

CHAPTER 1062  
IOWA HOUSING FINANCE AUTHORITY

H. F. 2410

AN ACT relating to the Iowa housing finance authority by amending the quorum provision, increasing the amount of bonds and notes of the Iowa housing finance authority which may be outstanding at any time and authorizing property improvement loans for solar and other renewable energy systems and relating to the authority's conflict of interest provision, including a penalty.

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

Section 1. Section two hundred twenty point one (220.1), subsection twenty (20), Code 1979, is amended to read as follows:

20. "Housing sponsor" means any individual, joint venture, partnership, limited partnership, trust, corporation, housing co-operative, local public entity, governmental unit, or other legal entity, or any combination thereof, approved by the authority or pursuant to standards adopted by the authority as qualified to either own, construct, acquire, rehabilitate, operate, manage or maintain a housing program, whether for profit, nonprofit or limited profit, subject to the regulatory powers of the authority and other terms and conditions set forth in this chapter. ~~"Housing-spenser"-does-net--include--a low--or--moderate--income-family-which-is-eligible-to-own-or-occupy-a-housing unit.~~

Sec. 2. Section two hundred twenty point two (220.2), subsection three (3), Code 1979, is amended to read as follows:

3. ~~Six~~ Five members of the authority constitute a quorum and the affirmative vote of at least five members is necessary for any substantive action taken by the authority. The majority shall not include any member who has a conflict of interest and a statement by a member of a conflict of interest shall be conclusive for this purpose. A vacancy in the membership does not impair the right of a quorum to exercise all rights and perform all duties of the authority.

Sec. 3. Section two hundred twenty point twenty-four (220.24), Code 1979, is amended to read as follows:

220.24 CERTIFICATION OF AMORTIZATION PERIODS. Before the authority provides money, either directly or indirectly, for any mortgage loan including property improvement loans authorized under section six (6) of this Act, it must obtain the certificate of a competent appraiser to the effect that the economic lifespan of the property on which the mortgage loan or property improvement loan is to be made is in excess of the period of amortization of the mortgage loan or property improvement loan. If an appraiser is used for the purpose of this section or for valuation of property for which the authority will provide money, either directly or

indirectly, the authority shall give preference to the use of a local appraiser.

Sec. 4. Section two hundred twenty point twenty-six (220.26), subsection one (1), Code 1979, is amended to read as follows:

1. The authority may issue its negotiable bonds and notes in principal amounts as, in the opinion of the authority, are necessary to provide sufficient funds for achievement of its corporate purposes, the payment of interest on its bonds and notes, the establishment of reserves to secure its bonds and notes, and all other expenditures of the authority incident to and necessary or convenient to carry out its purposes and powers. However, the authority may not have a total principal amount of bonds and notes outstanding at any time in excess of two five hundred fifty million dollars plus fifty million dollars for property improvement loans to finance solar and other renewable energy systems in housing as authorized by section six (6) of this Act. The bonds and notes shall be deemed to be investment securities and negotiable instruments within the meaning of and for all purposes of the uniform commercial code.

Sec. 5. Section two hundred twenty point thirty-five (220.35), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. A violation of a provision of this subsection is misconduct in office under section seven hundred twenty-one point two (721.2) of the Code. However, a resolution of the authority is not invalid because of a vote cast by a member in violation of this subsection unless the vote was decisive in the passage of the resolution.

NEW UNNUMBERED PARAGRAPH. For the purposes of this subsection, "action of the authority with respect to that contract or mortgage lender" means only an action directly affecting a separate contract or mortgage lender, and does not include an action which benefits the general public or which affects all or a substantial portion of the contracts or mortgage lenders included in a program of the authority.

Sec. 6. Chapter two hundred twenty (220), Code 1979, is amended by adding the following new section:

NEW SECTION. SOLAR SYSTEM LOANS. The authority may make loans to mortgage lenders under section two hundred twenty point twenty (220.20) of the Code or purchase loans from mortgage lenders under section two hundred twenty point twenty-one (220.21) of the Code to be used to finance property improvement loans for solar and other renewable energy systems. These loans shall be limited to low or moderate income families.

Sec. 7. Chapter two hundred twenty (220), Code 1979, is amended by adding the following new section:

NEW SECTION. LIMITATION ON LOANS.

1. The borrower must occupy the property as his or her primary residence.
2. Only individuals who meet the principal requirements for an original mortgagor shall be eligible to assume a tax exempt mortgage loan issued under this chapter.

Sec. 8. This Act, being deemed of immediate importance, shall take effect from and after its publication in the Anita Tribune, a newspaper published in

Anita, Iowa, and in the Pocahontas Record-Democrat, a newspaper published in Pocahontas, Iowa.

Approved April 21, 1980

I hereby certify that the foregoing Act, House File 2410, was published in the Anita Tribune, Anita, Iowa on May 1, 1980, and in the Pocahontas Record-Democrat, Pocahontas, Iowa on May 1, 1980.

MELVIN D. SYNHORST, *Secretary of State*

## CHAPTER 1063

### HOSPITALIZATION OF MENTALLY ILL PERSONS

S. F. 2102

AN ACT relating to the hospitalization of mentally ill persons.

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

Section 1. Section two hundred twenty-nine point one (229.1), subsection six (6), Code 1979, is amended to read as follows:

6. "Licensed physician" means an individual licensed under the provisions of chapter 148, one hundred fifty (150) or one hundred fifty A (150A) of the Code to practice medicine and surgery, osteopathy or osteopathic medicine and surgery.

Sec. 2. Section two hundred twenty-nine point two (229.2), subsection one (1), Code 1979, is amended to read as follows:

1. An application for admission to a public or private hospital for observation, diagnosis, care and treatment as a voluntary patient may be made by any person who is mentally ill or has symptoms of mental illness. In the case of a minor, the parent ~~or~~, guardian or custodian may make application for admission of the minor as a voluntary patient, ~~however-if.~~ Upon receipt of an application for voluntary admission of a minor, the chief medical officer shall provide separate prescreening interviews and consultations with the parent, guardian or custodian and the minor to assess the family environment and the appropriateness of the application for admission. If the chief medical officer of the hospital to which application is made determines that the admission is appropriate but the minor objects to the admission, the parent ~~or~~, guardian or custodian must petition the juvenile court for approval of the admission before the minor is actually admitted. The juvenile court shall determine whether the admission is in the best interest of the minor and is consistent with his or her rights.

Sec. 3. Section two hundred twenty-nine point four (229.4), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. If the patient was admitted on his or her own application and the request for release is made by some other person, release may be conditioned upon the agreement of the patient, ~~and.~~