

Sec. 5. This Act is applicable to reimbursements made for nonpublic school transportation provided on or after July 1, 1986.

Approved March 2, 1987

**CHAPTER 7**  
**CRIME VICTIM REPARATION APPLICATIONS**  
*S.F. 158*

**AN ACT** relating to the time within which an application for crime victim reparation may be filed.

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

Section 1. Section 912.4, subsection 1, Code 1987, is amended to read as follows:

1. To claim a reparation under the crime victim reparation program, a person shall apply in writing on a form prescribed by the commissioner and file the application with the commissioner within one hundred eighty days after the date of the crime, or of the discovery of the crime, or within one hundred twenty days after the date of death of the victim. The commissioner may extend the time limit for the filing of an application to up to one year after the date of the crime, the discovery of the crime, or the death of the victim upon a finding of good cause. Lack of awareness of the crime victim reparations program by a prospective applicant alone shall not constitute good cause.

Approved March 17, 1987

**CHAPTER 8**  
**HEALTH-RELATED DUTIES AND POWERS**  
*H.F. 163*

**AN ACT** relating to health-related duties within the department of inspections and appeals and the Iowa department of public health.

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

Section 1. Section 125.9, subsection 8, Code 1987, is amended to read as follows:

8. Employ a deputy director who shall be exempt from the merit system ~~and shall serve at the pleasure of the director~~. The director may employ other staff necessary to carry out the duties assigned to the director.

Sec. 2. Section 135.11, subsection 17, Code 1987, is amended to read as follows:

17. Administer chapters 125, 135A, ~~135B, 135C,~~ 135D, 136A, 136C, 139, 140, 142, 144, and 147A.

Sec. 3. Section 135.96, Code 1987, is amended to read as follows:

135.96 RULES.

Except as otherwise provided in this division, the ~~director~~ department shall adopt rules pursuant to chapter 17A necessary to implement this division, subject to approval of the state

board of health. Formulation of the rules shall include consultation with Iowa hospice organization representatives and other persons affected by the division.

Sec. 4. Section 135B.11, subsection 2, unnumbered paragraph 1, Code 1987, is amended to read as follows:

To review and approve rules and standards authorized under this chapter prior to their approval by the state board of health and adoption by the department of inspections and appeals.

Approved March 20, 1987

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## CHAPTER 9

### PROFITING FROM INTENTIONAL HOMICIDE

*H.F. 168*

**AN ACT** to prohibit a person who intentionally and unjustifiably causes or procures the death of another from receiving any property, benefit, or other interest by reason of the death.

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

Section 1. Section 633.535, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

**633.535 PERSON CAUSING DEATH.**

1. A person who intentionally and unjustifiably causes or procures the death of another shall not receive any property, benefit, or other interest by reason of the death as an heir, distributee, beneficiary, appointee, or in any other capacity whether the property, benefit, or other interest passed under any form of title registration, testamentary or nontestamentary instrument, intestacy, renunciation, or any other circumstance. The property, benefit, or other interest shall pass as if the person causing death died before the decedent.

2. A joint tenant who intentionally and unjustifiably causes or procures the death of another joint tenant thereby affecting their interests so that the share of the decedent passes as the decedent's property and the person causing death has no rights by survivorship. This provision applies to joint tenancies and tenancies by the entireties in real and personal property, joint and multiple-party accounts in banks, savings and loan associations, credit unions, and other institutions, and any other form of co-ownership with survivorship rights.

3. A named beneficiary of a bond, life insurance policy, or any other contractual arrangement who intentionally and unjustifiably causes or procures the death of the principal obligee or person upon whose life the policy is issued or whose death generates the benefits under any other contractual arrangement is not entitled to any benefit under the bond, policy, or other contractual arrangement, and the benefits become payable as though the person causing death had predeceased the decedent.

Sec. 2. Section 633.536, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

**633.536 PROCEDURE TO DENY BENEFITS TO A PERSON CAUSING DEATH.**

A determination under section 633.535 may be made by any court of competent jurisdiction by a preponderance of the evidence separate and apart from any criminal proceeding arising from the death. However, such a civil proceeding shall not proceed to trial, and the person causing death is not required to submit to discovery in such a civil proceeding until the criminal proceeding has been finally determined by the trial court, or in the event no criminal charge has been brought, until six months after the date of death. A person convicted of murder or voluntary manslaughter of the decedent is conclusively presumed to have intentionally and unjustifiably caused the death for purposes of this section and section 633.535.