

Sec. 9. Section 123.138, Code 1989, is amended to read as follows:

123.138 BOOKS OF ACCOUNT REQUIRED.

Each class "A" or special class "A" permittee shall keep proper books of account and records showing the amount of beer sold by the permittee, ~~which and these~~ books of account shall be at all times open to inspection by the administrator and to other persons pursuant to section 123.30, subsection 1. Each class "B" and class "C" permittee shall keep proper books of account and records showing each purchase of beer made by the permittee, and the date and the amount of each purchase and the name of the person from whom each purchase was made, which books of account and records shall be open to inspection pursuant to section 123.30, subsection 1, during normal business hours of the permittee.

Sec. 10. Section 123.139, Code 1989, is amended to read as follows:

123.139 SEPARATE LOCATIONS – CLASS "A", SPECIAL CLASS "A".

~~Every~~ A class "A" or special class "A" permittee having more than one place of business ~~shall be~~ is required to have a separate permit for each separate place of business maintained by ~~such~~ the permittee wherein ~~such~~ where beer is stored, warehoused, or sold.

Sec. 11. Section 123.142, unnumbered paragraph 1, Code 1989, is amended to read as follows:

~~It shall be~~ is unlawful for the holder of any a class "B" or class "C" permit issued under ~~the provisions~~ of this chapter to sell beer, except beer brewed on the premises covered by a special class "A" permit or beer purchased from a person holding a subsisting class "A" permit issued in accordance with the provisions of this chapter, and on which the tax provided in section 123.136 has been paid. However, ~~the provisions of this section shall~~ does not apply to the holders of special class "B" permits issued under section 123.133 for sales in cars engaged in interstate commerce nor to class "D" liquor control licensees as provided in this chapter.

Approved May 24, 1989

CHAPTER 222

SCHOOL BUS DRIVERS' INSTRUCTION

S.F. 295

AN ACT relating to school bus driver education requirements.

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

Section 1. Section 321.376, unnumbered paragraph 2, Code 1989, is amended by striking the paragraph and inserting in lieu thereof the following:

A person applying for a school bus driver's permit for the first time shall have enrolled in and successfully completed an approved course of instruction for school bus drivers, as programmed by the department of education, before a permit may be issued by the department. Certification of course completion shall be submitted to the department of education, prior to issuance of a permit, by an authorized program instructor on forms provided by the department of education.

A person applying for employment or employed as a school bus driver shall successfully complete a course of instruction for school bus drivers before or within the first six months of employment. If an employee fails to provide an employer with a certificate of completion of an approved school bus driver's course within the first six months of employment as a school bus driver, the driver's employer shall report the failure to the department and the employee's school bus driver's permit shall be revoked. The department shall send notice of the revocation of the employee's permit to both the employee and the employer. A person whose school

bus driver's permit has been revoked under this section shall not be issued a school bus driver's permit until certification of the completion of an approved school bus driver's course is received by the department.

Approved May 26, 1989

CHAPTER 223

AIDS-RELATED PROCEDURES

H.F. 641

AN ACT relating to human immunodeficiency virus-related testing and counseling, and eliminating a penalty.

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

Section 1. Section 141.6, subsection 3, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. Devise a procedure, as a part of the partner notification program, to provide for the notification of an identifiable third party who is a sexual partner of or who shares intravenous equipment with a person who has tested positive for the human immunodeficiency virus, by the department or a physician, when all of the following situations exist:

(1) A physician for the infected person is of the good faith opinion that the nature of the continuing contact poses an imminent danger of human immunodeficiency virus infection transmission to the third party.

(2) When the physician believes in good faith that the infected person, despite strong encouragement, has not and will not warn the third party and will not participate in the voluntary partner notification program.

Notwithstanding subsection 4, the department or a physician may reveal the identity of a person who has tested positive for the human immunodeficiency virus infection pursuant to this subsection only to the extent necessary to protect a third party from the direct threat of transmission. Notification of a person pursuant to this paragraph is subject to the disclosure provisions of section 141.23, subsection 3. This subsection shall not be interpreted to create a duty to warn third parties of the danger of exposure to human immunodeficiency virus through contact with a person who tests positive for the human immunodeficiency virus infection.

Prior to notification of a third party, the physician proposing to cause the notification to be made shall make reasonable efforts to inform, in writing, the person who has tested positive for the human immunodeficiency virus infection. The written information shall state that due to the nature of the person's continuing contact with a third party, the physician is forced to take action to provide notification to the third party. The physician, when reasonably possible, shall provide the following information to the person who has tested positive for the human immunodeficiency virus infection:

(a) The nature of the disclosure and the reason for the disclosure.

(b) The anticipated date of disclosure.

(c) The name of the party or parties to whom disclosure is to be made.

The department shall adopt rules pursuant to chapter 17A to implement this paragraph. The rules shall provide a detailed procedure by which the department or a physician may directly notify an endangered third party.

Sec. 2. Section 141.10, subsection 1, Code 1989, is amended by adding the following new paragraph: