

the defendant shall so state. If the defendant has any mental or physical impairment which would limit or prohibit the performance of a public service, the defendant shall so state. The court may order a mental or physical examination, or both, of the defendant to determine a proper course of action. At the time of sentencing or at a later date to be determined by the court, the court shall set out the amount of restitution including the amount of public service to be performed as restitution and the persons to whom restitution must be paid. If the full amount of restitution cannot be determined at the time of sentencing, the court shall issue a temporary order determining a reasonable amount for restitution identified up to that time. At a later date as determined by the court, the court shall issue a permanent, supplemental order, setting the full amount of restitution. The court shall enter further supplemental orders, if necessary. These court orders shall be known as the plan of restitution.

Sec. 5. Section 910.9, unnumbered paragraph 3, Code 2003, is amended to read as follows:

Fines, penalties, and surcharges, crime victim compensation program reimbursement, public agency restitution, court costs including correctional fees claimed by a sheriff or municipality pursuant to section 356.7, and court-appointed attorney fees ordered pursuant to section 815.9, including the expenses for public defenders, shall not be withheld by the clerk of court until all victims have been paid in full. Payments to victims shall be made by the clerk of court at least quarterly. Payments by a clerk of court shall be made no later than the last business day of the quarter, but may be made more often at the discretion of the clerk of court. The clerk of court receiving final payment from an offender shall notify all victims that full restitution has been made. Each office or individual charged with supervising an offender who is required to perform community service as full or partial restitution shall keep records to assure compliance with the portions of the plan of restitution and restitution plan of payment relating to community service and, when the offender has complied fully with the community service requirement, notify the sentencing court.

Approved May 2, 2003

CHAPTER 114

VETERANS' MILITARY SERVICE INFORMATION — COUNTY RECORDS — CONFIDENTIALITY

S.F. 94

AN ACT providing for the confidentiality of certain veterans' records maintained by county recorders.

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

Section 1. Section 22.7, Code 2003, is amended by adding the following new subsection:
NEW SUBSECTION. 47. Military personnel records recorded by the county recorder pursuant to section 331.608.

Sec. 2. Section 331.608, Code 2003, is amended by adding the following new subsection:
NEW SUBSECTION. 5A. Unless otherwise provided by the person who requested the recording of a record under this section, notwithstanding section 22.2, subsection 1, such record shall be confidential and shall not be made available for examination or copying except as follows:

- a. To the person who is the subject of the record, to a member of that person's immediate family, or to that person's agent or representative duly authorized in writing.
- b. To a person requesting to examine or copy a record when the event that resulted in the record being made occurred more than seventy-five years prior to the request.
- c. To a person who is a funeral director licensed pursuant to chapter 156 and who has custody of the body of a deceased veteran.
- d. When otherwise ordered by a court of competent jurisdiction.
- e. When otherwise required by a department or agency of the federal or state government or a political subdivision thereof.
- f. To a person conducting research who has received written approval from the county commissioner of veteran affairs to view the records.

Sec. 3. Section 331.608, subsection 6, Code 2003, is amended to read as follows:

6. If a certified copy of a public record is required to perfect the claim of a veteran in service or honorably discharged or a claim of a dependent of the veteran, the certified copy shall be furnished by the custodian of the public record without charge.

Approved May 9, 2003

CHAPTER 115

REGULATION OF FARMING AND BEEF AND PORK PRODUCTION

S.F. 341

AN ACT regulating the balance of competitive forces in swine and beef production by enhancing the welfare of the farming community and by preventing processors from gaining control of beef or swine production, providing for the transfer of provisions, making a penalty applicable, and providing for an effective date.

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

DIVISION I REGULATION OF PROCESSORS

Section 1. Section 9H.1, Code 2003, is amended by adding the following new subsection: NEW SUBSECTION. 26A. "Person" means an individual, business association, government or governmental subdivision or agency, or any other legal entity.

Sec. 2. Section 9H.1, subsection 29, unnumbered paragraph 1, Code 2003, is amended to read as follows:

"Retailer" means a person who is engaged in the business of selling pork products ~~in this state~~, if all of the following apply:

Sec. 3. Section 9H.1, subsection 32, Code 2003, is amended to read as follows:

32. "Swine producer" means a person who owns, controls, or operates a swine operation ~~in this state~~ or who contracts for the care and feeding of swine ~~in this state~~.

Sec. 4. Section 9H.2, unnumbered paragraph 1, Code 2003, is amended to read as follows:

The purpose of this section is to preserve free and private enterprise, prevent monopoly, and also to protect consumers by regulating the balance of competitive forces in beef and swine