

3 **596.2 Certificate by physician.** If, on the basis of negative labora-
 4 tory [and clinical] findings, the physician in attendance finds no
 5 evidence of syphilis, or if any applicant so infected is not in a stage
 6 of the disease whereby it may become communicable, said physician
 7 shall issue a certificate to the examinee to that effect on a form pre-
 8 scribed by the commissioner of public health and furnished by the
 9 office of the clerk of the district court. Such certificate of negative
 10 findings as to each of the parties to a proposed marriage shall be filed
 11 with the clerk of the district court at the time applicaton for a
 12 license to marry is made. If the marriage ceremony is to take place
 13 under the provisions of section 595.17, the certificate required by this
 14 chapter shall be filed in the office of the clerk of the court in the
 15 county in which such marriage ceremony is to take place.

1 **SEC. 3.** Section five hundred ninety-six point four (596.4), Code
 2 1971, is amended as follows:

3 **596.4 Exception as to pregnant women.** Irrespective of the labora-
 4 tory test results [and clinical examination findings], the clerk of the
 5 district court shall issue a marriage license to parties to a proposed
 6 marriage when the woman is pregnant at the time of application, and
 7 in lieu of the health certificate required under this chapter such clerk
 8 of the district court is hereby authorized to accept an affidavit on a
 9 form prescribed by the state department of health, signed by an Iowa
 10 licensed physician, stating that the woman is pregnant, which affidavit
 11 shall be sealed and available only to the contracting parties or to any
 12 interested party securing an order of court.

Approved April 15, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes. However, see Editor's note, page iii.

CHAPTER 258

BLOOD DONATION BY MINORS

S. F. 3

AN ACT relating to blood donors.

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

1 **SECTION 1.** Any person eighteen years of age or older may donate
 2 blood to any voluntary and noncompensatory blood program without
 3 obtaining parental permission.

Approved January 28, 1971.

CHAPTER 259

ADOPTION OF CHILDREN

H. F. 164

AN ACT relating to the adoption of children.

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

1 **SECTION 1.** Chapter six hundred (600), Code 1971, is amended by
 2 adding sections two (2) through seven (7) of this Act.

1 **SEC. 2. Financial assistance.** The department of social services
2 shall, within the limits of funds appropriated to the department of
3 social services and any gifts or grants received by the department for
4 this purpose, provide financial assistance to any person who adopts a
5 physically or mentally handicapped, older, or otherwise hard-to-place
6 child, if the adoptive parent has the capability of providing a suitable
7 home for the child but the need for special services or the costs of
8 maintenance are beyond the economic resources of the adoptive parent.

9 1. Financial assistance shall not be provided when the special
10 services are available free of cost to the adoptive parent or are
11 covered by an insurance policy of the adoptive parent.

12 2. "Special services" means any medical, dental, therapeutic, edu-
13 cational, or other similar service or appliance required by an adopted
14 child by reason of a mental or physical handicap.

1 **SEC. 3. Determination of assistance.** Any prospective adoptive
2 parent desiring to avail himself of financial assistance shall state
3 this fact in his petition for adoption. The department of social serv-
4 ices shall investigate the person petitioning for adoption and the child
5 and shall file with the court a statement of whether the department
6 will provide assistance as provided in this Act, the estimated amount,
7 extent, and duration of assistance, and any other information the
8 court may order.

9 If the department of social services is unable to determine that an
10 insurance policy will cover the costs of special services, it shall pro-
11 ceed as if no policy existed, for the purpose of determining eligibility
12 to receive assistance. The department shall, to the amount of financial
13 assistance given, be subrogated to the rights of the adoptive parent
14 in the insurance contract.

1 **SEC. 4. Amount of assistance.** The amount of financial assistance
2 for maintenance shall not exceed the amount the department would
3 normally spend for foster care of the child. The amount of financial
4 assistance for special services shall not exceed the amount the depart-
5 ment would normally spend if it were to provide these services.

1 **SEC. 5. Availability of assistance.** Financial assistance shall be
2 available only if the child to be adopted was under the guardianship
3 of the state, county, or a licensed child-placing agency immediately
4 prior to his adoption. The twelve months period of residence in the
5 proposed home required in section six hundred point two (600.2) of
6 the Code shall not apply to this section.

1 **SEC. 6. Termination of assistance.** Financial assistance shall term-
2 inate when the need for assistance no longer exists. Financial assist-
3 ance shall not extend beyond the adopted child's twenty-first birthday.

1 **SEC. 7. Rules and regulations.** The department of social services
2 shall adopt rules and regulations in accordance with the provisions
3 of chapter seventeen A (17A) of the Code, which are necessary for
4 the administration of this Act.

5 The department of social services shall report to the general assem-
6 bly by April 1, 1972, a cost benefit analysis of financial assistance
7 provided under this Act.

1 SEC. 8. Chapter six hundred twenty-seven (627), Code 1971, is
2 amended by adding the following new section:

3 **“Adopted child assistance.** Any financial assistance due or that may
4 become due, under the provisions of sections two (2) through seven
5 (7), inclusive, of this Act shall be exempt from garnishment, attach-
6 ment, and execution.”

1 SEC. 9. Section four hundred twenty-two point nine (422.9), sub-
2 section two (2), Code 1971, is amended by adding the following new
3 paragraph:

4 Add the amount by which expenses paid or incurred in connection
5 with the adoption of a child by the taxpayer exceed three percent of the
6 net income of the taxpayer, or of the taxpayer and spouse in the case
7 of a joint return. The expenses may include medical and hospital
8 expenses of the natural mother which are incident to the child’s birth
9 and are paid by the taxpayer, welfare agency fees, legal fees, and all
10 other fees and costs relating to the adoption of a child if the child is
11 placed by a child-placing agency licensed under chapter two hundred
12 thirty-eight (238) of the Code.

Approved June 30, 1971.

CHAPTER 260

MUNICIPAL JUDGES

H. F. 225

AN ACT relating to municipal judges.

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

1 SECTION 1. Section six hundred two point five (602.5), Code 1971,
2 is amended as follows:

3 **602.5 Number of judges.** In any municipal court district having a
4 population of less than forty thousand, wherein a municipal court has
5 been established, there shall be one municipal judge; in districts hav-
6 ing more than forty thousand and less than sixty thousand inhabi-
7 tants, there shall be two municipal judges; in districts having more
8 than sixty thousand inhabitants there shall be one municipal judge
9 for each [forty] *thirty-five* thousand inhabitants or major fraction
10 thereof, but no district shall have more than four judges.

Approved June 30, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes.
However, see Editor’s note, page iii.

CHAPTER 261

JUDICIAL DISTRICTS

S. F. 417

AN ACT relating to judicial redistricting and judicial nominating commissions.

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

1 SECTION 1. Section six hundred four point eight (604.8), Code
2 1971, is amended by striking all of such section before subsection one