

MAR 10 1999

JUDICIARY

HOUSE FILE

**595**

BY JAGER, GREINER, and

BARRY

*4/12/99, sponsor ~~added~~ - Sunderbruch*

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to civil lawsuits against manufacturers of and  
2 dealers in firearms for damages caused by firearms.

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

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**HF 595**

1 Section 1. NEW SECTION. 613.20 ACTIONS AGAINST FIREARM  
2 MANUFACTURERS.

3 1. An action or claim against a manufacturer of or dealer  
4 in firearms, or other entity directly involved in the firearms  
5 industry, seeking recovery based on damage caused by firearms,  
6 whether the claim of liability or theory of recovery is based  
7 on common law or statute, shall be maintained only by the  
8 state, in accordance with the procedures in this section.

9 2. The attorney general may bring a suit under this  
10 section only after general authorization to file suit has been  
11 granted by a majority vote of each house of the general  
12 assembly.

13 Sec. 2. Section 724.28, Code 1999, is amended to read as  
14 follows:

15 724.28 PROHIBITION OF REGULATION BY POLITICAL  
16 SUBDIVISIONS.

17 1. A political subdivision of the state shall not enact an  
18 ordinance regulating the ownership, possession, legal  
19 transfer, lawful transportation, registration, or licensing of  
20 firearms when the ownership, possession, transfer, or  
21 transportation is otherwise lawful under the laws of this  
22 state. An ordinance regulating firearms in violation of this  
23 section existing on or after April 5, 1990, is void.

24 2. A political subdivision of the state is prohibited from  
25 maintaining an action or claim against a manufacturer, dealer,  
26 or other entity directly involved in the firearms industry  
27 pursuant to the provisions of section 613.20.

28 EXPLANATION

29 This bill creates new Code section 613.20, which would  
30 limit civil actions against entities that are part of the  
31 firearm industry for damages caused by firearms. Under the  
32 bill, the state is the only entity that can file such a suit  
33 and the attorney general can bring suit only after  
34 authorization is granted by a majority vote of each house of  
35 the general assembly.

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A related amendment is added to Code section 724.28.