

**CHAPTER 1021****FINANCIAL INSTITUTION ELIGIBILITY FOR STATE PUBLIC FUNDS****S.F. 2408**

**AN ACT** relating to disclosure requirements under the federal Community Reinvestment Act with respect to the eligibility of a financial institution to receive state public funds.

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

Section 1. Section 12C.6, unnumbered paragraph 1, Code 1995, is amended to read as follows:

Public deposits shall be deposited with reasonable promptness in a depository legally designated as depository for the funds. A committee composed of the superintendent of banking, the superintendent of credit unions, the auditor of state or a designee, and the treasurer of state shall meet on or about the first of each month or at other times as the committee may prescribe and by majority action shall establish a minimum rate to be earned on state funds placed in time deposits. State funds invested in depository time certificates of deposit shall draw interest at not less than the rate established, effective on the date of investment. An interest rate established by the committee under this section shall be in effect commencing on the eighth calendar day following the day the rate is established and until a different rate is established and takes effect. The committee shall give advisory notice of an interest rate established under this section. This notice may be given by publication in one or more newspapers, by publication in the Iowa administrative bulletin, by ordinary mail to persons directly affected, by any other method determined by the committee, or by a combination of these. In all cases, the notice shall be published in the Iowa administrative bulletin. The notice shall contain the following words:

Sec. 2. Section 12C.6A, subsections 2 and 3, Code 1995, are amended to read as follows:

2. In addition to establishing a minimum interest rate for public funds pursuant to section 12C.6, the committee composed of the superintendent of banking, the superintendent of credit unions, the auditor of state or a designee, and the treasurer of state shall develop a list of financial institutions eligible to accept state public funds. The committee shall require that a financial institution seeking to qualify for the list shall annually provide the committee a written statement that the financial institution has a commitment to community reinvestment consistent with the safe and sound operation of a financial institution. ~~The committee shall accept a certified copy of the annual community reinvestment report filed by the financial institution, unless the financial institution has received a rating of satisfactory or higher pursuant to the federal Community Reinvestment Act, 12 U.S.C. § 2901 et seq., in satisfaction of the written statement requirement under this subsection and such rating is certified to the committee by the superintendent of banking.~~ To qualify for the list a financial institution must demonstrate a continuing commitment to meet the credit needs of the local community in which it is chartered.

3. ~~The committee shall develop procedures to ensure that the financial institution's statement is available and accessible for examination by citizens.~~ The committee may require a financial institution to provide public notice inviting the public to submit comments to the financial institution regarding its community lending activities. Each financial institution shall maintain a file open to public inspection which contains ~~the five most recent annual community reinvestment disclosure statements~~, public comments received on its community investment activities, and the financial institution's response to those comments. The committee shall adopt procedures for both of the following:

a. To receive information relating to a financial institution's commitment to community reinvestment.

b. To receive challenges from any person to a financial institution's continued eligibility to receive state public funds.

Sec. 3. Section 12C.6A, subsection 4, paragraphs d and g, Code 1995, are amended to read as follows:

d. Practices intended to discourage application for ~~types of credit set forth in the Community Reinvestment Act statement~~ home mortgages, small business loans, small farm loans, community development loans, and, if consumer lending constitutes a substantial majority of a financial institution's business, consumer loans.

g. Participation in local community and rural development and redevelopment projects, and in state and federal business and economic development programs. ~~The committee may specify by rule which programs must be included in the annual statement.~~

Approved March 29, 1996

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## CHAPTER 1022

### NATURAL RESOURCE COMMISSION - REMOVAL OF POLITICAL ACTIVITY BAN S.F. 2278

**AN ACT** repealing the prohibition on political activity by a member, officer, or employee of the natural resource commission.

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

Section 1. REPEAL. Section 456A.22, Code 1995, is repealed.

Approved March 29, 1996

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## CHAPTER 1023

### HIV-RELATED TESTS H.F. 2107

**AN ACT** relating to the requirements regarding human immunodeficiency virus-related tests and making existing remedies applicable.

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

Section 1. Section 141.22, subsection 5, Code 1995, is amended by adding the following new paragraph:

**NEW PARAGRAPH.** d. The performance by a health care provider or health facility of an HIV-related test when the subject of the test is deceased, a significant exposure as defined pursuant to section 141.22A, has occurred, and written consent is obtained from any of the following persons, in order of priority stated, if persons in prior classes are not available:

(1) The person designated as the attorney in fact of the deceased person pursuant to chapter 144B, who was acting as attorney in fact at the time of the deceased person's death.

(2) The legal guardian of the deceased person at the time of the deceased person's death.