

CHAPTER 1029**EXCEPTION TO FIRE EXTINGUISHER REQUIREMENTS
FOR OPEN PARKING GARAGES***H.F. 2233*

AN ACT relating to the installation of fire extinguishing systems in open parking garages.

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

Section 1. Section 100.39, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 4. Any open parking garage structure which is in compliance with rules adopted by the state fire marshal.

Approved March 23, 1990

CHAPTER 1030**PENALTY FOR FAILURE TO ACKNOWLEDGE SATISFACTION OF JUDGMENT***H.F. 2364*

AN ACT relating to increasing the penalty for failure to file a release and satisfaction when a judgment is paid in full.

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

Section 1. Section 624.37, Code 1989, is amended to read as follows:
624.37 SATISFACTION OF JUDGMENT – PENALTY.

When the amount due upon judgment is paid off, or satisfied in full, the party entitled to the proceeds thereof, or those acting for that party, must acknowledge satisfaction thereof upon the record of such judgment, or by the execution of an instrument referring to it, duly acknowledged and filed in the office of the clerk in every county wherein the judgment is a lien. A failure to do so ~~for~~ within thirty days after having been requested in writing shall subject the delinquent party to a penalty of fifty one hundred dollars plus reasonable attorney fees incurred by the party aggrieved, to be recovered in an action ~~therefor~~ for the satisfaction or acknowledgment by the party aggrieved.

Approved March 23, 1990

CHAPTER 1031**CIVIL PENALTY FOR NONCOMPLIANCE BY HEALTH CARE FACILITIES***H.F. 2368*

AN ACT requiring the department of human services to adopt administrative rules which apply a civil penalty to certain health care facilities reimbursed under the medical assistance program.

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

Section 1. **NEW SECTION. 249A.19 HEALTH CARE FACILITIES – PENALTY.**

The department shall adopt rules pursuant to chapter 17A to assess and collect, with interest, a civil penalty for each day a health care facility which receives medical assistance reimbursements does not comply with the requirements of the federal Social Security Act, § 1919, as codified in 42 U.S.C. § 1396r. A civil penalty shall not exceed the amount authorized under section 135C.36 for health care facility violations. Any moneys collected by the department pursuant to this subsection shall be applied to the protection of the health or property of the residents of the health care facilities which are determined by the state or by the federal health care financing administration to be out of compliance. The purposes for which the collected moneys shall be applied may include payment for the costs of relocation of residents to other facilities, maintenance or operation of a health care facility pending correction of deficiencies or closure of the facility, and reimbursing residents for personal funds lost. If a health care facility is assessed a civil penalty under this section, the health care facility shall not be assessed a penalty under section 135C.36 for the same violation.

Approved March 23, 1990

CHAPTER 1032

NOTIFICATION OF HAZARDOUS CONDITIONS TO WATER SUPPLY SYSTEM OPERATORS

H.F. 2401

AN ACT relating to the reporting of a hazardous condition involving a hazardous substance to the department of natural resources, to the local law enforcement agency, and to operators of affected public or private water supply systems.

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

Section 1. Section 455B.386, Code 1989, is amended to read as follows:
455B.386 NOTIFICATION OF SPILLS — PENALTY.

A person manufacturing, storing, handling, transporting, or disposing of a hazardous substance shall notify the department, and the local police department, or the office of the sheriff of the affected county of the occurrence of a hazardous condition as soon as possible but not later than six hours after the onset of the hazardous condition or discovery of the hazardous condition. A sheriff or police chief who has been notified of a hazardous condition shall immediately notify the department. The department, upon receiving notice of a hazardous condition, shall immediately notify the operator of any public water supply system or private water supply system which may be affected by the hazardous condition. If requested, a person shall submit within thirty days of the department's request a written report of particulars of the incident. A person violating this section is subject to a civil penalty of not more than one thousand dollars.

Approved March 23, 1990