

Senate File 330 - Introduced

SENATE FILE 330
BY DICKEY

A BILL FOR

1 An Act relating to awarding costs and reasonable attorney fees to
2 a prevailing party in a civil action and including effective
3 date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **625.30 Costs — attorney fees —**
2 **prevailing parties.**

3 1. Notwithstanding any law to the contrary, in a civil action
4 the court shall award costs and reasonable attorney fees to a
5 prevailing party.

6 2. This section does not apply to actions by or against the
7 state, other governmental entities, or public officials acting in
8 their official capacity or under color of law.

9 3. For purposes of this section, "prevailing party" means
10 a party with a net monetary recovery, a defendant in whose
11 favor a dismissal is entered, a defendant where neither plaintiff
12 nor defendant obtains any relief, or a defendant as against a
13 plaintiff who does not recover any relief against the defendant.
14 If a party recovers other than monetary relief and in situations
15 other than as specified, the court shall determine if a party is
16 a prevailing party for purposes of this section.

17 Sec. 2. LEGISLATIVE PROPOSALS. The supreme court shall
18 submit legislative proposals, in due course, to the senate
19 and house of representatives standing committees on judiciary
20 to amend the Iowa Code to delete redundancies, resolve
21 inconsistencies and conflicts, and remove any ambiguities caused
22 by this Act.

23 Sec. 3. APPLICABILITY. This Act applies to causes of action
24 filed on or after July 1, 2025.

25 EXPLANATION

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

28 This bill relates to the award of costs and reasonable
29 attorney fees to a prevailing party in civil actions.

30 Under current law, subject to certain exceptions, each party
31 to a civil lawsuit is responsible for its own attorney fees.
32 The bill provides that a court shall award costs and reasonable
33 attorney fees to a prevailing party. The bill defines prevailing
34 party as the party with a net monetary recovery, a defendant in
35 whose favor a dismissal is entered, a defendant where neither

1 plaintiff nor defendant obtains any relief, or a defendant as
2 against a plaintiff who does not recover any relief against the
3 defendant. If a party recovers other than monetary relief and
4 in situations other than as specified, the court shall determine
5 if a party is a prevailing party. The bill does not apply to
6 actions by or against the state, other governmental entities, or
7 public officials acting in their official capacity or under color
8 of law.

9 The bill requires the supreme court to submit legislative
10 proposals, in due course, to the senate and house of
11 representatives standing committees on judiciary to amend the
12 Iowa Code to delete redundancies, resolve inconsistencies and
13 conflicts, and remove any ambiguities caused by the bill.

14 The bill applies to causes of action filed on or after July 1,
15 2025.

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