

CHAPTER 1058

NOTICE OF EXECUTION SALES

H.F. 2304

AN ACT relating to notice requirements for sales under execution.

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

Section 1. Section 626.75, Code 1989, is amended to read as follows:

626.75 POSTING AND PUBLICATION — COMPENSATION.

Notice shall be ~~given by posting up~~ posted in at least three public places of the county, one of which shall be at the ~~place where the last district court was held~~ county courthouse. In addition to which, in case of the sale of real estate, or where personal property ~~to the amount with a value~~ of two hundred dollars or ~~upwards~~ greater is to be sold, there shall be two weekly publications of such notice in some newspaper printed in the county, to be selected by the party causing the notice to be given, ~~and the first at least four weeks in the case of real estate, or three weeks in the case of personal property, before the date of sale, and the second at a later time before the date of sale.~~ The compensation for such publication shall be the same as is provided by law for legal notices.

Approved March 26, 1990

CHAPTER 1059

CONTROLLED SUBSTANCES

H.F. 2309

AN ACT relating to schedule II controlled substances.

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

Section 1. Section 204.206, subsection 3, Code 1989, is amended by adding the following new paragraph and relettering the subsequent paragraphs:

NEW PARAGRAPH. f. Carfentanil.

Sec. 2. Section 204.206, subsection 7, Code 1989, is amended to read as follows:

7. HALLUCINOGENIC SUBSTANCES. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

a. Marijuana is deemed to be a schedule II substance when used for medicinal purposes pursuant to rules of the board of pharmacy examiners.

b. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product. [Some other names for dronabinol (~~6aR-trans~~)-6a (~~6aR-trans~~)-6a, 7, 8, 10a-tetrahydro-6, 6, ~~9-trimethyl-3-pentyl-6H-dibenzo~~ 9-trimethyl-3-pentyl-6H-dibenzo [b,d] pyran-1-01, or (~~-~~delta (~~-~~delta 9-(trans)-tetrahydrocannabinol.)

c. Nabilone [another name for nabilone:(+ -) -trans-3-(1,1-di-methylheptyl)-6, 6a, 7, 8, 10, 10a-hexahydro-1-hydroxy-6,6-dimethyl-9H - dibenzo [b,d] pyran-9-one].

Approved March 26, 1990

CHAPTER 1060**REAL PROPERTY INSPECTION REPORTS***H.F. 2369*

AN ACT relating to real property by establishing a real property inspection report.

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

Section 1. NEW SECTION. 114.35 EXCEPTION – REAL PROPERTY INSPECTION REPORT.

1. "Real property inspection report" means a report stating whether, after visual examination, a parcel of real property which is being collateralized is materially impaired.

2. A real property inspection report is not a property survey or an engineering document and is exempt from the provisions of this chapter and the rules adopted under this chapter which apply to property surveys. A real property inspection report shall not be filed or recorded with the county recorder. The real property inspection report shall include all of the following:

a. A clear and prominent statement of disclosure to the buyer that the real property inspection report is not a property survey or an engineering document and should not be relied upon as such, and that property boundaries shown may be approximate only.

b. A clear and prominent statement that the report is for the use of the mortgage lender or its assigns and determination of the actual placement of boundary lines should be addressed by a property survey in accordance with the provisions of this chapter.

c. A person who completes the real property inspection report shall not represent themselves as a registered land surveyor or a professional engineer for purposes of the report.

Approved March 26, 1990

CHAPTER 1061**MOTOR VEHICLE ARBITRATION***H.F. 2453*

AN ACT relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers.

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

Section 1. Section 322.3, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 10. A manufacturer, distributor, or importer of motor vehicles or agent or representative of such manufacturer, distributor, or importer shall not require a motor vehicle dealer to submit to arbitration to resolve a controversy before the controversy arises. The parties may enter into a voluntary agreement to arbitrate a controversy after it arises. Such an agreement shall require that the arbitrator apply Iowa law in resolving the controversy. Either party may appeal a decision of an arbitrator to the district court on the grounds that the arbitrator failed to apply Iowa law.

Approved March 26, 1990