

a. The official shall be paid an amount of compensation based on the official's weekly earnings as an elected or appointed official.

b. The earnings of the official as an elected or appointed official shall be disregarded and the official shall be paid an amount equal to one hundred forty percent of the statewide average weekly wage.

Sec. 2.

This Act applies to personal injuries arising out of and in the course of employment sustained or incurred on or after the effective date of this Act.

Approved March 26, 1990

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## CHAPTER 1047

### IOWA LOGO AUTHORIZATION – IMMUNITY FROM LIABILITY

S.F. 2252

AN ACT relating to the Iowa logo program and the use of the logo.

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

Section 1. Section 15.108, subsection 2, paragraph b, Code Supplement 1989, is amended to read as follows:

b. Aid in the marketing and promotion of Iowa products and services. The department may adopt, subject to the approval of the board, a label or trademark identifying Iowa products and services together with any other appropriate design or inscription and this label or trademark shall be registered in the office of the secretary of state. In authorizing the use of a marketing label or trademark to an applicant, the state, and any state agency, official, or employee involved in the authorization, is immune from a civil suit for damages, including but not limited to a suit based on contract, breach of warranty, negligence, strict liability, or tort. Authorization of the use of a marketing label or trademark by the state, or any state agency, official, or employee, is not an express or implied guarantee or warranty concerning the safety, fitness, merchantability, or use of the applicant's product or service. This paragraph does not create a duty of care to the applicant or any other person.

Approved March 26, 1990

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## CHAPTER 1048

### LIST OF CERTIFIED OPHTHALMIC DISPENSERS – REQUIREMENT DELETED

S.F. 2257

AN ACT relating to the distribution of lists of certified ophthalmic dispensers.

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

Section 1. Section 153A.7, Code 1989, is amended to read as follows:  
153A.7 RECORD.

The department shall enter the name, location, number of years of practice of the person to whom the certificate as an ophthalmic dispenser is issued, the number of the certificate,

and the date the certificate is issued in a registry book. The registry book is open to the public. In addition, the department shall send a list containing the names and addresses of each certified ophthalmic dispenser to each physician and surgeon, osteopathic physician, osteopathic physician and surgeon, and optometrist licensed to practice in this state. The list shall be made available to patients.

Approved March 26, 1990

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## CHAPTER 1049

### CHILDREN'S PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

*S.F. 2322*

**AN ACT** relating to participation in extracurricular interscholastic contests and competitions by certain children.

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

Section 1. NEW SECTION. 256.46 RULES FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES BY CERTAIN CHILDREN.

The state board shall adopt rules that permit a child who does not meet the residence requirements for participation in extracurricular interscholastic contests or competitions sponsored or administered by an organization as defined in section 280.13 to participate in the contests or competitions immediately if the child is duly enrolled in a school, is otherwise eligible to participate, and meets one of the following circumstances or a similar circumstance: the child has been adopted; the child is placed under foster or shelter care; the child is living with one of the child's parents as a result of divorce, separation, death, or other change in the child's parents' marital relationship; the child is or has been a foreign exchange student; the child has been placed in a juvenile correctional facility; the child is a ward of the court or the state; or the child is a participant in a substance abuse or mental health program.

Approved March 26, 1990

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## CHAPTER 1050

### SUPPORT OBLIGATIONS PAID FROM GARNISHEED MONEYS

*H.F. 512*

**AN ACT** relating to the payment of a support obligation out of garnisheed funds.

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

Section 1. NEW SECTION. 642.24 GARNISHMENTS — SUPPORT PAYMENT PRIORITY.

The court shall include in any order for garnishment a requirement that any amount garnisheed for the payment of a support obligation, whether or not the amount represents a current or delinquent support obligation, shall first be paid out of the garnisheed funds, after