSTAD
Governor