

borrower, including a subsidiary or an affiliated corporation, more than twenty percent of the industrial loan company's total of capital, surplus, and undivided profits. The aggregate of all loans to subsidiaries and affiliated corporations of the industrial loan company shall not exceed ten percent of the industrial loan company's total assets.

A debt instrument sold by an industrial loan company which is not insured by the federal deposit insurance corporation, shall contain on its face a notice in bold print that the debt instrument is not insured or guaranteed by the federal deposit insurance corporation.

3. Investments by an industrial loan company licensed under this chapter are subject to the provisions of section 524.901 as applied to state banks.

Sec. 5. Section 546.3, Code 1991, is amended to read as follows:

546.3 BANKING DIVISION.

The banking division shall regulate and supervise banks under chapter 524, regulated loan companies under chapter 536, and industrial loan companies under chapter 536A, ~~and the industrial loan thrift guaranty corporation of Iowa under chapter 536B~~, and shall perform other duties assigned to the division by law. The division is headed by the superintendent of banking who ~~shall be~~ is appointed pursuant to section 524.201. The state banking board shall perform duties within the division as prescribed by law.

Sec. 6. Chapter 536B, Code 1991, is repealed.

Approved April 29, 1991

CHAPTER 64

SMOKE DETECTORS

S.F. 383

AN ACT relating to the installation of smoke detectors in multiple-unit residential buildings and single-family dwellings and making penalties applicable.

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

Section 1. Section 100.18, subsection 1, paragraph b, Code 1991, is amended to read as follows:

b. "Multiple-unit residential building" means a residential building, an apartment house, or a portion of a building or an apartment house with ~~four~~ two or more units, hotel, motel, dormitory, or rooming house.

Sec. 2. Section 100.18, subsection 2, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

2. a. Except as provided in subsection 4, multiple-unit residential buildings and single-family dwellings the construction of which is begun on or after July 1, 1991, shall include the installation of smoke detectors in compliance with the rules established by the state fire marshal under subsection 5.

b. The rules shall require the installation of smoke detectors in existing single-family rental units and multiple-unit residential buildings. Existing single-family dwelling units shall be equipped with approved smoke detectors. A person who files for a homestead credit pursuant to chapter 425 shall certify that the single-family dwelling unit for which the credit is filed has a smoke detector installed in compliance with this section, or that one will be installed within thirty days of the date the filing for the credit is made. The state fire marshal shall adopt rules and establish appropriate procedures for the distribution and filing of such certificates with the state fire marshal.

c. An owner or an owner's agent of a multiple-unit residential building or single-family dwelling shall supply light-emitting smoke detectors, upon request, for a tenant with a hearing impairment.

Sec. 3. Section 100.18, subsection 3, Code 1991, is amended by striking the subsection.

Sec. 4. Section 100.18, subsection 5, Code 1991, is amended to read as follows:

5. The state fire marshal shall enforce the requirements of subsection 2 and ~~shall~~ may implement a program of inspections to monitor compliance with the provisions of that subsection. Upon inspection, the state fire marshal shall issue a written notice to the owner or manager of a multiple-unit residential building or single-family dwelling informing the owner or manager of compliance or noncompliance with this section. The state fire marshal may contract with any political subdivision without fee assessed to either the state fire marshal or the political subdivision, for the performance of the inspection and notification responsibilities. The inspections authorized under this section are limited to the placement, repair, and operability of smoke detectors. Any broader inspection authority is not derived from this section. The state fire marshal shall adopt rules under chapter 17A as necessary to enforce this section including rules concerning the placement of smoke detectors and the use of acceptable smoke detectors. The smoke detectors shall display a label or other identification issued by an approved testing agency or another label specifically approved by the state fire marshal. ~~The state fire marshal shall not require other than single-station smoke detectors. If smoke detectors are not required under subsection 4 due to the presence of an automatic smoke detection system, the state fire marshal shall not require other than the automatic smoke detection system.~~

Sec. 5. Section 100.18, subsection 7, Code 1991, is amended to read as follows:

7. If a smoke detector is found to be inoperable the owner or manager of the multiple-unit residential building or single-family dwelling shall correct the situation within fourteen days after written notification to the owner or manager by the tenant, guest, roomer, state fire marshal, fire marshal's subordinates, chiefs of local fire departments, building inspectors, or other fire, building, or safety officials. If the owner or manager of a multiple-unit residential building fails to correct the situation within the fourteen days the tenant, guest, or roomer may cause the smoke detector to be repaired or purchase and install a ~~single-station~~ smoke detector required under this section and may deduct the repair cost or purchase price from the next rental payment or payments made by the tenant, guest, or roomer. However, a lessor or owner may require a lessee, tenant, guest, or roomer who has a residency of longer than thirty days to provide the battery for a battery operated smoke detector.

Sec. 6. Section 100.18, subsection 9, unnumbered paragraph 2, Code 1991, is amended by striking the paragraph.

Approved April 29, 1991

CHAPTER 65

MORTGAGE BANKERS AND BROKERS — REGULATORY AUTHORITY

S.F. 435

AN ACT relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

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

Section 1. Section 535B.1, subsection 6, Code 1991, is amended to read as follows: