

Senate File 239 - Enrolled

Senate File 239

AN ACT

RELATING TO PROPER PARTIES IN CAUSES OF ACTIONS FOLLOWING THE
DEATH OF PERSONS ENTITLED OR LIABLE TO SUCH CAUSES OF ACTIONS
AND INCLUDING APPLICABILITY PROVISIONS.

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

Section 1. Section 611.22, Code 2021, is amended to read as follows:

611.22 Actions by or against legal representatives — substitution.

Any action contemplated in [sections 611.20](#) and [611.21](#) may be brought, or the court, on motion, may allow the action to be continued, by or against the legal representatives or successors in interest of the deceased. Such action shall be deemed a continuing one, and to have accrued to such representative or successor at the time it would have accrued to the deceased if the deceased had survived. If such is continued against the legal representative or successor in interest of the defendant, a notice shall be served ~~on the legal representative~~ as in case of original notices. If such an action by the deceased is allowed to be continued, then the court shall appoint a personal representative for the deceased as defined in section 633.3 or shall allow a successor under section 633.356 to continue the action.

Sec. 2. APPLICABILITY. This Act applies to actions that arise on or after July 1, 2021.

JAKE CHAPMAN
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 239, Eighty-ninth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2021

KIM REYNOLDS
Governor