

Reprinted 2/27

FEB 11 1980

HOUSE FILE 2461

Place On Calendar

By COMMITTEE ON AGRICULTURE

(Formerly Study Bill 547)

Passed House, Date 2-25-80 (p. 634) Passed Senate, Date _____
Vote: Ayes 89 Nays 0 Vote: Ayes _____ Nays _____
Approved April 21, 1980

A BILL FOR

1 An Act relating to tort liability of soil conservation dis-
2 tricts and their officers, employees, and agents.

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

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2461

HOUSE FILE 2461

H-5245

- 1 Amend House File 2461 as follows:
- 2 1. Page 1, line 12, by inserting after the
- 3 word "Code," the words "and regional boards of li-
- 4 brary trustees as defined in section three hundred
- 5 three B (303B) of the Code,".
- 6 2. Title page, line 1, by inserting after the
- 7 word "of" the words "regional boards of library
- 8 trustees,".

H-5245 FILED By PELTON of Clinton CONLON of Muscatine
 FEBRUARY 15, 1980 SHIMANEK of Jones DE GROOT of Lyon
held not germane, ruled suspended, adopted 2/25 (p. 634) RITSEMA of Sioux PELLETT of Cass

1 Section 1. Section twenty-five A point two (25A.2), sub-
2 section one (1), Code 1979, is amended to read as follows:

3 1. "State agency" includes all executive departments,
4 agencies, boards, bureaus, and commissions of the state of
5 Iowa, and corporations whose primary function is to act as,
6 and while acting as, instrumentalities or agencies of the
7 state of Iowa, whether or not authorized to sue and be sued
8 in their own names. This definition shall not be construed
9 to include any contractor with the state of Iowa. Soil
10 conservation districts as defined in section four hundred
11 sixty-seven A point three (467A.3), subsection one (1), of
12 the Code, are state agencies for purposes of this chapter.

13 Sec. 2. Section six hundred thirteen A point one (613A.1),
14 subsection one (1), Code 1979, is amended to read as follows:

15 1. "Municipality" means city, county, township, school
16 district, and any other unit of local government except a
17 soil conservation district as defined in section four hundred
18 sixty-seven A point three (467A.3), subsection one (1), of
19 the Code.

20 Sec. 3. This Act is effective January first following
21 its enactment.

22 EXPLANATION

23 This bill makes local soil conservation districts state
24 agencies for purposes of tort liability.

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HOUSE FILE 2461

By COMMITTEE ON AGRICULTURE

(As Amended and Passed by the House)

Passed House, Date 4/6/80 (p. 1421) Passed Senate, Date 3/27/80 (p. 1127)
Vote: Ayes 89 Nays 0 Vote: Ayes 41 Nays 0
Approved April 21, 1980

A BILL FOR

1 An Act relating to tort liability of regional boards of
2 library trustees, soil conservation districts and
3 their officers, employees, and agents.

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

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House Amendments _____

HOUSE FILE 2461

S-5273

1 Amend House File 2461 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 22 and 23.

S-5273 FILED
MARCH 5, 1980
Adopted 3/27 (p. 1126)

BY COMMITTEE ON AGRICULTURE
IRVIN L. BERGMAN, CHAIRPERSON

SENATE AMENDMENT TO HOUSE FILE 2461

H-5778

1 Amend House File 2461 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 22 and 23.

H-5778 FILED
MARCH 31, 1980

RECEIVED FROM THE SENATE
House re-amended 4/8 (p. 1421)

1 Section 1. Section twenty-five A point two (25A.2), sub-
2 section one (1), Code 1979, is amended to read as follows:

3 1. "State agency" includes all executive departments,
4 agencies, boards, bureaus, and commissions of the state of
5 Iowa, and corporations whose primary function is to act as,
6 and while acting as, instrumentalities or agencies of the
7 state of Iowa, whether or not authorized to sue and be sued
8 in their own names. This definition shall not be construed
9 to include any contractor with the state of Iowa. Soil
10 conservation districts as defined in section four hundred
11 sixty-seven A point three (467A.3), subsection one (1), of
12 the Code, and regional boards of library trustees as defined
13 in section three hundred three B (303B) of the Code, are state
14 agencies for purposes of this chapter.

15 Sec. 2. Section six hundred thirteen A point one (613A.1),
16 subsection one (1), Code 1979, is amended to read as follows:

17 1. "Municipality" means city, county, township, school
18 district, and any other unit of local government except a
19 soil conservation district as defined in section four hundred
20 sixty-seven A point three (467A.3), subsection one (1), of
21 the Code.

22 Sec. 3. This Act is effective January first following
23 its enactment.

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sixty-seven A point three (467A.3), subsection one (1), of the Code.

HOUSE FILE 2461

AN ACT

RELATING TO TORT LIABILITY OF REGIONAL BOARDS OF LIBRARY TRUSTEES, SOIL CONSERVATION DISTRICTS AND THEIR OFFICERS, EMPLOYERS, AND AGENTS.

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

Section 1. Section twenty-five A point two (25A.2), subsection one (1), Code 1979, is amended to read as follows:

1. "State agency" includes all executive departments, agencies, boards, bureaus, and commissions of the state of Iowa, and corporations whose primary function is to act as, and while acting as, instrumentalities or agencies of the state of Iowa, whether or not authorized to sue and be sued in their own names. This definition shall not be construed to include any contractor with the state of Iowa. Soil conservation districts as defined in section four hundred sixty-seven A point three (467A.3), subsection one (1), of the Code, and regional boards of library trustees as defined in section three hundred three B (303B) of the Code, are state agencies for purposes of this chapter.

Sec. 2. Section six hundred thirteen A point one (613A.1), subsection one (1), Code 1979, is amended to read as follows:

1. "Municipality" means city, county, township, school district, and any other unit of local government except a soil conservation district as defined in section four hundred

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2461, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved April 21, 1980

ROBERT D. RAY
Governor

H.F. 2461