

present oral arguments to the school board which is to render the final decision. The secretary of the school board shall give the administrator written notice of the time, place, and date of the hearing. The school board shall meet within five days after the hearing to determine the question of continuance or discontinuance of the contract, and, if the board determines to continue the administrator's contract, whether to suspend the administrator with or without pay for a period specified by the board. The school board shall make findings of fact which shall be based solely on the evidence in the record and on matters officially noticed in the record.

When the school board has reached a decision, opinion, or conclusion, it shall convene in open meeting and by roll call vote determine the continuance or discontinuance of the administrator's contract, and, if the board votes to continue the administrator's contract, whether to suspend the administrator with or without pay for a period specified by the board. The record of the private conference and findings of fact and exceptions shall be exempt from the provisions of chapter 22. The secretary of the school board shall immediately personally deliver or mail notice of the school board's action to the administrator.

Approved April 23, 2001

## CHAPTER 63

### LIMITATION OF CRIMINAL ACTIONS — INCEST — SEXUAL EXPLOITATION

H.F. 458

**AN ACT** extending the statute of limitations period for filing a criminal charge of incest or sexual exploitation by a counselor or therapist.

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

Section 1. NEW SECTION. 802.2A INCEST — SEXUAL EXPLOITATION BY A COUNSELOR OR THERAPIST.

1. An information or indictment for incest under section 726.2 committed on or with a person who is under the age of eighteen shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age. An information or indictment for any other incest shall be found within ten years after its commission.

2. An indictment or information for sexual exploitation by a counselor or therapist under section 709.15 committed on or with a person who is under the age of eighteen shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age. An information or indictment for any other sexual exploitation shall be found within ten years of the date the victim was last treated by the counselor or therapist.

Sec. 2. Section 802.3, Code 2001, is amended to read as follows:

802.3 FELONY — AGGRAVATED OR SERIOUS MISDEMEANOR.

~~1.~~ In all cases, except those enumerated in ~~subsection 2 and in sections 802.1 and, 802.2, and 802.2A,~~ an indictment or information for a felony or aggravated or serious misdemeanor shall be found within three years after its commission.

~~2. An indictment or information for sexual exploitation by a counselor or therapist under section 709.15 shall be found within ten years of the date the victim was last treated by the counselor or therapist.~~

Approved April 23, 2001