

## CHAPTER 24

### STATE LIABILITY FOR TORTS BY JUVENILES PERFORMING WORK ASSIGNMENTS

*H.F. 630*

**AN ACT** relating to state liability for torts committed by juveniles while performing community service assignments pursuant to an order of the juvenile court.

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

Section 1. Section 232.13, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The state of Iowa is liable, according to and under chapter 25A, for a tortious act committed by a child given a work assignment of value to the state or the public or a community work assignment under this chapter.

Approved April 22, 1987

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## CHAPTER 25

### JUDICIAL MAGISTRATE PROCEEDINGS

*H.F. 612*

**AN ACT** relating to appeal of a magistrate's decision.

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

Section 1. Rule of criminal procedure 48, subsection 9, Iowa court rules, second edition, is amended to read as follows:

9. **RECORD.** The proceedings upon trial shall not be reported, unless a party provides a reporter at such party's expense. ~~By agreement of the parties the~~ The magistrate may cause the proceedings upon trial to be reported electronically. If the proceedings are being electronically recorded both parties shall be notified in advance of that recording. If the defendant is indigent and requests that the proceedings upon trial be reported, the judicial magistrate shall cause them to be reported by a reporter, or electronically, at public expense. If the proceedings are not reported electronically, the judicial magistrate shall make minutes of the testimony of each witness and append the exhibits or copies thereof. If the proceedings have been reported electronically the recording shall be retained under the jurisdiction of the magistrate and upon request shall be transcribed only by a person designated by the court under the supervision of the magistrate. The transcription shall be provided anyone requesting it upon payment of actual cost of transcription or to an indigent defendant as herein above provided.

Sec. 2. Rule of criminal procedure 54, subsection 3, Iowa court rules, second edition, is amended to read as follows:

3. **PROCEDURE IF APPEAL FROM LAWYER MAGISTRATE.** If the original action was tried by a district judge, district associate judge, or judicial magistrate ~~who is admitted to practice law in Iowa,~~ the appellant shall file and serve, within fourteen days after taking the appeal, a brief in support of the appeal. The brief shall include statements of the specific issues presented for review and the precise relief requested. The appellee may file and serve, within ten days after service of the appellant's brief, a responding brief. Either party may request, at the end of the party's brief, permission to be heard in oral argument. Within thirty days after the filing, or expiration of time for filing, of the appellee's brief, the appeal shall be submitted to the court on the record and any briefs without oral argument, unless otherwise ordered by the court or its designee. If the court, on its own motion or motion of a party, finds the record to be inadequate, it may order the presentation of further evidence. If the original action was tried by a district judge, the appeal shall be decided by a different district judge. If the

original action was tried by a district associate judge, the appeal shall be decided by a district judge or a different district associate judge. If the original action was tried by a judicial magistrate, the appeal shall be decided by a district judge or district associate judge. Findings of fact in the original action shall be binding on the judge deciding the appeal if they are supported by substantial evidence. The judge deciding the appeal may affirm, or reverse and enter judgment as if the case were being originally tried, or enter any judgment which is just under the circumstances.

Sec. 3. Rule of criminal procedure 54, subsection 4, Iowa court rules, second edition, is repealed.

Sec. 4. This Act shall apply to appeals taken on or after the effective date of the Act.

Approved April 22, 1987

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## CHAPTER 26

### ORGANIZED AMATEUR BOXING

*H.F. 607*

**AN ACT** relating to the maximum age for participation in an organized amateur boxing contest.

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

Section 1. Section 90A.10, Code 1987, is amended to read as follows:  
90A.10 MAXIMUM AGE FOR PARTICIPANTS — AMATEUR BOXING.

1. A person over the age of thirty shall not participate as a contestant in an organized amateur boxing contest unless each contestant participating in the contest is over the age of thirty. A birth certificate, or other similar document, must be submitted at the time of the preflight physical examination in order to determine eligibility.

2. Subsection 1 does not apply to participants in regional, national, or international organized amateur boxing contests or to organized amateur boxing contests involving contestants who are serving in the military service.

Approved April 22, 1987

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## CHAPTER 27

### DISCLOSURES BY STATE EMPLOYEES

*H.F. 427*

**AN ACT** relating to reprisals and orders with respect to certain disclosures of information by state employees, and providing a penalty.

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

Section 1. Section 19A.19, unnumbered paragraph 4, Code 1987, is amended to read as follows:

A person shall not discharge an employee from or take or fail to take action regarding an employee's appointment or proposed appointment to, promotion or proposed promotion to, or any advantage in, a position in a merit system administered by, or subject to approval of, the director as a reprisal for a disclosure of information by that employee to a member of the general assembly, the legislative service bureau, the legislative fiscal bureau, the citizens' aide, the