

CHAPTER 67

ACCOMMODATION OFFENSES — MARIJUANA

H.F. 705

AN ACT to change the penalties for the criminal offense of accommodation involving marijuana.

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

Section 1. Section 124.410, Code 1999, is amended to read as follows:
124.410 ACCOMMODATION OFFENSE.

In a prosecution for unlawful delivery or possession with intent to deliver marijuana, if the prosecution proves that the defendant violated the provisions of section 124.401, subsection 1, by proving that the defendant delivered or possessed with intent to deliver ~~one~~ one-half ounce or less of marijuana which was not offered for sale, the defendant is guilty of an accommodation offense and rather than being sentenced as if convicted for a violation of section 124.401, subsection 1, paragraph "d", shall be sentenced as if convicted of a violation of section 124.401, subsection 5. An accommodation offense may be proved as an included offense under a charge of delivering or possessing with the intent to deliver marijuana in violation of section 124.401, subsection 1. This section does not apply to hashish, hashish oil, or other derivatives of marijuana as defined in section 124.101, subsection 17.

Approved April 26, 1999

CHAPTER 68

REGULATION OF WORKER AND PUBLIC SAFETY AND PROTECTION

S.F. 146

AN ACT relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

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

Section 1. Section 84A.5, subsection 3, Code 1999, is amended to read as follows:

3. The division of labor services is responsible for the administration of the laws of this state ~~relating to occupational health and safety, the inspection of amusement rides, the removal and encapsulation of asbestos, the inspection of boilers, wage payment collection, registration of construction contractors, the minimum wage, non-English speaking employees, child labor, employment agency licensing, boxing and wrestling, inspection of elevators, and hazardous chemical risks under chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 92, 94, and 95, and sections 30.7 and 85.68.~~ The executive head of the division is the labor commissioner, appointed pursuant to section 91.2.

Sec. 2. Section 88.3, subsection 2, Code 1999, is amended to read as follows:

2. "Commissioner" means the labor commissioner appointed pursuant to section 91.2, or the commissioner's designee.

Sec. 3. Section 88.8, subsections 1 and 2, Code 1999, are amended to read as follows:

1. POSTINSPECTION PENALTY NOTICE. If, after an inspection or an investigation, the commissioner issues a citation under section 88.7, the commissioner shall, within a