

CHAPTER 1155**BENEFITS RECEIVED FROM COMMISSION OF CRIME***S.F. 367*

AN ACT relating to money or other compensation received by criminals as a result of the commission of crime.

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

Section 1. NEW SECTION. DISTRIBUTION OF MONEYS RECEIVED AS A RESULT OF THE COMMISSION OF CRIME.

1. Every person, firm, corporation, partnership, association, or other legal entity contracting with any person or the representative or assignee of any person, initially convicted of a crime in this state, shall pay over to the attorney general any money or other compensation received from the reenactment of the crime, by way of a movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of the person's thoughts, feelings, opinions, or emotions regarding the crime, which money or other compensation would otherwise, by terms of the contract, be owing to the person so convicted or the person's representatives. The attorney general shall deposit the money or other compensation in an escrow account for the benefit of and payable to any victim or representative of the victim, who recovers a money judgment against the person or the person's representatives. Notwithstanding section 614.1, a victim or the victim's representative who has a cause of action for a crime for which an escrow account or receivership is established pursuant to this section, may bring the action against the escrow account or against the property in receivership within five years of the date the escrow account is established.

When the nature of the compensation to the person initially convicted of the crime is such that it cannot be placed in an escrow account, the attorney general shall assume the powers of a receiver under chapter 680 in taking charge of the property for benefit of and payable to any victim or representative of the victim. In those instances, the date the attorney general assumed the power of a receiver, shall be considered the date an escrow account was established for purposes of this section.

2. Once an escrow account or receivership is established, the attorney general shall make reasonable efforts to notify victims and representatives of victims of the escrow account or receivership and their possible rights under this section. The reasonable efforts shall include but are not limited to mailing the notification to known victims or representatives of known victims. The cost of notification shall be paid from the escrow account or from the sale of property held in receivership.

3. Upon disposition of charges favorable to any person accused of committing a crime, or upon a showing by the person that five years have elapsed from the date of establishment of the escrow account and further that no actions are pending against the person, the attorney general shall immediately pay over any money in the escrow account to the person.

4. Notwithstanding the other provisions of this section, the attorney general shall make payments from the escrow account or property held in receivership to the person accused of the crime upon the order of a court of competent jurisdiction after a showing by the person

that the money or other property shall be used for the exclusive purpose of retaining legal representation at any stage of the criminal proceedings against the person, including the appeals process.

5. An action taken by a person convicted of a crime, whether by way of execution of a power of attorney, creation of corporate entities, or otherwise, to defeat the purpose of this section is null and void as against the public policy of this state.

Approved May 19, 1982

CHAPTER 1156
COUNTY TAX LEVY FOR HEALTH CENTER
S.F. 559

AN ACT deleting the population requirement for counties to levy a tax for the operation, maintenance, and management of a health center.

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

Section 1. Section 346A.1, subsection 2, Code 1981, is amended to read as follows:

2. "Health center" means a building or buildings, together with necessary equipment, furnishings, facilities, accessories and appurtenances and the site or sites therefor used primarily for the purposes of providing centralized locations, at which a county having a population as required by section 346A.2 may:

Sec. 2. Section 346A.2, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, Senate File 130, section 1060, is amended to read as follows:

346A.2 AUTHORIZED IN CERTAIN COUNTIES. Counties having a population over seventy thousand, as determined by the last official United States census, may undertake and carry out any project as defined in section 346A.1, and the boards may operate, control, maintain and manage health centers and additions to and facilities for health centers. The boards may appoint committees, groups, or operating boards as they may deem necessary and advisable to facilitate the operation and management of health centers, additions and facilities. A board may lease space in any health center to other public corporations, public agencies and private nonprofit agencies engaged in furnishing health, welfare and social services which lease shall be on terms and conditions as the board deems advisable. All contracts for the construction, reconstruction, completion, equipment, improvement, repair or remodeling of any buildings, additions or facilities shall be let in accordance with section 340, subsection 1, of this Act. To pay the cost of operating, maintaining and managing a health center the board of any such county may levy an annual tax in accordance with section 421, subsection 21, of this Act.

Sec. 3. Acts of the Sixty-ninth General Assembly, 1981 Session, Senate File 130, section 421, subsection 21, is amended to read as follows: