

CHAPTER 93**MENTALLY DISABLED PERSONS — MARRIAGE AND ANNULMENT***S.F. 495*

AN ACT relating to the ability of a mentally disabled person to obtain a marriage license or an annulment, and findings by the court in guardianship proceedings concerning capacity to contract a valid marriage.

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

Section 1. Section 229.27, subsection 1, Code 1991, is amended to read as follows:

1. Hospitalization of a person under this chapter, either voluntarily or involuntarily, does not constitute a finding of nor equate with nor raise a presumption of incompetency, nor cause the person so hospitalized to be deemed a person of unsound mind nor a person under legal disability for any purpose including but not limited to any circumstances to which sections 447.7, 472.15, 545.402, subsection 5, paragraph "b", 545.705, ~~595.3~~, 597.6, ~~598.29~~, 614.8, 614.19, 614.22, 614.24, 614.27, 622.6, 633.244, and 675.21 are applicable.

Sec. 2. Section 595.3, subsection 5, Code 1991, is amended to read as follows:

5. Where either party is mentally ill or retarded, a mental retardate, or a ward under a guardianship as an incompetent and the court has made a finding that the ward lacks the capacity to contract a valid marriage.

Sec. 3. Section 598.29, subsection 4, Code 1991, is amended to read as follows:

4. Where either party was mentally ill or a mental retardate at the time of the marriage a ward under a guardianship and was found by the court to lack the capacity to contract a valid marriage.

Sec. 4. Section 633.635, subsection 3, Code 1991, is amended to read as follows:

3. The court may take into account all available information concerning the capabilities of the ward and any additional evaluation deemed necessary, and may direct that the guardian have only a specially limited responsibility for the ward. In that event, the court shall state those areas of responsibility which shall be supervised by the guardian and all others shall be retained by the ward. The court may make a finding that the ward lacks the capacity to contract a valid marriage.

Approved May 1, 1991

CHAPTER 94**CIVIL RIGHTS LAW REVISIONS***H.F. 324*

AN ACT relating to aiding and abetting and retaliation under the civil rights law.

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

Section 1. Section 601A.11, Code 1991, is amended to read as follows:

601A.11 AIDING, OR ABETTING, OR RETALIATION.

It shall be an unfair or discriminatory practice for:

1. Any person to intentionally aid, abet, compel, or coerce another person to engage in any of the practices declared unfair or discriminatory by this chapter.

2. Any person to discriminate or retaliate against another person in any of the rights protected against discrimination ~~on the basis of age, race, creed, color, sex, national origin, religion~~

or disability by this chapter because such person has lawfully opposed any practice forbidden under this chapter, obeys the provisions of this chapter, or has filed a complaint, testified, or assisted in any proceeding under this chapter. An employer, employment agency, or their employees, servants or agents may offer employment or advertise for employment to only the disabled, when other applicants have available to them other employment compatible with their ability which would not be available to the disabled because of their handicap. Any such employment or offer of employment shall not discriminate among the disabled on the basis of race, color, creed, sex or national origin.

Approved May 1, 1991

CHAPTER 95

PRESERVATION OF FINANCIAL INSTITUTION RECORDS

H.F. 619

AN ACT relating to the preservation of financial institution records.

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

Section 1. Section 524.221, subsection 1, Code 1991, is amended to read as follows:

1. A state bank shall ~~is not be required to preserve its records for a period longer than eleven years after the first day of January of the year following the time of the making or filing of such records, provided, however, that account records showing unpaid balances due to depositors shall not be destroyed. Film, photographie, photostatic, or other copies which accurately reproduce all lines and markings on the A copy of an original may be kept in lieu of any such original record. For purposes of this subsection, a copy includes any duplicate, rerecording or reproduction of an original record from any photograph, photostat, microfilm, microcard, miniature or microphotograph, computer printout, electronically stored data or image, or other process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image or reproduction of the original record.~~

Sec. 2. Section 533.26, Code 1991, is amended to read as follows:

533.26 PRESERVATION OF RECORDS.

The superintendent shall prescribe by rule the period of preservation of records or files for credit unions. A copy of an original may be kept in lieu of any original records. For purposes of this section, a copy includes any duplicate, rerecording or reproduction of an original record from any photograph, photostat, microfilm, microcard, miniature or microphotograph, computer printout, electronically stored data or image, or other process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image or reproduction of the original record.

Sec. 3. Section 534.106, subsection 7, Code 1991, is amended to read as follows:

7. ~~Any association may cause any or all records kept by such association to be copied or reproduced by any photostatic, photographie or microfilming process which correctly and permanently copies, reproduces or forms a medium for copying or reproducing the original record on a film or other durable material and such association may thereafter dispose of the original record. A copy of an original may be kept by an association in lieu of any original records. For purposes of this section, a copy includes any duplicate, rerecording or reproduction of an original record from any photograph, photostat, microfilm, microcard, miniature or microphotograph, computer printout, electronically stored data or image, or other process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered~~