

Senate Study Bill 3147 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act relating to an exemption from municipal liability for
2 recreational trails.

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

1 Section 1. Section 670.4, subsection 1, Code 2014, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *p.* Any claim based upon or arising out
4 of a claim of negligent design or specification, negligent
5 adoption of design or specification, or negligent construction
6 or reconstruction of a recreational trail that was constructed
7 or reconstructed, reasonably and in good faith, in accordance
8 with generally recognized engineering or safety standards or
9 design theories in existence at the time of the construction
10 or reconstruction.

11

EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill provides an exemption from liability under the
15 Iowa municipal tort claims Act (Code chapter 670) for any claim
16 based upon or arising out of a claim of negligent design or
17 specification, negligent adoption of design or specification,
18 or negligent construction or reconstruction of a recreational
19 trail that was constructed or reconstructed, reasonably and in
20 good faith, in accordance with generally recognized engineering
21 or safety standards or design theories in existence at the time
22 of the construction or reconstruction.

23 A municipality in Code chapter 670 is defined as a city,
24 county, township, school district, or other unit of local
25 government.