

FILED MAR 12 1987

SENATE FILE 375
BY GENTLEMAN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to vital statistics records, by providing for
2 limitations on the inspection and copying of certain vital
3 statistics records, expanding the lists of violations of the
4 law related to vital statistics records, and providing
5 increased penalties.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 375

1 Section 1. Section 144.43, unnumbered paragraph 2 and
2 subsections 1, 2, 3, and 4, Code 1987, are amended to read as
3 follows:

4 However, the following vital statistics may be inspected
5 and copied as of right under chapter 22 when they are in the
6 custody of a county or of a local registrar if they are sixty-
7 five years old or older:

8 1. A record of birth if that birth did not occur out of
9 wedlock.

10 2. A record of marriage.

11 3. A record of divorce, dissolution of marriage, or annul-
12 ment of marriage.

13 4. A record of death if that death was not a fetal death.

14 If these records are under sixty-five years old, the
15 records may only be inspected by a person and certified copies
16 may only be released to a person who has a verifiable direct
17 and tangible interest in the record, and who has paid a
18 reasonable fee for certification.

19 Direct and tangible interest is shown if the person
20 interested in the records is the registrant, a member of the
21 registrant's immediate family, the registrant's legal
22 representative, or if a person needs the information for the
23 determination or protection of a person's personal or property
24 interests. A person conducting family research shall
25 substantiate a line of direct lineal consanguinity to
26 demonstrate the existence of a direct and tangible interest.

27 Sec. 2. Section 144.52, Code 1987, is amended to read as
28 follows:

29 144.52 UNLAWFUL ACTS -- PUNISHMENT.

30 Any A person committing who commits any of the following
31 acts is guilty of ~~a-serious~~ an aggravated misdemeanor:

32 1. Willfully and knowingly makes ~~any a~~ false statement in
33 a report, record, or certificate required to be filed under
34 this chapter, or in an application for an amendment thereof of
35 a certificate, or willfully and knowingly supplies false

1 information intending that such the information be used in the
2 preparation of any-such the report, record, or certificate, or
3 amendment thereof.

4 2. Without lawful authority and with the intent to
5 deceive, makes, counterfeits, alters, amends, or mutilates any
6 report, record, or certificate required to be filed under this
7 chapter or a certified copy of such the report, record, or
8 certificate.

9 3. Willfully and knowingly possesses, uses, furnishes, or
10 attempts to possess, use, or furnish to another for use for
11 any purpose of deception, any certificate, record, report, or
12 certified copy thereof so made, counterfeited, altered,
13 amended, or mutilated.

14 4. Willfully, with the intent to deceive, possesses, uses,
15 furnishes, or attempts to possess, use, or furnish to another
16 any certificate of birth or certified copy of a record of
17 birth knowing that such the certificate or certified copy was
18 issued upon a record which is false in whole or in part or
19 which relates to the birth of another person.

20 5. Willfully and knowingly furnishes or processes a
21 certificate of birth or certified copy of a record of birth
22 with the intention that it be used by a person other than the
23 person whose birth the record relates.

24 6. ~~Disinterring~~ Disinters a body in violation of section
25 144.34.

26 Sec. 3. Section 144.53, Code 1987, is amended to read as
27 follows:

28 144.53 MISDEMEANORS.

29 Any A person committing who commits any of the following
30 acts is guilty of a simple serious misdemeanor:

31 1. Knowingly transports or accepts for transportation,
32 interment, or other disposition a dead body without an
33 accompanying permit as provided in this chapter.

34 2. Refuses to provide information required by this
35 chapter.

1 3. Willfully violates any of the provisions of this
2 chapter or refuses to perform any of the duties imposed upon
3 the person by this chapter.

4 Sec. 4. NEW SECTION. 144.58 PENALTY FOR POSSESSION.

5 A person who possesses a certificate, record, or report
6 required to be filed under this chapter or a certified copy of
7 the certificate, record, or report, knowing that it was stolen
8 or otherwise unlawfully issued, is guilty of a class "D"
9 felony.

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EXPLANATION

11 This bill limits access to vital statistics records by
12 providing that records which are under sixty-five years old
13 may only be inspected by and copies may only be released to
14 persons who demonstrate a direct and tangible interest in the
15 records, and who have paid a reasonable fee for certification.
16 Direct and tangible interest is shown if the person interested
17 in the records is the registrant, a member of the registrant's
18 immediate family, or the registrant's legal representative, or
19 if the information is needed for the protection of a person's
20 personal or property interests. Persons conducting family
21 research must substantiate a direct line of lineal
22 consanguinity in order to demonstrate direct and tangible
23 interest.

24 The bill also increases the penalties for violation of the
25 chapter, from simple and serious misdemeanors, to serious and
26 aggravated misdemeanors. It also adds new violations
27 concerning counterfeiting documents, possessing or furnishing
28 a false document or one based on a false record, and
29 possessing a stolen or illegally authorized document, and
30 provides for the penalty of a class "D" felony.

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SENATE FILE 376

067

1 Amend the House amendment, S-6010, to Senate file
2 376, as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting before line 5, the
5 following:

6 "Section 1. Section 524.1202, subsection 3, Code
7 1987, is amended to read as follows:

8 3. Notwithstanding subsection 1, if the assets of
9 a state or national bank in existence on January 1,
10 ~~1985~~ 1988 are transferred to a different state or
11 national bank in the state which is located in the
12 same county or a county contiguous to or cornering
13 upon the county in which the principal place of
14 business of the acquired bank is located, the
15 resulting or acquiring bank may convert to and operate
16 as its bank office any one or more of the business
17 locations occupied as the principal place of business
18 or as a bank office of the bank whose assets are so
19 acquired. The limitations on bank office locations
20 contained in unnumbered paragraph 1 of this section,
21 and the limitation on the number of bank offices
22 within the municipality or urban complex of the
23 resulting or acquiring bank contained in subsection 2
24 shall be applicable to any bank office otherwise
25 authorized by this subsection, except that if the
26 transfer of assets of a state or national bank to a
27 different state or national bank in the state causes
28 the resulting or acquiring bank to violate the
29 limitation contained in subsection 2 on the number of
30 bank offices within the municipality or urban complex,
31 the resulting or acquiring bank, subject to the
32 approval of the superintendent, has six months from
33 the final date of transfer to divest itself of, or
34 close, sufficient bank offices to comply with
35 subsection 2. A bank office established under the
36 authority of this subsection is subject to the
37 approval of the superintendent, shall be operated in
38 accordance with this chapter relating to the operation
39 of bank offices, and may be augmented by an integral
40 facility when approved under subsection 2, paragraph
41 "d".

S-6067

Filed April 15, 1988

WITHDRAWN

(p. 1665)

BY EDGAR H. HOLDEN

1 Amend the House amendment, S-6010, to Senate File
2 376, as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by striking lines 5 through 28 and
5 inserting the following:

6 "Section 1. Section 524.1202, subsection 3, Code
7 1987, is amended to read as follows:

8 3. Notwithstanding subsection 1, if the assets of
9 a state or national bank in existence on January 1,
10 ~~1985~~ 1988 are transferred to a different state or
11 national bank in the state which is located in the
12 same county or a county contiguous to or cornering
13 upon the county in which the principal place of
14 business of the acquired bank is located, the
15 resulting or acquiring bank may convert to and operate
16 as its bank office any one or more of the business
17 locations occupied as the principal place of business
18 or as a bank office of the bank whose assets are so
19 acquired. The limitations on bank office locations
20 contained in unnumbered paragraph 1 of this section,
21 and the limitation on the number of bank offices
22 within the municipality or urban complex of the
23 resulting or acquiring bank contained in subsection 2
24 shall be applicable to any bank office otherwise
25 authorized by this subsection, except that if the
26 transfer of assets of a state or national bank to a
27 different state or national bank in the state causes
28 the resulting or acquiring bank to violate the
29 limitation contained in subsection 2 on the number of
30 bank offices within the municipality or urban complex,
31 the resulting or acquiring bank, subject to the
32 approval of the superintendent, has six months from
33 the final date of transfer to divest itself of, or
34 close, sufficient bank offices to comply with
35 subsection 2. A bank office established under the
36 authority of this subsection is subject to the
37 approval of the superintendent, shall be operated in
38 accordance with this chapter relating to the operation
39 of bank offices, and may be augmented by an integral
40 facility when approved under subsection 2, paragraph
41 "d".

HOUSE AMENDMENT TO
SENATE FILE 376

S-6010

1 Amend Senate File 376, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 527.4, subsection 3, paragraph
6 a, subparagraph (5), Code Supplement 1987, is amended
7 to read as follows:

8 (5) At any retail sales location in this state if
9 any all of the following apply:

10 (a) The satellite terminal is not designed,
11 configured, or operated to accept deposits or to
12 dispense script or other negotiable instruments.

13 (b) The satellite terminal is not designed,
14 configured, or operated to dispense cash except when
15 operated by the retailer as part of a retail sales
16 transaction.

17 (c) The satellite terminal is utilized for the
18 purpose of making payment to the retailer for goods or
19 services purchased at the location of the satellite
20 terminal.

21 (d) The financial institution controls a satellite
22 terminal described under subparagraph ~~part~~ subdivision
23 (c) at a location of the retailer established pursuant
24 to subparagraph (1), (2), (3), or (4)."

25 2. Title page, by striking lines 1 through 5, and
26 inserting the following: "An Act relating to the
27 location of a satellite terminal of a financial
28 institution at a retail sales location."

S-6010

Filed April 14, 1988

RECEIVED FROM THE HOUSE

*Senate amended (6061) & concurred
4/14 (p. 1665)*

SENATE FILE 376

S-6059

1 Amend the House Amendment, S-6010, to Senate File
2 376, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 4 through 28, and
5 inserting the following: "clause."

S-6059

Filed April 15, 1988 WITHDRAWN BY EDGAR HOLDEN
(p. 1604)
SENATE FILE 376

S-6060

1 Amend the House Amendment, S-6010, to Senate File
2 376, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 24, by striking the figure
5 "(4)."" and inserting the following: "(4)."

6 2. Page 1, by inserting after line 24, the
7 following:

8 "Sec. 2. Section 527.4, Code Supplement 1987, is
9 amended by adding the following new subsection:

10 NEW SUBSECTION. 4. A satellite terminal which is
11 configured to make payments to a third party for goods
12 or services shall not receive deposits."

13 3. By renumbering as necessary.

S-6060

Filed April 15, 1988 WITHDRAWN BY EDGAR HOLDEN
(p. 1665)

S-6061

1 Amend the House amendment, S-6010, to Senate File
2 376, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 21 through 24 and
5 inserting the following:

6 "~~(d)--The-financial-institution-controls-a~~
7 ~~satellite-terminal-described-under-subparagraph-part~~
8 ~~(c)-at-a-location-of-the-retailer-established-pursuant~~
9 ~~to-subparagraph-(1),-(2),-(3),-or-(4)-"~~

S-6061

Filed April 15, 1988 ADOPTED BY EDGAR HOLDEN
(p. 1665)

SENATE FILE 376

H-5782

1 Amend Senate File 376, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 527.4, subsection 3, paragraph
6 a, subparagraph (5), Code Supplement 1987, is amended
7 to read as follows:

8 (5) At any retail sales location in this state if
9 any all of the following apply:

10 (a) The satellite terminal is not designed,
11 configured, or operated to accept deposits or to
12 dispense script or other negotiable instruments.

13 (b) The satellite terminal is not designed,
14 configured, or operated to dispense cash except when
15 operated by the retailer as part of a retail sales
16 transaction.

17 (c) The satellite terminal is utilized for the
18 purpose of making payment to the retailer for goods or
19 services purchased at the location of the satellite
20 terminal.

21 (d) The financial institution controls a satellite
22 terminal described under subparagraph part subdivision
23 (c) at a location of the retailer established pursuant
24 to subparagraph (1), (2), (3), or (4)."

25 2. Title page, by striking lines 1 through 5, and
26 inserting the following: "An Act relating to the
27 location of a satellite terminal of a financial
28 institution at a retail sales location."

By COMMITTEE ON SMALL BUSINESS
AND COMMERCE
SWARTZ of Marshall

H-5782 FILED MARCH 22, 1988

Adopted 4/14 (p. 1888)

SENATE FILE 376

H-6413

1 Amend the amendment, H-5782, to Senate File 376, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 4 through 28 and
5 inserting the following: "clause."

By SCHNEKLOTH of Scott

H-6413 FILED APRIL 12, 1988

Pass 4/14 (p. 1889)

SENATE FILE 376

H-6414

1 Amend the amendment, H-5782, to Senate File 376, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 21 through 24.

By SCHNEKLOTH of Scott

H-6414 FILED APRIL 12, 1988

W/O 4/14 (p. 1888)