

entering upon the duties of the office as treasurer, shall execute to the extension council a corporate surety bond of ~~one hundred twenty-five percent of the~~ for an amount, as near as can be ascertained, that shall be in the hands of the treasurer at any one time not less than twenty thousand dollars. ~~All such bonds~~ The bond shall be continued ~~to the faithful discharge of~~ until the treasurer faithfully discharges the duties of the office of treasurer. The amount and sufficiency of all bonds shall be determined by the county treasurer of the county of the extension district and upon the treasurer's approval endorsed on the bond shall be filed with the county auditor of the county of the extension district ~~who~~. The county auditor shall notify the chairperson of the extension council of the approval by the county treasurer and of the bond's filing thereof in the auditor's office. The cost of ~~any corporate~~ the surety bond ~~so furnished by a treasurer~~ shall be paid for by the extension council.

Approved April 23, 1997

CHAPTER 74

TOBACCO VIOLATIONS BY UNDERAGE PERSONS — AGE IDENTIFICATION ON LICENSES

S.F. 499

AN ACT relating to privileges and prohibitions for certain persons including those relating to motor vehicle licenses and to the regulation of tobacco, tobacco products, or cigarettes, and providing penalties.

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

Section 1. Section 321.189, subsection 6, Code 1997, is amended to read as follows:

6. LICENSES ISSUED TO MINORS. A motor vehicle license issued to a person under ~~twenty-one~~ eighteen years of age shall be identical in form to any other motor vehicle license except that the words "under ~~twenty-one~~ eighteen" shall appear prominently on the face of the license. A motor vehicle license issued to a person eighteen years of age or older but less than twenty-one years of age shall be identical in form to any other motor vehicle license except that the words "under twenty-one" shall appear prominently on the face of the license. Upon attaining the age of eighteen or upon attaining the age of twenty-one, and upon payment of a one dollar fee, the person shall be entitled to a new motor vehicle license or nonoperator's identification card for the unexpired months of the motor vehicle license or card.

Sec. 2. Section 321.190, subsection 1, paragraph b, Code 1997, is amended to read as follows:

b. The department shall not issue a card to a person holding a motor vehicle license. However, a card may be issued to a person holding a temporary permit under section 321.181. The card shall be identical in form to a driver's license issued under section 321.189 except the word "nonoperator" shall appear prominently on the face of the card. A nonoperator's identification card issued to a person under ~~twenty-one~~ eighteen years of age shall ~~include the word "minor"~~ be identical in form to any other nonoperator's identification card except that the words "under eighteen" shall appear prominently on the face of the card. A nonoperator's identification card issued to a person eighteen years of age or older but under twenty-one years of age shall be identical in form to any other nonoperator's identification card except that the words "under twenty-one" shall appear prominently on the face of the card.

Sec. 3. Section 453A.3, Code 1997, is amended to read as follows:

453A.3 PENALTY.

1. A person who violates section 453A.2, subsection 1, or section 453A.39 is guilty of a simple misdemeanor.

2. A person who violates section 453A.2, subsection 2, shall pay a civil penalty pursuant to section 805.8, subsection 11. Failure to pay the civil penalty imposed for a violation of section 453A.2, subsection 2, is a simple misdemeanor punishable as a scheduled violation under section 805.8, subsection 11. Notwithstanding section 602.8106 or any other provision to the contrary, any civil penalty or fine paid under this subsection shall be retained by the city or county enforcing the violation to be used for enforcement of section 453A.2.

Sec. 4. Section 805.8, subsection 11, Code 1997, is amended to read as follows:

11. SMOKING VIOLATIONS.

a. ~~For violations of section 142B.6 or 453A.2, subsection 2, the scheduled fine is twenty-five dollars, and is a civil penalty, and the criminal penalty surcharge under section 911.2 shall not be added to the penalty, and the court costs pursuant to section 805.9, subsection 6, shall not be imposed. If the civil penalty assessed for a violation of section 142B.6 is not paid in a timely manner, a citation shall be issued for the violation in the manner provided in section 804.1. However, a person under age eighteen shall not be detained in a secure facility for failure to pay the civil penalty. The complainant shall not be charged a filing fee.~~

b. (1) For violations of section 453A.2, subsection 2, the scheduled fine is as follows and is a civil penalty, and the criminal penalty surcharge under section 911.2 shall not be added to the penalty, and the court costs pursuant to section 805.9, subsection 6, shall not be imposed:

(a) If the violation is a first offense, the scheduled fine is twenty-five dollars.

(b) If the violation is a second offense, the scheduled fine is fifty dollars.

(c) If the violation is a third or subsequent offense, the scheduled fine is one hundred dollars.

(2) For failing to pay the civil penalty under section 453A.2, subsection 2, the scheduled fine is twenty-five dollars if the violation is a first offense, fifty dollars if the violation is a second offense, and one hundred dollars if the violation is a third or subsequent offense. Failure to pay the scheduled fine shall not result in the person being detained in a secure facility. The complainant shall not be charged a filing fee.

Approved April 23, 1997

CHAPTER 75
LEGAL SETTLEMENT
S.F. 522

AN ACT relating to legal settlement regarding providers of treatment or services.

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

Section 1. Section 252.16, subsection 8, Code 1997, is amended to read as follows:

8. A person receiving treatment or support services from any ~~community-based~~ provider of, whether organized for pecuniary profit or not or whether supported by charitable or public or private funds, that provides treatment or services for mental retardation, developmental disabilities, mental health, brain injury, or substance abuse does not acquire legal settlement in the host county in which the site of the provider is located unless the person