

CHAPTER 1074
LIVESTOCK WARRANTY EXEMPTION

H. F. 2546

AN ACT providing for an exemption for livestock sales from the implied warranty provisions of the uniform commercial code.

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

Section 1. NEW SECTION. Notwithstanding subsection two (2) of section five hundred fifty-four point two thousand three hundred sixteen (554.2316) of the Code, all implied warranties arising under sections five hundred fifty-four point two thousand three hundred fourteen (554.2314) and five hundred fifty-four point two thousand three hundred fifteen (554.2315) of the Code are excluded from a sale of cattle, hogs, sheep and horses if the following information is disclosed to the prospective buyer or the buyer's agent in advance of the sale, and if confirmed in writing at or before the time of acceptance of the livestock when confirmation is requested by the buyer or the buyer's agent:

a. That the animals to be sold have been inspected in accordance with existing federal and state animal health regulations and found apparently free from any infectious, contagious, or communicable disease.

b. One of the following, as applicable:

(1) Except when the livestock have been confined with livestock from another source or assembled within the meaning of subparagraph two (2) of this paragraph, the name and address of the present owner, and whether or not that owner has owned all of the livestock for at least thirty days.

(2) If the livestock have been confined with livestock from another source or assembled from two or more sources within the previous thirty days, the livestock shall be represented as being "assembled livestock". As used in this subparagraph, "confined with livestock from another source" means the placement of livestock in a livestock auction market, yard, or other unitary facility in which livestock from another source are confined, but does not include livestock confined at the facility where the sale takes place if such confinement is for less than forty-eight hours prior to the day of sale; provided that livestock which are not sold after being confined with livestock from another source at a facility and offered for sale shall be deemed "assembled livestock" for the thirty-day period following the day when offered for sale.

If the livestock are represented as being "assembled livestock", the name and address of the present owner shall be disclosed.

In the case of an auction sale, the disclosure required by this subsection shall be made verbally immediately before the sale by the owner, an agent for the owner, or the person who is conducting the auction of the lot of livestock in question. Warranties shall be implied to the person who is

conducting the auction only if the disclosure contains representations which he or she knew or had reason to know were untrue.

Approved May 22, 1980

CHAPTER 1075
PROCEDURES IN CERTAIN PUBLIC SCHOOLS

H. F. 2593

AN ACT relating to certain administrative and financial procedures of certain public schools.

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

Section 1. Section two hundred seventy point nine (270.9), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. Transportation reimbursement at ~~the a rate specified in section 285.1, subsection--3~~ established annually by the state board of regents to the parents or guardians of children who do not reside in the institution, but are transported to the institution on a daily basis.

2. Transportation reimbursement at ~~the a rate specified in section 285.1, subsection--3~~ established annually by the state board of regents to the parents or guardians for not more than ~~ten~~ eleven trips per year from the institution to the residence of the parent or guardian and return to the institution for children who reside in the institution.

Sec. 2.* Section two hundred seventy-three point five (273.5), subsection five (5), Code 1979, as amended by House File two thousand two hundred ninety-nine (2299), as enacted by the Sixty-eighth General Assembly, 1980 Session, is amended to read as follows:

5. Provide each school district within the area served and the department of public instruction with a special education weighted enrollment count, including the additional enrollment because of special education for the second-Friday-in-September December first of each year.

Sec. 3. Section two hundred seventy-three point eight (273.8), subsection one (1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Commencing with the director district conventions held in 1981, the board of directors of an area education agency shall consist of not less than five nor more than nine members.

Sec. 4. Section two hundred eighty A point twelve (280A.12), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Commencing with the regular school election in 1981, the governing board of a merged area shall consist of not less than five nor more than nine numbers members.