

CHAPTER 1077
STATE ELEVATOR CODE
S.F. 2210

AN ACT relating to the enforcement of the Iowa state elevator code, and providing a civil penalty.

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

Section 1. Section 104.6, subsection 3, Code 1981, is amended to read as follows:

3. Every facility shall be inspected not less frequently than annually, except that the commissioner may adopt rules providing for inspections of facilities at intervals other than annually.

Sec. 2. Chapter 104, Code 1981, is amended by adding the following new section:

NEW SECTION. CIVIL PENALTY. If upon notice and hearing the commissioner determines that an owner has operated a facility after an order of the commissioner that suspends, revokes, or refuses to issue an operating permit for the facility has become final under section 104.10, subsection 2, the commissioner may assess a civil penalty against the owner in an amount not exceeding five hundred dollars, as determined by the commissioner. An order assessing a civil penalty is subject to appeal and judicial review under section 104.10, subsection 2, in the same manner and to the same extent as decisions referred to in that subsection. The commissioner may commence an action in the district court to enforce payment of the civil penalty. No record of assessment against or payment of a civil penalty by any person for a violation of this section shall be admissible as evidence in any court in any civil action. Revenue from the penalty provided in this section shall be remitted to the treasurer of state for deposit in the state general fund.

Approved April 9, 1982

CHAPTER 1078
TERRACE HILL AUTHORITY
S.F. 2282

AN ACT to establish the Terrace Hill authority.

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

Section 1. Chapter 7, Code 1981, is amended by adding the following new section: