

FILED MAR 8 2005

SENATE FILE 307
BY DANIELSON

JUDICIARY

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

A BILL FOR

1 An Act relating to the issuance of a temporary injunction
2 prohibiting the enforcement of financial obligations and
3 liabilities related to an action seeking damages for personal
4 injury.

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

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SE 307 JUDICIARY

1 Section 1. NEW SECTION. 668.14A TEMPORARY INJUNCTION
2 PROHIBITING ENFORCEMENT OF FINANCIAL OBLIGATIONS INCURRED AS
3 RESULT OF PERSONAL INJURY ACTION.

4 1. In an action brought pursuant to this chapter seeking
5 damages for personal injury, the plaintiff may, at any time
6 during the period of the lawsuit, apply to the court for
7 relief in regard to any financial obligation or liability
8 incurred by the plaintiff relating to the personal injury
9 action.

10 2. The court, after appropriate notice and hearing, may
11 grant a temporary injunction prohibiting the enforcement of
12 any financial obligation or liability incurred by the
13 plaintiff relating to the personal injury action when the
14 plaintiff's petition, supported by affidavit, shows the
15 plaintiff will suffer irreparable injury if relief is not
16 granted.

17 3. When a court has granted a temporary injunction as
18 provided in subsection 1, during the period the terms and
19 conditions of the injunction are complied with no fine or
20 penalty shall accrue.

21 EXPLANATION

22 This bill relates to the issuance of a temporary injunction
23 prohibiting the enforcement of financial obligations and
24 liabilities related to an action seeking damages for personal
25 injury.

26 The bill provides that in a personal injury action the
27 plaintiff may, at any time during the period of the lawsuit,
28 apply to the court for relief in regard to any financial
29 obligation or liability incurred by the plaintiff relating to
30 the personal injury action. The court, after appropriate
31 notice and hearing, may grant a temporary injunction
32 prohibiting the enforcement of such an obligation or liability
33 when the plaintiff's petition, supported by affidavit, shows
34 the plaintiff will suffer irreparable injury. The bill
35 further provides that when a court has granted a temporary

1 injunction, during the period the terms and conditions of the
2 injunction are complied with no fine or penalty shall accrue.

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