

Greene 1-16-72, page 1-31
Fisher " 2-9-72

Reprinted 2-4-72
SENATE FILE 1026

By ARBUCKLE
(Fisher of Greene)

FILED JAN 17 1972

Passed Senate, Date 2-4-72 Passed House, Date _____
Vote: Ayes 38 Nays 2 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to actions arising out of injuries or damages
2 caused by the operation of a motor boat.

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

4 Section 1. Section six hundred sixteen point eighteen
5 (616.18), unnumbered paragraph one (1), Code 1971, is amended
6 to read as follows:

7 616.18 MOTOR VEHICLE AND MOTOR BOAT DAMAGE ACTIONS. Ac-
8 tions arising out of injuries to a person or damage to prop-
9 erty caused by the operation of any motor vehicle or motor
10 boat may be brought in the county in which the defendant,
11 or one of the defendants, is a resident or in the county in
12 which the injury or damage is sustained.

EXPLANATION

13
14 There has been a substantial increase in the use of the
15 state's water recreation facilities, in many instances by
16 Iowans traveling outside of their county of residence in or-
17 der to use these facilities. This bill will make easier the
18 settlement of actions for injuries or damages arising out
19 of the operation of motor boats when the parties are resi-
20 dents of different counties in Iowa.

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1 Amend Senate File 1026 as follows:

2 1. Page 1, line 5, by striking the words "unnumbered
3 paragraph one (1),".

4 2. By adding after line 12 the following:

5 ~~"Where an action is commenced in the county in which~~
6 ~~the injury or damage occurred, and which county is not~~
7 ~~the residence of the defendants or one of them, a~~
8 ~~defendant at any time before answering may file a motion~~
9 ~~to require the plaintiff to furnish a bond for costs~~
10 ~~and before any other proceedings in the action the~~
11 ~~plaintiff must file in the clerk's office a bond to~~
12 ~~be approved by the clerk in an amount to be fixed by~~
13 ~~the court for the payment of costs, but in no event~~
14 ~~shall a bond for costs be required for more than one~~
15 ~~hundred dollars."~~

Filed - *Adopted 2/4/72*
February 3, 1972

By ERSKINE

1 Amend Senate File 1026 by striking line 2 and inserting in
2 lieu thereof the following: "to property."

Filed - *Adopted 2/4/72*
February 3, 1972

By ERSKINE and GAUDINEER

1 Amend Senate File 1026 as follows:

2 1. By striking all of line 7 and inserting in lieu thereof the
3 following:

4 "616.18 MOTOR-VEHICLE-DAMAGE-ACTIONS. Ac-".

5 2. By striking all of line 9 and the word "boat" in line 10
6 and inserting in lieu thereof the following: "erty caused by the
7 operation of any motor vehicle".

Filed - *Adopted 2/4/72 (257)*
February 3, 1972

By ERSKINE

February 7, 1972
SENATE AMENDMENTS
IN BOLD FACE

Judiciary, Sess 2-22-72

SENATE FILE 1026
By ARBUCKLE
(Fisher of Greene)
(AS PASSED BY THE SENATE)

Passed Senate, Date 2-4-72 Passed House, Date 3-13-72

Vote: Ayes 38 Nays 2 Vote: Ayes 90 Nays 0

Approved March 17, 1972

A BILL FOR

1 An Act relating to actions arising out of injuries or damages
2 to property.

3 *Be It Enacted by the General Assembly of the State of Iowa:*

4 Section 1. Section six hundred sixteen point eighteen
5 (616.18), unnumbered paragraph one (1), Code 1971, is amended
6 to read as follows:

7 **616.18 [MOTOR VEHICLE DAMAGE ACTIONS.] Ac-**
8 **tions arising out of injuries to a person or damage to prop-**
9 **erty [caused by the operation of any motor vehicle]**
10 **may be brought in the county in which the defendant,**
11 **or one of the defendants, is a resident or in the county in**
12 **which the injury or damage is sustained.**

13 **[Where an action is commenced in the county in which**
14 **the injury or damage occurred, and which county is not**
15 **the residence of the defendants or one of them, a defendant**
16 **at any time before answering may file a motion to require**
17 **the plaintiff to furnish a bond for costs and before any**
18 **other proceedings in the action the plaintiff must file in**
19 **the clerk's office a bond to be approved by the clerk in an**
20 **amount to be fixed by the court for the payment of costs;**
21 **but in no event shall a bond for costs be required for**
22 **more than one hundred dollars.]**