

CHAPTER 1280
OFFENDERS PERFORMING COMMUNITY SERVICE
S.F. 2098

AN ACT relating to unpaid community service by specifying that the state assumes liability for injuries to offenders performing unpaid community service and for the torts committed by offenders performing unpaid community service.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 85.59, Code Supplement 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section, the term "inmate" excludes a person who is performing unpaid community service under section 907.13 or a work assignment of value or to the public under chapter 232.

Sec. 2. **NEW SECTION. 232.13 LIABILITY FOR PUBLIC WORK ASSIGNMENTS.** The state of Iowa is liable, according to and under chapter 25A, for a tortious act committed by a child given a work assignment of value to the state or the public under this chapter.

Sec. 3. Section 907.13, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 5. The state of Iowa is exclusively liable, according to and under chapter 25A, for a tortious act committed by a defendant while performing unpaid community service.

NEW SUBSECTION. 6. The state of Iowa is exclusively liable for and shall pay any compensation becoming due any person under section 85.59.

Approved May 14, 1984