

# Senate Study Bill 1098

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON KREIMAN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act concerning limitations on actions for civil liability  
2 related to the dramshop Act and providing an effective and  
3 applicability date provision.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1769SC 82  
6 ec/gg/14

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1 1 Section 1. Section 123.93, Code 2007, is repealed.  
1 2 Sec. 2. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. This  
1 3 Act, being deemed of immediate importance, takes effect upon  
1 4 enactment, applies to cases pending on or after the effective  
1 5 date of this Act, and is retroactively applicable to injuries  
1 6 occurring on or after the date two years prior to the  
1 7 effective date of this Act.

1 8 EXPLANATION

1 9 This bill concerns limitations of actions relative to  
1 10 dramshop Act liability. The bill repeals Code section 123.93,  
1 11 which requires an injured person to give written notice to the  
1 12 licensee or permittee, or their insurance carrier, of the  
1 13 person's intent to bring a civil action within six months of  
1 14 the occurrence of the injury giving rise to possible dramshop  
1 15 liability. The bill takes effect upon enactment, applies to  
1 16 all cases pending on or after that date, and applies to  
1 17 injuries occurring on or after the date that is two years  
1 18 prior to the effective date of the bill.  
1 19 LSB 1769SC 82  
1 20 ec:nh/gg/14