

FEB 21 1984

Place On Calendar

HOUSE FILE 2335

BY COMMITTEE ON LOCAL GOVERNMENT

(Formerly Study Bill 540)
Substituted for P.F. 2245

Passed House, Date 3-6-84 (p. 750) Passed Senate, Date 3-12-84 (p. 767)

Vote: Ayes 98 Nays 0 Vote: Ayes 45 Nays 0

Approved March 22, 1984 (p. 1227)

A BILL FOR

1 An Act relating to the liability of a county or city, or an
2 administrative or legal entity created by a county or
3 city, under the Iowa competition law.

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

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HF 2335

1 Section 1. Section 553.6, Code 1983, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5. The activities of a city or county,
4 or an administrative or legal entity created by a city or
5 county, when acting within its statutory or constitutional
6 home rule powers and to the same extent that the activities
7 would not be prohibited if undertaken by the state.

8 Sec. 2. Section 553.12, subsection 3, unnumbered paragraph
9 1, Code 1983, is amended to read as follows:

10 Recover, at the court's discretion, exemplary damages which
11 do not exceed twice the actual damages awarded under subsection
12 2, from a person other than a city or county or legal entity
13 created by a city or county, if:

14 EXPLANATION

15 This bill provides that certain activities of a city,
16 county, or administrative or legal entity created by a city
17 or county are not prohibited by the Iowa competition law if
18 they would not be prohibited for the state. The bill also
19 limits the availability of exemplary damages against a city,
20 county, or administrative or legal entity created by a city
21 or county for those activities which violate the Iowa
22 competition law.

23 This bill takes effect July 1 following enactment.

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2. from a person other than a city or county or legal entity created by a city or county, if:

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2335, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *March 22*, 1984

TERRY E. BRANSTAD
Governor

HOUSE FILE 2335

AN ACT

RELATING TO THE LIABILITY OF A COUNTY OR CITY, OR AN ADMINISTRATIVE OR LEGAL ENTITY CREATED BY A COUNTY OR CITY, UNDER THE IOWA COMPETITION LAW.

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

Section 1. Section 553.6, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The activities of a city or county, or an administrative or legal entity created by a city or county, when acting within its statutory or constitutional home rule powers and to the same extent that the activities would not be prohibited if undertaken by the state.

Sec. 2. Section 553.12, subsection 3, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Recover, at the court's discretion, exemplary damages which do not exceed twice the actual damages awarded under subsection

H.F. 2335