

Sec. 35. NEW SECTION. 501.603 SALE OF ASSETS.

1. A cooperative may, on the terms and conditions and for the consideration determined by the board, mortgage, pledge, or otherwise encumber any or all of its property.

2. A cooperative may sell, lease, exchange, or otherwise dispose of all, or substantially all, of its property, with or without the good will, on the terms and conditions and for the consideration determined by the board, which consideration may include the preferred stock of another cooperative, if the board recommends the proposed transaction to the members, and the members approve it by the vote of two-thirds of the votes cast on a ballot in which a majority of all votes are cast. The board may condition its submission of the proposed transaction on any basis.

Sec. 36. NEW SECTION. 501.604 DISSOLUTION.

The provisions of sections 490.1401 through 490.1440 shall apply to cooperatives in the same manner as they apply to corporations organized under chapter 490.

Approved March 21, 1996

CHAPTER 1011

NOTIFICATION REQUIREMENTS AND DECISION-MAKING ASSISTANCE PROGRAM REGARDING PREGNANT MINORS

S.F. 13

AN ACT relating to the establishment of a prospective minor parents decision-making assistance program, providing penalties, providing a repeal, and providing effective dates.

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

Section 1. NEW SECTION. 135L.1 DEFINITIONS.

As used in this chapter unless the context otherwise requires:

1. "Abortion" means an abortion as defined in chapter 146.
2. "Adult" means a person eighteen years of age or older.
3. "Aunt or uncle" means an aunt or uncle of the pregnant minor who is twenty-five years of age or older.
4. "Child-placing agency" means any agency, public, semipublic, or private, which represents itself as placing children, receiving children for placement, or actually engaging in placement of children and includes the department of human services.
5. "Court" means the juvenile court.
6. "Grandparent" means the parent of an individual who is the parent of the pregnant minor.
7. "Medical emergency" means a condition which, based upon a physician's judgment, necessitates an abortion to avert the pregnant minor's death, or for which a delay will create a risk of serious impairment of a major bodily function.
8. "Minor" means a person under eighteen years of age who has not been and is not married.
9. "Parent" means one parent or a legal guardian or custodian of a pregnant minor.
10. "Responsible adult" means an adult, who is not associated with an abortion provider, chosen by a pregnant minor to assist the minor in the decision-making process established in this chapter.

Sec. 2. NEW SECTION. 135L.2 PROSPECTIVE MINOR PARENTS DECISION-MAKING ASSISTANCE PROGRAM ESTABLISHED.

1. A decision-making assistance program is created to provide assistance to minors in making informed decisions relating to pregnancy. The program shall offer and include all of the following:

a. (1) A video, to be developed by a person selected through a request for proposals process or other contractual agreement, which provides information regarding the various options available to a pregnant minor with regard to the pregnancy, including a decision to continue the pregnancy to term and retain parental rights following the child's birth, a decision to continue the pregnancy to term and place the child for adoption following the child's birth, and a decision to terminate the pregnancy through abortion. The video shall provide the information in a manner and language, including but not limited to, the use of closed captioning for the hearing-impaired, which could be understood by a minor.

(2) The video shall explain that public and private agencies are available to assist a pregnant minor with any alternative chosen.

(3) The video shall explain that if the pregnant minor decides to continue the pregnancy to term, and to retain parental rights to the child, the father of the child is liable for the support of the child.

(4) The video shall explain that tendering false documents is a fraudulent practice in the fourth degree pursuant to section 135L.7.

b. Written decision-making materials which include all of the following:

(1) Information regarding the options described in the video including information regarding the agencies and programs available to provide assistance to the pregnant minor in parenting a child; information relating to adoption including but not limited to information regarding child-placing agencies; and information regarding abortion including but not limited to the legal requirements relative to the performance of an abortion on a pregnant minor. The information provided shall include information explaining that if a pregnant minor decides to continue the pregnancy to term and to retain parental rights, the father of the child is liable for the support of the child and that if the pregnant minor seeks public assistance on behalf of the child, the pregnant minor shall, and if the pregnant minor is not otherwise eligible as a public assistance recipient, the pregnant minor may, seek the assistance of the child support recovery unit in establishing the paternity of the child, and in seeking support payments for a reasonable amount of the costs associated with the pregnancy, medical support, and maintenance from the father of the child, or if the father is a minor, from the parents of the minor father. The information shall include a listing of the agencies and programs and the services available from each.

(2) A workbook which is to be used in viewing the video and which includes a questionnaire and exercises to assist a pregnant minor in viewing the video and in considering the options available regarding the minor's pregnancy.

(3) A detachable certification form to be signed by the pregnant minor certifying that the pregnant minor was offered a viewing of the video and the written decision-making materials.

2. a. The video shall be available through the state and local offices of the Iowa department of public health, the department of human services, and the judicial department and through the office of each licensed physician who performs abortions.

b. The video may be available through the office of any licensed physician who does not perform abortions, upon the request of the physician; through any nonprofit agency serving minors, upon the request of the agency; and through any other person providing services to minors, upon the request of the person.

3. During the initial appointment between a licensed physician and a pregnant minor, a licensed physician, who is providing medical services to a pregnant minor, shall offer the viewing of the video and the written decision-making materials to the pregnant minor, and shall obtain the signed and dated certification form from the pregnant minor. If the pregnant minor has previously been offered the viewing of the video and the written decision-making materials by another source, the licensed physician shall obtain the completed

certification form from the other source to verify that the pregnant minor has been offered the viewing of the video and the written decision-making materials. A licensed physician shall not perform an abortion on a pregnant minor prior to obtaining the completed certification form from a pregnant minor. If the pregnant minor decides to terminate parental rights following the child's birth, a copy of the completed certification form shall be attached to the petition for termination of parental rights.

4. A pregnant minor shall be encouraged to select a responsible adult, preferably a parent of the pregnant minor, to accompany the pregnant minor in viewing the video and receiving the decision-making materials.

5. To the extent possible and at the discretion of the pregnant minor, the person responsible for impregnating the pregnant minor shall also be involved in the viewing of the video and in the receipt of written decision-making materials.

6. Following the offering of the viewing of the video and of the written decision-making materials, the pregnant minor shall sign and date the certification form attached to the materials, and shall submit the completed form to the licensed physician or provide the person making the offer with information to send the completed form to the pregnant minor's attending physician. The person offering the viewing of the video and the decision-making materials shall also provide a copy of the completed certification form to the pregnant minor.

Sec. 3. NEW SECTION. 135L.3 NOTIFICATION OF PARENT OF PREGNANT MINOR PRIOR TO THE ADOPTION OF THE CHILD.

Following compliance with the provisions of section 135L.2, a pregnant minor who chooses to place the pregnant minor's child for adoption is subject to the following conditions:

1. Notification of a parent of the pregnant minor of the pregnant minor's decision to place the child for adoption. Notification shall be made at least twenty-four hours prior to the conducting of the hearing on termination of parental rights. The pregnant minor's attorney or the child-placing agency shall provide notification in person or by mailing the notification by restricted certified mail to the parent of the pregnant minor at the usual place of abode of the parent. For the purpose of delivery by restricted certified mail, the time of delivery is deemed to occur at twelve o'clock noon on the next day on which regular mail delivery takes place, subsequent to the mailing.

2. If the pregnant minor objects to the notification of a parent, the pregnant minor may petition the court to authorize waiver of the notification requirement in accordance with the following procedures:

a. The court shall ensure that the pregnant minor is provided with assistance in preparing and filing the petition for waiver of notification and shall ensure that the pregnant minor's identity remains confidential.

b. The pregnant minor may participate in the court proceedings on the pregnant minor's own behalf. The court may appoint a guardian ad litem for the pregnant minor who may be the responsible adult and the court shall appoint a guardian ad litem for the pregnant minor if the pregnant minor is not accompanied by a responsible adult or if the pregnant minor has not viewed the video as provided pursuant to section 135L.2. In appointing a guardian ad litem for the pregnant minor, the court shall consider a person licensed to practice psychology pursuant to chapter 154B, a licensed social worker pursuant to chapter 154C, a licensed marital and family therapist pursuant to chapter 154D, or a licensed mental health counselor pursuant to chapter 154D to serve in the capacity of guardian ad litem. The court shall advise the pregnant minor of the pregnant minor's right to court-appointed legal counsel and shall, upon the pregnant minor's request, provide the pregnant minor with court-appointed legal counsel, at no cost to the pregnant minor.

c. The court proceedings shall be conducted in a manner which protects the confidentiality of the pregnant minor and all court documents pertaining to the proceedings shall remain confidential. Only the pregnant minor, the pregnant minor's guardian ad litem, the

pregnant minor's legal counsel, and persons whose presence is specifically requested by the pregnant minor or by the pregnant minor's guardian ad litem, or by the pregnant minor's legal counsel may attend the hearing on the petition.

d. Notwithstanding any law or rule to the contrary, the court proceedings under this section and section 135L.4 shall be given precedence over other pending matters to ensure that the court reaches a decision expeditiously.

e. Upon petition and following an appropriate hearing, the court shall waive the notification requirements if the court determines either of the following:

(1) That the pregnant minor is mature and capable of providing informed consent to the termination of parental rights for the purposes of adoption of the pregnant minor's child.

(2) That the pregnant minor is not mature, or does not claim to be mature, but that notification is not in the best interest of the pregnant minor.

f. The court shall issue specific factual findings and legal conclusions, in writing, to support the decision.

g. Upon conclusion of the hearing, the court shall immediately issue a written order which shall be provided immediately to the pregnant minor, the pregnant minor's guardian ad litem, the pregnant minor's legal counsel, or any other person designated by the pregnant minor to receive the order.

h. An expedited, confidential appeal shall be available to a pregnant minor for whom the court denies a petition for waiver of notification. An order granting the pregnant minor's application for waiver of notification is not subject to appeal. Access to the appellate courts for the purpose of an appeal under this section shall be provided to a pregnant minor twenty-four hours a day, seven days a week.

i. A pregnant minor who chooses to utilize the waiver of notification procedures under this section shall not be required to pay a fee at any level of the proceedings. Fees charged and court costs taxed in connection with a proceeding under this section are waived.

j. If the court denies the petition for waiver of notification and the decision is not appealed or all appeals are exhausted, the court shall advise the pregnant minor that, upon the request of the pregnant minor, the court will appoint a licensed marital and family therapist to assist the pregnant minor in addressing any intrafamilial problems. All costs of services provided by a court-appointed licensed marital and family therapist shall be paid by the court through the expenditure of funds appropriated to the judicial department.

k. Venue for proceedings under this section is in any court in the state.

l. The supreme court shall prescribe rules to ensure that the proceedings under this section are performed in an expeditious and confidential manner.

m. The requirements of this section regarding notification of a parent of a pregnant minor who chooses to place the pregnant minor's child for adoption do not apply if any of the following applies:

(1) A parent of the pregnant minor authorizes the pregnant minor's decision, in writing, and a copy of the written authorization is attached to the termination of parental rights petition.

(2) (a) The pregnant minor declares, in a written statement submitted to the pregnant minor's legal counsel or to the child-placing agency providing services to the pregnant minor, a reason for not notifying a parent and a reason for notifying a grandparent or an aunt or uncle of the pregnant minor in lieu of the notification of a parent. Upon receipt of the written statement from the pregnant minor, the pregnant minor's legal counsel or the child-placing agency providing services to the pregnant minor shall provide notification to a grandparent or an aunt or uncle of the pregnant minor, specified by the pregnant minor, in the manner in which notification is provided to a parent.

(b) The notification form shall be in duplicate and shall include both of the following:

(i) A declaration which informs the grandparent or the aunt or uncle of the pregnant

minor that the grandparent or aunt or uncle of the pregnant minor may be subject to civil action if the grandparent or aunt or uncle accepts notification.

(ii) A provision that the grandparent or aunt or uncle of the pregnant minor may refuse acceptance of notification.

(3) The pregnant minor declares that the pregnant minor is a victim of child abuse pursuant to section 232.68, the person responsible for the care of the child is a parent of the child, and either the abuse has been reported pursuant to the procedures prescribed in chapter 232, division III, part 2, or a parent of the child is named in a report of founded child abuse. The department of human services shall maintain confidentiality under chapter 232 regarding the pregnant minor's pregnancy.

(4) The pregnant minor declares that the pregnant minor is a victim of sexual abuse as defined in chapter 709 and has reported the sexual abuse to law enforcement.

n. A copy of the completed certification form pursuant to section 135L.2, and a copy of the notification document mailed to a parent, grandparent, or aunt or uncle of the pregnant minor, or a copy of the order waiving notification shall be attached to the petition for termination of parental rights, unless the pregnant minor is otherwise exempt from obtaining any of these documents under this chapter.

o. Noncompliance with the provisions of this section is not grounds for any of the following:

(1) Denial, modification, vacation, or appeal of a termination of parental rights order issued pursuant to section 600A.9.

(2) Denial, modification, vacation, or appeal of an interlocutory or final adoption decree rendered under section 600.13.

Sec. 4. NEW SECTION. 135L.4 NOTIFICATION OF PARENT PRIOR TO THE PERFORMANCE OF ABORTION ON A PREGNANT MINOR – REQUIREMENTS – CRIMINAL PENALTY.

1. A person shall not perform an abortion on a pregnant minor until at least forty-eight hours' prior notification is provided to a parent of the pregnant minor.

2. The person who will perform the abortion shall provide notification in person or by mailing the notification by restricted certified mail to the parent of the pregnant minor at the usual place of abode of the parent. For the purpose of delivery by restricted certified mail, the time of delivery is deemed to occur at twelve o'clock noon on the next day on which regular mail delivery takes place, subsequent to the mailing.

3. If the pregnant minor objects to the notification of a parent prior to the performance of an abortion on the pregnant minor, the pregnant minor may petition the court to authorize waiver of the notification requirement pursuant to this section in accordance with the following procedures:

a. The court shall ensure that the pregnant minor is provided with assistance in preparing and filing the petition for waiver of notification and shall ensure that the pregnant minor's identity remains confidential.

b. The pregnant minor may participate in the court proceedings on the pregnant minor's own behalf. The court may appoint a guardian ad litem for the pregnant minor and the court shall appoint a guardian ad litem for the pregnant minor if the pregnant minor is not accompanied by a responsible adult or if the pregnant minor has not viewed the video as provided pursuant to section 135L.2. In appointing a guardian ad litem for the pregnant minor, the court shall consider a person licensed to practice psychology pursuant to chapter 154B, a licensed social worker pursuant to chapter 154C, a licensed marital and family therapist pursuant to chapter 154D, or a licensed mental health counselor pursuant to chapter 154D to serve in the capacity of guardian ad litem. The court shall advise the pregnant minor of the pregnant minor's right to court-appointed legal counsel, and shall, upon the pregnant minor's request, provide the pregnant minor with court-appointed legal counsel, at no cost to the pregnant minor.

c. The court proceedings shall be conducted in a manner which protects the confidentiality of the pregnant minor and all court documents pertaining to the proceedings shall

remain confidential. Only the pregnant minor, the pregnant minor's guardian ad litem, the pregnant minor's legal counsel, and persons whose presence is specifically requested by the pregnant minor, by the pregnant minor's guardian ad litem, or by the pregnant minor's legal counsel may attend the hearing on the petition.

d. Notwithstanding any law or rule to the contrary, the court proceedings under this section and section 135L.3 shall be given precedence over other pending matters to ensure that the court reaches a decision expeditiously.

e. Upon petition and following an appropriate hearing, the court shall waive the notification requirements if the court determines either of the following:

(1) That the pregnant minor is mature and capable of providing informed consent for the performance of an abortion.

(2) That the pregnant minor is not mature, or does not claim to be mature, but that notification is not in the best interest of the pregnant minor.

f. The court shall issue specific factual findings and legal conclusions, in writing, to support the decision.

g. Upon conclusion of the hearing, the court shall immediately issue a written order which shall be provided immediately to the pregnant minor, the pregnant minor's guardian ad litem, the pregnant minor's legal counsel, or to any other person designated by the pregnant minor to receive the order.

h. An expedited, confidential appeal shall be available to a pregnant minor for whom the court denies a petition for waiver of notification. An order granting the pregnant minor's application for waiver of notification is not subject to appeal. Access to the appellate courts for the purpose of an appeal under this section shall be provided to a pregnant minor twenty-four hours a day, seven days a week.

i. A pregnant minor who chooses to utilize the waiver of notification procedures under this section shall not be required to pay a fee at any level of the proceedings. Fees charged and court costs taxed in connection with a proceeding under this section are waived.

j. If the court denies the petition for waiver of notification and if the decision is not appealed or all appeals are exhausted, the court shall advise the pregnant minor that, upon the request of the pregnant minor, the court will appoint a licensed marital and family therapist to assist the pregnant minor in addressing any intrafamilial problems. All costs of services provided by a court-appointed licensed marital and family therapist shall be paid by the court through the expenditure of funds appropriated to the judicial department.

k. Venue for proceedings under this section is in any court in the state.

l. The supreme court shall prescribe rules to ensure that the proceedings under this section are performed in an expeditious and confidential manner.

m. The requirements of this section regarding notification of a parent of a pregnant minor prior to the performance of an abortion on a pregnant minor do not apply if any of the following applies:

(1) The abortion is authorized in writing by a parent entitled to notification.

(2) (a) The pregnant minor declares, in a written statement submitted to the attending physician, a reason for not notifying a parent and a reason for notifying a grandparent or an aunt or uncle of the pregnant minor in lieu of the notification of a parent. Upon receipt of the written statement from the pregnant minor, the attending physician shall provide notification to a grandparent or an aunt or uncle of the pregnant minor, specified by the pregnant minor, in the manner in which notification is provided to a parent.

(b) The notification form shall be in duplicate and shall include both of the following:

(i) A declaration which informs the grandparent or the aunt or uncle of the pregnant minor that the grandparent or aunt or uncle of the pregnant minor may be subject to civil action if the grandparent or aunt or uncle accepts notification.

(ii) A provision that the grandparent or aunt or uncle of the pregnant minor may refuse acceptance of notification.

(3) The pregnant minor's attending physician certifies in writing that a medical emergency exists which necessitates the immediate performance of an abortion in accordance with section 135L.6.

(4) The pregnant minor declares that the pregnant minor is a victim of child abuse pursuant to section 232.68, the person responsible for the care of the child is a parent of the child, and either the abuse has been reported pursuant to the procedures prescribed in chapter 232, division III, part 2, or a parent of the child is named in a report of founded child abuse. The department of human services shall maintain confidentiality under chapter 232 regarding the pregnant minor's pregnancy and abortion, if the abortion is obtained.

(5) The pregnant minor declares that the pregnant minor is a victim of sexual abuse as defined in chapter 709 and has reported the sexual abuse to law enforcement.

n. A person who performs an abortion in violation of this section is guilty of a serious misdemeanor.

Sec. 5. NEW SECTION. 135L.5 PROSPECTIVE MINOR PARENTS PROGRAM ADVISORY COMMITTEE CREATED.

1. A prospective minor parents program advisory committee is created which shall be composed of all of the following:

a. The following members appointed by the governor:

- (1) A health care professional.
- (2) A counselor, who has expertise in sexual abuse counseling.
- (3) A representative of a child-placing agency other than a child-placing agency under the management or control of any division of the department of human services or any administrator of the department of human services.
- (4) A juvenile court judge.
- (5) A representative of a crisis pregnancy center.
- (6) A representative of an abortion provider.
- (7) A representative of an adolescent treatment program.
- (8) A school nurse.
- (9) A secondary school teacher.
- (10) A parent.
- (11) A person ordained or designated as a regular leader of a religious community.
- (12) The director of public health, or the director's designee.

b. The following nonvoting members:

- (1) Two members of the senate appointed by the majority leader of the senate after consultation with the minority leader of the senate.
- (2) Two members of the house of representatives appointed by the speaker of the house after consultation with the majority leader and the minority leader of the house.
- (3) The director of human services, or the director's designee.
- (4) The director of the department of education, or the director's designee.
- (5) A minor who is at least fourteen but less than eighteen years of age at the time of the appointment, appointed by the governor.

2. Representative associations of professionals and providers who are to be appointed to the advisory committee may submit a listing of nominees to the governor. The governor may consider the listings in appointing members to the advisory committee. The governor shall appoint members who represent a variety of philosophical views.

3. Members shall serve terms beginning on the date on which all members are initially appointed. Appointments shall comply with sections 69.16 and 69.16A. Vacancies shall be filled by the original appointing authority and in the manner of the original appointments.

4. Nonlegislative members shall receive actual expenses incurred while serving in their official capacity and may also be eligible to receive compensation as provided in section 7E.6. Legislative members shall receive compensation pursuant to section 2.10.

5. The committee shall select a chairperson, annually, from its membership. A majority of the voting members of the committee constitutes a quorum.

6. The advisory committee shall do all of the following:

a. Develop criteria for the selection of a person, through a request for proposals process or other contractual agreement, to develop the video described in this chapter. Following receipt of applications, or upon agreement of a simple majority of the voting members to a contractual agreement, the advisory committee shall also select the recipient of the contract for development of the video.

b. Develop criteria for information to be included in the video. The criteria shall, at a minimum, require that the person developing the video request input from a variety of interest groups and perspectives which have an interest in pregnancy-related issues and that the video present the various perspectives in an unbiased manner.

c. Develop a process for and provide for the distribution of the video and develop confidentiality requirements relating to the persons involved in viewing the video.

d. Promote use of the video and written decision-making materials through public service announcements and other media formats.

e. Provide ongoing evaluation of the prospective minor parents decision-making assistance program including evaluation of the video and written document and of the notification and waiver system, and make recommendations for improvement.

f. Receive input from the public regarding the program through the use of public hearings, focus groups, surveys, and other formats.

7. The committee, upon the advice of the Iowa department of public health, may receive gifts, grants, or donations for the purpose of implementing and continuing the program.

8. The advisory committee and the producer of the video shall attempt to complete and distribute the video for use not later than January 1, 1997.

9. The advisory committee shall submit a report to the general assembly on or before January 8, 1997, regarding the progress of the committee in completing the committee's duties regarding the development and distribution of the video.

10. The Iowa department of public health shall provide administrative support to the advisory committee.

Sec. 6. NEW SECTION. 135L.6 MEDICAL EMERGENCY EXCEPTION – ALTERNATIVE PROCEDURE.

If a pregnant minor's attending physician certifies in writing that a medical emergency exists which necessitates the immediate performance of an abortion on the pregnant minor, and which results in the inapplicability of section 135L.2 with regard to the required offering of the viewing of the video, of section 135L.3 with regard to notification of a parent prior to the termination of parental rights of a pregnant minor for the purposes of placing the child for adoption, or of section 135L.4 with regard to notification of a parent prior to the performance of an abortion on a pregnant minor, the attending physician shall do the following:

1. Certify in writing the basis for the medical judgment that a medical emergency exists and make the written certification available to a parent of the pregnant minor prior to performance of the abortion, if possible.

2. If it is not possible to provide a parent of the pregnant minor with written certification prior to performance of the abortion under subsection 1, the physician shall provide the written certification to a parent of the pregnant minor within twelve hours following the performance of the abortion unless one of the following applies:

a. The abortion is authorized in writing by a parent entitled to notification.

b. (1) The pregnant minor declares, in a written statement submitted to the attending physician, a reason for not notifying a parent and a reason for notifying a grandparent or an aunt or uncle of the pregnant minor in lieu of the notification of a parent. Upon receipt of the written statement from the pregnant minor, the attending physician shall provide notification to a grandparent or an aunt or uncle of the pregnant minor, specified by the pregnant minor, in the manner in which notification is provided to a parent.

(2) The notification form shall be in duplicate and shall include both of the following:

(a) A declaration which informs the grandparent or the aunt or uncle of the pregnant minor that the grandparent or aunt or uncle of the pregnant minor may be subject to civil action if the grandparent or aunt or uncle accepts notification.

(b) A provision that the grandparent or aunt or uncle of the pregnant minor may refuse acceptance of notification.

c. The pregnant minor declares that the pregnant minor is a victim of child abuse pursuant to section 232.68, the person responsible for the care of the child is a parent of the child, and either the abuse has been reported pursuant to the procedures prescribed in chapter 232, division III, part 2, or a parent of the child is named in a report of founded child abuse. The department of human services shall maintain confidentiality under chapter 232 regarding the pregnant minor's pregnancy and abortion, if an abortion is obtained.

d. The pregnant minor declares that the pregnant minor is a victim of sexual abuse as defined in chapter 709 and has reported the sexual abuse to law enforcement.

e. The pregnant minor elects not to allow notification of the pregnant minor's parent and a court authorizes waiver of the notification requirement following completion of the proceedings prescribed under section 135L.3 or 135L.4.

Sec. 7. NEW SECTION. 135L.7 FRAUDULENT PRACTICE.

A person who does any of the following is guilty of a fraudulent practice in the fourth degree pursuant to section 714.12:

1. Knowingly tenders a false original or copy of the signed and dated certification form described in section 135L.2, to be retained by the licensed physician, to be sent to the pregnant minor's attending physician, or to be attached to the termination of parental rights petition pursuant to section 135L.3.

2. Knowingly tenders a false original or copy of the notification document mailed to a parent, grandparent, or aunt or uncle of the pregnant minor under this chapter, a false original or copy of the written certification to be provided to a parent of a pregnant minor pursuant to section 135L.6, or a false original or copy of the order waiving notification relative to the performance of an abortion on a pregnant minor or relative to the termination of parental rights of a pregnant minor.

Sec. 8. NEW SECTION. 135L.8 IMMUNITIES.

1. With the exception of the civil liability which may apply to a grandparent or aunt or uncle of a pregnant minor who accepts notification under this chapter, a person is immune from any liability, civil or criminal, for any act, omission, or decision made in connection with a good faith effort to comply with the provisions of this chapter.

2. This section shall not be construed to limit civil or criminal liability of a person for any act, omission, or decision made in relation to the performance of a medical procedure on a pregnant minor.

Sec. 9. NEW SECTION. 135L.9 ADOPTION OF RULES - IMPLEMENTATION AND DOCUMENTS.

The Iowa department of public health shall adopt rules to implement the notification procedures pursuant to this chapter including but not limited to rules regarding the documents necessary for notification of a parent, grandparent, or aunt or uncle of a pregnant minor who is designated to receive notification under this chapter.

Sec. 10. NEW SECTION. 232.5 ADOPTION OF CHILD BORN TO A MINOR OR ABORTION PERFORMED ON A MINOR - WAIVER OF NOTIFICATION PROCEEDINGS.

The court shall have exclusive jurisdiction over the proceedings for the granting of an order for waiver of the notification requirements relating to the adoption of a child born to a minor or to the performance of an abortion on a minor pursuant to sections 135L.3 and 135L.4.

Sec. 11. Section 600.13, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Noncompliance with the provisions of section 135L.2 or 135L.3 is not grounds for denial, modification, vacation, or appeal of an interlocutory or final adoption decree.

Sec. 12. Section 600A.4, subsection 4, Code 1995, is amended to read as follows:

4. Either a parent who has signed a release of custody, or a nonsigning parent, may, at any time prior to the entry of an order terminating parental rights, request the juvenile court designated in section 600A.5 to order the revocation of any release of custody previously executed by either parent. If such request is by a signing parent, and is within ninety-six hours of the time such parent signed a release of custody, the juvenile court shall order the release revoked. Otherwise, the juvenile court shall order the release or releases revoked only upon clear and convincing evidence that good cause exists for revocation. Good cause for revocation includes but is not limited to a showing that the release was obtained by fraud, coercion, or misrepresentation of law or fact which was material to its execution. Noncompliance by a pregnant minor with the provisions of section 135L.2 or 135L.3 does not constitute good cause for revocation. In determining whether good cause exists for revocation, the juvenile court shall give paramount consideration to the best interests of the child including avoidance of a disruption of an existing relationship between a parent and child. The juvenile court shall also give due consideration to the interests of the parents of the child and of any person standing in the place of the parents.

Sec. 13. Section 600A.9, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Noncompliance with the provisions of section 135L.2 or 135L.3 is not grounds for denial, modification, vacation, or appeal of a termination of parental rights order.

Sec. 14. **EFFECTIVE DATE.** The section of this Act which creates section 135L.5 relating to the establishment of the advisory committee, being deemed of immediate importance, takes effect upon enactment. The advisory committee shall be appointed within sixty days of the enactment of this Act and may begin performing committee duties prior to the beginning of the official commencement of the terms of the committee members as provided in section 135L.5 as created in this Act.

If the advisory committee created pursuant to section 135L.5 has completed its duties regarding the development and distribution of the video pursuant to section 135L.2 prior to January 1, 1997, the remainder of this Act takes effect January 1, 1997. However, even if the advisory committee has not completed its duties prior to January 1, 1997, and the video is not developed and distributed prior to January 1, 1997, the remaining sections of this Act, exclusive of the section which creates section 135L.5, and exclusive of the section and provisions which relate to development, distribution, and offering of the video and the written decision-making materials, take effect January 1, 1997.

Sec. 15. **REPEAL - ADVISORY COMMITTEE.** Section 135L.5 is repealed effective January 1, 1999, or two years following the distribution date of the video as determined by the advisory committee, whichever is later.

Approved March 22, 1996

CHAPTER 1012
REGULATION OF CREDIT UNIONS
S.F. 376

AN ACT relating to the regulation of credit unions by authorizing additional powers and defining certain business relationships and establishing a penalty.

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

Section 1. Section 533.4, subsections 1, 4, 5, and 19, Code 1995, are amended to read as follows:

1. ~~Receive the savings of from its members either, nonmembers as prescribed by rule where the credit union is serving predominantly low-income members, other credit unions, and federal, state, county, and city governments, as payment payments on shares or as deposits, including the right to conduct Christmas clubs, vacation clubs, and other such thrift organizations within the membership. Rules adopted allowing nonmember deposits in credit unions serving predominantly low-income members shall be designed solely to meet the needs of the low-income members.~~

4. ~~Deposit~~ Make deposits in state and national banks, state and federal savings banks or savings and loan associations, and state and federal credit unions, the accounts of which are insured by the federal deposit insurance corporation or the national credit union share insurance fund.

5. Make investments in:

a. Time deposits in ~~state and national banks and in state banks, state and federal savings banks or savings and loan associations, and state and federal credit unions,~~ the deposits of which are insured by the federal deposit insurance corporation or the national credit union share insurance fund.

b. Obligations, participations, or other instruments of or issued by, or fully guaranteed as to principal and interest by the United States government or any agency thereof; or any trust or trusts established for investing directly or collectively in the same.

c. General obligations of the state of Iowa and any subdivision ~~thereof of the state.~~

~~d. Paid-up deposits of savings and loan associations, the deposits of which are insured by the federal savings and loan insurance corporation.~~

e. d. Purchase of notes of liquidating credit unions with the approval of the superintendent.

~~f. e.~~ Shares and deposits in other credit unions.

~~g. f.~~ Shares, stocks, loans, and other obligations or a combination thereof of an organization, corporation, or association, provided the membership or ownership, as the case may be, of the organization, corporation, or association is primarily confined or restricted to credit unions or organizations of credit unions and provided that the purpose of the organization, corporation, or association is primarily designed to provide services to credit unions, organizations of credit unions, or credit union members. However, the aggregate amount invested pursuant to this subsection shall not exceed five percent of the assets of the credit union.

~~h. g.~~ Obligations issued by federal land banks, federal intermediate credit banks, banks for cooperatives, or any or all of the federal farm credit banks.

~~i. h.~~ Commercial paper issued by United States corporations as defined by rule.

~~j. i.~~ Corporate bonds as defined by and subject to terms and conditions imposed by the administrator, provided that the administrator shall not approve investment in corporate bonds unless the bonds are rated in the two highest grades of corporate bonds by a nationally accepted rating agency, including but not limited to a rating of AAA or AA from Standard and Poors.

19. Establish one or more offices other than its main office, subject to the approval and regulation of the superintendent, if such offices ~~shall be~~ are reasonably necessary to furnish