

FEB 17 1998
JUDICIARY

HOUSE FILE 2304
BY KREMER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing an exemption from liability for possessors or
2 owners of residential real property.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 2304

1 Section 1. NEW SECTION. 668.10A EXEMPTION FOR OWNERS OR
2 POSSESSORS OF RESIDENTIAL PROPERTY.

3 An individual who owns or possesses residential real
4 property shall not be assigned a percentage of fault under
5 this chapter for injuries occurring on the real property
6 provided that the individual complied with the duty to
7 exercise the care necessary to maintain the property in a
8 reasonably safe and prudent manner.

9 For purposes of this section, "residential real property"
10 means real property that includes a dwelling, whether owned or
11 leased.

12 EXPLANATION

13 This bill provides that an individual owner or possessor of
14 residential real property who complies with the duty to
15 exercise necessary care in maintaining the property shall not
16 be assigned a percentage of fault in a comparative fault
17 action.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35