

b. If the business generates solid or hazardous waste, that the business conducts in-house audits and management plans to reduce the amount of the waste and to safely dispose of the waste. For purposes of this paragraph, a business may, in lieu of conducting in-house audits, authorize the waste management authority of the department of natural resources or the Iowa waste reduction center established under section 268.4 to provide the audits.

Approved March 30, 1990

CHAPTER 1126

REAL ESTATE LICENSEES INSURANCE REQUIREMENT

H.F. 730

AN ACT relating to the adoption of rules by the real estate commission imposing certain requirements on real estate brokers and salespersons, and providing an effective date.

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

Section 1. Section 117.29, Code 1989, is amended by adding the following new subsection: **NEW SUBSECTION. 9.** Noncompliance with insurance requirements under section 117.47.

Sec. 2. **NEW SECTION. 117.47 INSURANCE REQUIREMENT.**

1. The real estate commission shall adopt rules requiring as a condition of licensure that all real estate licensees, except those who hold inactive licenses, carry errors and omissions insurance covering all activities contemplated under this chapter. The rules shall provide for administration of the insurance requirements of this section within the multiyear licensing structure required by section 117.28. However, the rules shall require licensees to submit evidence of compliance with this section at least annually and shall provide for review and determination of compliance on an annual basis.

2. Except as otherwise provided in subsection 7, the commission shall contract with an insurance provider for a group policy under which coverage is available to all licensees. The contract shall be solicited by competitive, sealed bid.

3. The group policy shall be made available to all licensees and shall not include any right on the part of the insurance provider to cancel coverage for a licensee.

4. A licensee shall have the option of obtaining insurance independently, if the coverage contained in an independently obtained policy complies with the minimum requirements adopted by rule of the commission.

5. The commission shall determine the terms and conditions of coverage required by subsection 1, including but not limited to the minimum limits of coverage, the permissible deductible, and the permissible exceptions.

6. Each licensee shall be notified of the required terms and conditions of coverage for the annual policy at least thirty days prior to the license renewal date or the anniversary of the license renewal date. A certificate of coverage, showing compliance with the required terms and conditions of coverage, must be filed with the commission by the license renewal date or the anniversary of the license renewal date by each licensee who elects not to participate in the group insurance program administered by the commission.

Sec. 3. **NEW SECTION. 117.54 DISCLOSURE OF RELATIONSHIP.**

The real estate commission shall adopt rules requiring that each real estate broker or salesperson in a real estate transaction disclose in writing the broker's or salesperson's agency relationship with the buyer or seller in the transaction.

Sec. 4. FEES. In setting the fees for real estate broker's licenses and real estate salesperson's licenses pursuant to section 117.27, the real estate commission shall take into account the anticipated costs of implementing this Act and shall increase the fees accordingly.

Sec. 5. EFFECTIVE DATES. This Act, being deemed of immediate importance, takes effect upon enactment for purposes of rulemaking, administrative preparation, and competitive bidding procedures, and on July 1, 1991, for all other purposes.

Approved March 30, 1990

CHAPTER 1127

INJURY TO OR INTERFERENCE WITH A POLICE SERVICE DOG

S.F. 148

AN ACT prohibiting certain actions against police service dogs, and providing penalties.

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

Section 1. NEW SECTION. 717.6 INJURY OR INTERFERENCE WITH A POLICE SERVICE DOG.

1. A person who knowingly, and willfully or maliciously torments, strikes, administers a nonpoisonous desensitizing substance to, or otherwise interferes with a police service dog, without inflicting serious injury on the dog, commits a simple misdemeanor.

2. A person who knowingly, and willfully or maliciously tortures, injures so as to disfigure or disable, kills, or administers poison to a police service dog, commits a serious misdemeanor.

3. As used in this section, "police service dog" means a dog used by a peace officer in the performance of the officer's duties, whether or not the dog is on duty.

4. This section does not apply to a peace officer or veterinarian who terminates the life of such a dog for the purpose of relieving the dog of undue pain or suffering, or to a person who justifiably acts in defense of self or another.

Approved April 3, 1990

CHAPTER 1128

PURPLE HEART REGISTRATION PLATES

H.F. 2338

AN ACT relating to special motor vehicle registration plates for recipients of the purple heart medal.

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

Section 1. Section 321.34, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 13. PURPLE HEART PLATES. The owner of a motor vehicle subject to registration pursuant to section 321.109, subsection 1, light delivery truck, panel delivery truck, or pickup who was awarded a purple heart medal by the United States government for wounds received in military or naval combat against an armed enemy of the United States,