

CHAPTER 1242

PUBLIC PAY TOILETS

H. F. 24

AN ACT relating to public pay toilets and providing a penalty.

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

1 SECTION 1. NEW SECTION. **Pay toilets.** No person shall make a charge or
2 require any special device, key or slug for the use of a toilet located in a room
3 provided for use of the public. Violation of this Act is a misdemeanor.*

1 SEC. 2. Section one hundred seventy point thirty-four (170.34), Code 1975, is
2 hereby repealed.

Approved February 20, 1976

*See §687.7 of the Code for punishment

CHAPTER 1243

CONFISCATED AMMUNITION AND FIREARMS

H. F. 835

AN ACT providing that certain ammunition and firearms shall be deposited with the state criminalistics laboratory.

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

1 SECTION 1. Chapter seven hundred forty-nine A (749A), Code 1975, is
2 amended by adding the following new section:

3 NEW SECTION. **Deposit of ammunition and firearms.**

4 1. Ammunition and firearms which are stolen or embezzled or confiscated
5 pursuant to a valid arrest or search warrant and for which lawful possession is not
6 established or for which lawful title cannot be ascertained pursuant to chapters
7 six hundred forty-five (645) and seven hundred fifty-one (751) of the Code shall
8 be forwarded to the state criminalistics laboratory for deposit by the law
9 enforcement agency having possession of such items. Ammunition and firearms
10 which were used in the perpetration or attempted perpetration of a criminal
11 offense and are owned by the perpetrator of such offense shall be forfeited to the
12 state, and shall be deposited with the state criminalistics laboratory if no longer
13 required in a criminal action for evidentiary purposes. Ammunition and firearms
14 forfeited shall become the property of the state.

15 2. Ammunition and firearms other than those forfeited to the state, which come
16 into the possession of the state criminalistics laboratory may, at the discretion of
17 the commissioner of public safety, after being retained for at least one year, be
18 destroyed, retained or exchanged with other public agencies. Ammunition and
19 firearms forfeited to the state may be destroyed, retained, given to or exchanged
20 with other public agencies, within or without the state.

21 3. Ammunition and firearms subject to this Act shall not be subject to the
22 provisions of chapter five hundred fifty-six (556) of the Code, or any other
23 provisions of law relating to abandoned property.

24 4. If any person claims to be entitled to any property which may have been
 25 disposed of under this section, he may file a claim for the value of such property
 26 as provided in chapter twenty-five A (25A) of the Code.

1 SEC. 2. Section six hundred forty-five point five (645.5), Code 1975, is
 2 amended to read as follows:

3 **645.5 When not claimed.** If the property stolen or embezzled, *except*
 4 *ammunition or firearms*, be not claimed by the owner before the expiration of six
 5 months from the conviction of the person for stealing or embezzling it, the
 6 magistrate or other officer having it in his custody must, on payment of the
 7 necessary expenses incurred for its preservation, deliver it to the auditor of the
 8 county, to be applied under the direction of the board of supervisors thereof for
 9 the benefit of the poor of the county. *If the stolen or embezzled property is*
 10 *ammunition or a firearm and the property is not claimed under the provisions of this*
 11 *section, the property shall be disposed of pursuant to section one (1) of this Act.*

1 SEC. 3. Section seven hundred fifty-one point twenty-six (751.26), Code 1975,
 2 is amended to read as follows:

3 **751.26 Execution—sale—destruction.** Execution shall issue for the sale of all
 4 property, except money, *ammunition and firearms* which may have a legitimate
 5 use, and for the destruction of all property having no legitimate use. Sales shall be
 6 made as provided by section 626.75. Due return of the execution shall be made
 7 thereon by the officer executing it. *Ammunition and firearms shall be disposed of*
 8 *pursuant to section one (1) of this Act.*

Approved March 12, 1976

CHAPTER 1244

JURORS' FEES AND MILEAGE

S. F. 1151

AN ACT relating to the fees and expenses paid to jurors in a criminal action when the place of trial is changed.

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

1 SECTION 1. Section seven hundred seventy-eight point seventeen (778.17),
 2 Code 1975, is amended to read as follows:

3 **778.17 Jury fees in criminal actions.** Where the place of trial in any criminal
 4 action is changed to any county other than that in which the same was properly
 5 commenced, where the trial thereof takes place at a regular session and occupies
 6 more than one calendar day, the judge trying it shall certify the number of days
 7 so occupied, and the county in which the action was originally commenced shall
 8 be liable to the county where the same is tried for the sum of ~~three~~ *ten* dollars per
 9 day and mileage expenses at the rate of *fifteen cents per mile for each mile traveled*
 10 *each day to and from their residence to the place of attendance*, for each jurymen
 11 engaged in the trial thereof.

1 SEC. 2. This Act, being deemed of immediate importance, shall take effect
 2 and be in force from and after its publication in the West Des Moines Express, a