

**House File 158 - Reprinted**

HOUSE FILE 158  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 72)

(As Amended and Passed by the House February 13, 2013)

**A BILL FOR**

1 An Act providing for an exception to municipal tort  
2 liability for claims arising from sledding or tubing on  
3 municipality-controlled property.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 670.4, subsections 14 and 15, Code 2013,  
2 are amended to read as follows:

3 14. Any claim based upon or arising out of a claim of  
4 negligent design or specification, negligent adoption of design  
5 or specification, or negligent construction or reconstruction  
6 of a public facility designed for purposes of skateboarding,  
7 in-line skating, bicycling, unicycling, scootering, river  
8 rafting, canoeing, ~~or kayaking~~, tubing or sledding that was  
9 constructed or reconstructed, reasonably and in good faith,  
10 in accordance with generally recognized engineering or safety  
11 standards or design theories in existence at the time of the  
12 construction or reconstruction.

13 15. Any claim based upon or arising out of an act or  
14 omission of an officer or employee of the municipality or  
15 the municipality's governing body by a person skateboarding,  
16 in-line skating, bicycling, unicycling, scootering, river  
17 rafting, canoeing, ~~or kayaking~~, tubing or sledding on public  
18 property when the person knew or reasonably should have known  
19 that the skateboarding, in-line skating, bicycling, unicycling,  
20 scootering, river rafting, canoeing, ~~or kayaking~~, tubing or  
21 sledding created a substantial risk of injury to the person  
22 and was voluntarily in the place of risk. The exemption from  
23 liability contained in this subsection shall only apply to  
24 claims for injuries or damage resulting from the risks inherent  
25 in the activities of skateboarding, in-line skating, bicycling,  
26 unicycling, scootering, river rafting, canoeing, ~~or kayaking~~,  
27 tubing or sledding.