1    Sec. 12.    Section six hundred thirty-three point four hundred seventy-
2  one (633.471), Code 1966, is repealed and the following enacted in lieu
3  thereof:
4    **"Right of retainer.**    When a distributee of an estate is indebted to
5  the estate, or if a distributee takes as an heir of a deceased devisee indebted
6  to the estate, the amount of such indebtedness, if due, or the present worth
7  of the indebtedness, if not due, shall be treated as a setoff and retained by
8  the personal representative out of any testate or intestate property, real
9  or personal, of the estate to which such distributee is entitled. In intestate
10  estates, the personal representative shall have the same right of setoff and
11  retainer against an heir whose ancestor was indebted to the estate. The
12  right of setoff and retainer shall be prior and superior to the rights of judg-
13  ment creditors, heirs or assigns of such distributee and shall not be barred
14  by the statute of limitations, nor by a discharge in bankruptcy."

1    Sec. 13.    Section six hundred thirty-three point four hundred ninety-
2  six (633.496), Code 1966, is amended as follows:
3    1. Strike from lines five (5) and six (6) the word "attestation" and insert
4  in lieu thereof the word "certificate".
5    2. Strike from line eight (8) the word "attestation" and insert in lieu
6  thereof the word "certificate".

Approved June 5, 1969.

## CHAPTER 295

### TERMS OF COURT

S. F. 187

AN ACT relating to terms of district court.

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

1    Section 1.    Chapter four hundred (400), Acts of the Sixty-second Gen-
2  eral Assembly, is amended by striking sections two hundred twenty (220)
3  and two hundred twenty-one (221).

Approved March 28, 1969.

## CHAPTER 296

### FEDERAL INSURED LOANS

H. F. 697

AN ACT relating to federal insured loans.

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

1    Section 1.    Section six hundred eighty-two point forty-five (682.45),
2  Code 1966, is hereby amended as follows:
3    1. By striking from line two (2) the words "and building and loan asso-
4  ciations," and inserting in lieu thereof the words ", building and loan asso-

5  ciations, trustees, guardians, executors, administrators, and other fiduciar-
6  ies, the state and its political subdivisions, and institutions and agencies
7  thereof, and all other persons, associations, and corporations".
8      2. By inserting in line twenty (20) after the words "state, to" the fol-
9  lowing: "originate loans secured by real property or leasehold, as the
10  federal housing administrator insures or makes a commitment to insure
11  pursuant to title II of the national housing act, and may obtain such in-
12  surance and may".

1      SEC. 2.    This Act being deemed of immediate importance shall be in full
2  force and effect from and after its passage and publication in The Fairfield
3  Ledger, a newspaper published at Fairfield, Iowa, and in The American
4  Citizen, a newspaper published at Des Moines, Iowa.

Approved June 2, 1969.

I hereby certify that the foregoing Act, House File 697, was published in The Fairfield
Ledger, Fairfield, Iowa, June 5, 1969, and in The American Citizen, Des Moines, Iowa, June 13,
1969.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 297

RULES OF CIVIL PROCEDURE

S. F. 287

AN ACT relating to the reporting of rules of civil procedure to the General Assembly.

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

1      SECTION 1.    Section six hundred eighty-four point nineteen (684.19),
2  Code 1966, as amended by chapter eighty-three (83), section two (2), Acts
3  of the Sixty-second General Assembly, is hereby further amended by strik-
4  ing from line four (4) the word "a" and inserting in lieu thereof the word
5  "either".

Approved April 23, 1969.

CHAPTER 298

SUPREME COURT JUDGES OFFICES

S. F. 157

AN ACT relating to the office of a supreme court judge.

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

1      SECTION 1.    Section six hundred eighty-four point twenty-two (684.22),
2  Code 1966, is hereby repealed.

Approved May 8, 1969.