

corporate officer excluded from workers' compensation coverage by the signing of a written rejection of workers' compensation coverage under section 5 of this Act, shall file the policy with and obtain the approval of the commissioner of insurance. The filing shall include the premium rates which will apply to the employers' liability coverage.

Sec. 7. A corporate officer employed on or before January 1, 1983 who chooses to sign an acceptance of exemption for calendar year 1983 under section 85.61, subsection 3, paragraph d, shall sign, and the corporation shall file, the acceptance of exemption any time prior to December 31, 1983.

Notwithstanding the sixty-day limitation in section 85.61, subsection 3, paragraph d, an acceptance of exemption for a newly employed officer may be signed and filed with the industrial commissioner at any time prior to December 31, 1983.

Sec. 8. This Act, being deemed of immediate importance, takes effect from and after its publication in the Audubon News-Advocate, a newspaper published in Audubon, Iowa, and in the Guthrie Center Times, a newspaper published in Guthrie Center, Iowa. However, sections 1 through 6 of this Act take effect January 1, 1984.

Approved April 15, 1983

I hereby certify that the foregoing Act, Senate File 51 was published in the Audubon News-Advocate, Audubon, Iowa on April 20, 1983 and in the Guthrie Center Times, Guthrie Center, Iowa on April 27, 1983.

MARY JANE ODELL, *Secretary of State*

CHAPTER 37
RULES OF EVIDENCE
S.F. 504

AN ACT relating to the repeal or modification of statutes and rules affected by the proposed Iowa rules of evidence.

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

Section 1. Section 232.74, Code 1983, is amended to read as follows:

232.74 EVIDENCE NOT PRIVILEGED OR EXCLUDED. Sections ~~622.7, 622.9 and 622.10~~ and any other statute or rule of evidence which excludes or makes privileged the testimony of a husband or wife against the other or the testimony of a health practitioner as to confidential communications, ~~shall do not~~ apply to evidence regarding a child's injuries or the cause thereof of the injuries in any judicial proceeding, civil or criminal, resulting from a report pursuant to this chapter or relating to the subject matter of such a report.

Sec. 2. Section 554.2724, Code 1983, is amended to read as follows:

554.2724 ADMISSIBILITY OF MARKET QUOTATIONS. ~~Whenever~~ If the prevailing price or value of any goods regularly bought and sold in any an established commodity market

is in issue, reports in official publications or trade journals or in newspapers or periodicals of general circulation published as the reports of such that market shall be are admissible in evidence. The circumstances of the preparation of such a report may be shown to affect its weight but not its admissibility. Reports are also admissible under Iowa rule of evidence 803(17).

Sec. 3. Section 622.52, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

622.52 EFFECT ON RULES. Sections 622.53 through 622.63, are not a limitation of the Iowa rules of evidence.

Sec. 4. Section 622.53, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

622.53 JUDICIAL RECORD—STATE OR FEDERAL COURTS. A judicial record of this state, including the filed certified shorthand notes of the official court reporter as transcribed or a court of the United States may be proved by the production of the original, or a copy of it certified by the clerk or person having the legal custody of it, authenticated by the custodian's seal of office, if there is a seal. That of another state may be proved by the attestation of the clerk and the seal of the court annexed, if there is a seal, together with a certificate of a judge, chief justice, or presiding magistrate that the attestation is in due form of law.

Sec. 5. Section 624.14, Code 1983, is amended to read as follows:

624.14 JUROR AS WITNESS—GROUNDS TO SET ASIDE VERDICT. If a juror has personal knowledge respecting a fact in controversy in a cause, the juror must declare the same in open court during the trial, and if, during the retirement of the jury, a juror declares any fact which could be evidence in the cause, as of the juror's own knowledge, the jury must return into court, and the juror must be sworn as a witness and examined in the presence of the parties, if the juror's evidence be admissible; and in support of a motion to set aside a verdict, proof fact of the knowledge in accordance with Iowa rule of evidence 606(A), and the juror may not testify in the trial of the case in which the juror is sitting. Proof of such a declaration may be made by any juror in support of a motion to set aside a verdict.

Sec. 6. Section 726.4, Code 1983, is amended to read as follows:

726.4 HUSBAND OR WIFE MAY BE WITNESS. In all prosecutions under section 726.3, 726.5 or 726.6, the husband or wife shall be is a competent witness for the state and may testify to any relevant acts or communications between them, anything in previous statutes to the contrary notwithstanding, provided, however, that no husband or wife shall be called or compelled to testify against the other under section 726.3, 726.5 or 726.6 except upon consent of such witness.

Sec. 7. Sections 622.1, 622.4, 622.5, 622.6, 622.7, 622.12, 622.17, 622.18, 622.19, 622.20, 622.37, 622.38, 622.39, 622.40, Code 1983, and R.Cr.P. 20(5) are repealed.

Approved April 28, 1983