

House File 621 - Enrolled

House File 621

AN ACT

ESTABLISHING WHICH ACTIONS MAY BE BROUGHT AGAINST FIREARM,
FIREARM ACCESSORY, AND AMMUNITION MANUFACTURERS,
DISTRIBUTORS, IMPORTERS, TRADE ASSOCIATIONS, SELLERS, OR
DEALERS.

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

Section 1. NEW SECTION. 683.1 Prohibition of certain
actions resulting from the criminal or unlawful use of a firearm,
firearm accessory, or ammunition by a third party — definitions.

1. As used in this chapter, unless the context otherwise
requires:

a. "Ammunition" means any projectile capable of being
expelled or propelled from any firearm by the action of
a propellant, any cartridge or shotshell designed for the

purpose of expelling such a projectile from a firearm, and any component parts thereof.

b. "Firearm" means any weapon that is capable of expelling, designed to expel, or that may readily be converted to expel ammunition.

2. A person shall not bring or maintain an action against a firearm, firearm accessory, or ammunition manufacturer, importer, distributor, trade association, seller, or dealer for any of the following:

a. Recovery of damages resulting from, or injunctive relief or abatement of a nuisance, statutory or in common law, relating to the lawful design, manufacture, marketing, or sale of a firearm, firearm accessory, or ammunition.

b. Recovery of damages resulting from the criminal or unlawful use of a firearm, firearm accessory, or ammunition by a third party. All defenses provided for in section 668.12 shall apply to actions under this section.

Sec. 2. NEW SECTION. 683.2 Fees and costs awarded for prohibited actions.

If a court finds that a party has brought an action under a theory of recovery described in section 683.1, subsection 2, the finding constitutes conclusive evidence that the action is groundless, and the court shall dismiss the claim or action and award to the defendant any reasonable attorney fee and costs incurred in defending the claim or action.

Sec. 3. NEW SECTION. 683.3 Allowable actions.

This chapter shall not be construed to prohibit a person from bringing or maintaining an action against a firearm, firearm accessory, or ammunition manufacturer, importer, distributor, trade association, seller, or dealer for recovery of damages for any of the following:

1. Breach of contract or warranty concerning firearms, firearms accessories, or ammunition purchased by a person.

2. Damage or harm to a person or to property owned or leased by a person caused by a defective firearm, firearm accessory, or ammunition.

3. Injunctive relief to enforce a valid statute, rule, or ordinance. However, a person shall not bring an action seeking

injunctive relief if that action is barred under section 683.1, subsection 2.

PAT GRASSLEY
Speaker of the House

JAKE CHAPMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 621, Eighty-ninth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2021

KIM REYNOLDS
Governor