

Judiciary and Law Enforcement: Smalley, Chair; Trucano and Brandt.

I Pass 2/4 (p. 315)

FILED

MAR 25

SENATE FILE

490

BY COMMITTEE ON JUDICIARY

(FORMERLY SSB 185)

Approved 2/26/81 (p. 989)

Passed Senate, Date 4-3-81 (p. 1166)

Passed House, Date 2-16-82 (p. 422)

Vote: Ayes 45 Nays 1

Vote: Ayes 93 Nays 3

Approved March 29 1982 (p. 951)

Repassed Senate per House Amendment 3-16-82 (p. 769)

Revised to conform with 2/17/82 (p. 442) from 2/17/82

Repassed House 3-1-82 (p. 730)

48-0

97-1

A BILL FOR

- 1 An Act to allow tort claim actions against the state to be
- 2 tried before a jury.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

HOUSE AMENDMENT TO SENATE FILE 490

S-5229

- 1 Amend Senate File 490, as follows:
- 2 1. Page 1, by inserting after line 11, the
- 3 following:
- 4 "Sec. 2. This Act applies to claims accruing on
- 5 or after the effective date of this Act."

S-5229 FILED
MARCH 11, 1982

RECEIVED FROM THE HOUSE
Senate concurred 2/16/82 (p. 768)

13

SENATE FILE 490

H-5182

- 1 Amend Senate File 490, as follows:
- 2 1. Page 1, by inserting after line 11, the
- 3 following:
- 4 "Sec. 2. This Act applies to claims accruing
- 5 on or after the effective date of this Act."

H-5182 FILED FEBRUARY 18, 1982
Adopted 3/9 (p. 732)

BY SMALLEY of Polk

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1 Section 1. Section 25A.4, unnumbered paragraph 1, Code
2 1981, is amended to read as follows:

3 The district court of the state of Iowa for the district
4 in which the plaintiff is resident or in which the act or
5 omission complained of occurred, or where the act or omission
6 occurred outside of Iowa and the plaintiff is a nonresident,
7 the Polk county district court, ~~sitting without a jury,~~ shall
8 ~~have~~ has exclusive jurisdiction to hear, determine, and render
9 judgment on any suit or claim as defined in this chapter.
10 However, the laws and rules of civil procedure of this state
11 on change of place of trial shall apply to such suits.

12 EXPLANATION

13 The bill allows tort claim actions against the state to
14 be tried before a jury. The bill takes effect July 1 following
15 enactment.

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Sec. 2. This Act applies to claims accruing on or after the effective date of this Act.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

SENATE FILE 490

AN ACT

TO ALLOW TORT CLAIM ACTIONS AGAINST THE STATE TO BE TRIED BEFORE A JURY.

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

Section 1. Section 25A.4, unnumbered paragraph 1, Code 1981, is amended to read as follows:

The district court of the state of Iowa for the district in which the plaintiff is resident or in which the act or omission complained of occurred, or where the act or omission occurred outside of Iowa and the plaintiff is a nonresident, the Polk county district court, ~~sitting without a jury, shall~~ ~~have~~ has exclusive jurisdiction to hear, determine, and render judgment on any suit or claim as defined in this chapter. However, the laws and rules of civil procedure of this state on change of place of trial ~~shall~~ apply to such suits.

I hereby certify that this bill originated in the Senate and is known as Senate File 490, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved *J March 29*, 1982

ROBERT D. RAY
Governor

S.F. 490