

JAN 11 1971

Commerce, Pass 1/21

HOUSE FILE

29

By HOLDEN, STROMER, PRIEBE,  
FISCHER of Grundy, COCHRAN,  
REX, DOUGHERTY, and WINKELMAN  
(Briles, Ollenburg, Griffin,  
and Potgeter)

Passed House, Date 1-26-71 Passed Senate, Date 1-29-71

Vote: Ayes 90 Nays 1 Vote: Ayes 40 Nays 1

Approved 4-27-71

*Recalled from Governor 3-8  
Motion to reconsider provided 3-8*

*Motion to reconsider filed 1/29, withdrawn 2/17  
" " " provided 4/2*

*Passed House as amended by  
Senate and further amended by  
House 4-7-71, aye 86 nays 4*

### A BILL FOR

*Passed Senate 4-2-71 aye 32 nays 0*

1 An Act relating to the payment of subsequent damages to prop-  
2 erty owners.

*Passed Senate  
as further amended  
by House 4-13-71  
aye 45 nays 0*

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

4 Section 1. Chapter four hundred seventy-two (472), Code  
5 1971, is amended by adding the following new section:

6 RENEGOTIATION OF DAMAGES. When property or an interest  
7 therein is taken by condemnation or is purchased for a public  
8 use, the purchaser or condemnor shall give written notice to  
9 the owner, informing the owner that during a period of three  
10 years from the date of the original damage settlement, upon  
11 written application by the owner, damages which have been in-  
12 curred which were not apparent on the date of original damage  
13 settlement may be renegotiated.

#### EXPLANATION

14  
15 This bill requires that landowners be informed that damages  
16 may be renegotiated for a period of three years after original  
17 settlement for damages.

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1 Amend House File 29 by striking lines 6 through 13 and  
2 inserting in lieu thereof the following:  
3 "RENEGOTIATION OF DAMAGES. Whenever property or an  
4 interest therein has been taken by condemnation or has been  
5 purchased for a public use and a settlement for construction  
6 or maintenance damages has been thereafter entered into  
7 pursuant to said condemnation or purchase, the owner shall  
8 have three years from the date of said settlement to re-  
9 negotiate construction or maintenance damages not apparent  
10 at the time of said settlement. The condemnor or purchaser  
11 shall give written notice to the owner of such right of re-  
12 negotiation at the time settlement is entered into."

Filed - *adopted 4/2*  
April 1, 1971

By RILEY and BRILES

HOUSE AMENDMENT TO SENATE AMENDMENT  
TO HOUSE FILE 29

1 Amend the Senate amendment to House File 29 by  
2 striking from line 8 the word "three" and inserting  
3 in lieu thereof the word "five".

Received from the House  
April 7, 1971

*Senate  
concerned  
4/13*

SENATE AMENDMENT TO HOUSE FILE 29

1 Amend House File 29 by striking lines 6 through 13 and insert-  
2 ing in lieu thereof the following:  
3 "RENEGOTIATION OF DAMAGES. Whenever property or an  
4 interest therein has been taken by condemnation or has been  
5 purchased for a public use and a settlement for construction  
6 or maintenance damages has been thereafter entered into  
7 pursuant to said condemnation or purchase, the owner shall  
8 have three years from the date of said settlement to re-  
9 negotiate construction or maintenance damages not apparent  
10 at the time of said settlement. The condemnor or purchaser  
11 shall give written notice to the owner of such right of re-  
12 negotiation at the time said settlement is entered into."

Received from the Senate  
April 5, 1971

*House concurred in amendment  
as amended 4/7*

1 Amend the Senate amendment to House File 29 by  
2 striking from line 8 the word "three" and inserting  
3 in lieu thereof the word "five".

Filed - *adopted 4/7*  
April 6, 1971

By HOLDEN of Scott  
District 75