

less a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 14, 2002

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## CHAPTER 1016

### VIOLENCE AGAINST WOMEN PROGRAM — ADMINISTRATION

*H.F. 2345*

**AN ACT** authorizing the department of justice to administer the violence against women program.

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

Section 1. Section 13.31, Code 2001, is amended by adding the following new subsection: NEW SUBSECTION. 6. Administer the violence against women program and grants received pursuant to the federal Violence Against Women Act, Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, 42 U.S.C. § 13701.

Approved March 14, 2002

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## CHAPTER 1017

### FARM AID ASSOCIATIONS — TERMINATION OR CONVERSION TO NONPROFIT CORPORATIONS

*H.F. 2492*

**AN ACT** relating to farm aid associations, by providing for the future termination of such associations and election procedures to become governed under the Iowa nonprofit corporation Act, and providing an effective date.

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

#### DIVISION I

Section 1. NEW SECTION. 504A.102 FARM AID ASSOCIATIONS — TERMINATION AND ELECTION TO BE GOVERNED UNDER THE IOWA NONPROFIT CORPORATION ACT.

1. TERMINATION. A corporation incorporated and governed under chapter 176 as an association organized under chapter 176 prior to July 1, 2005, that is not governed as a corpora-

tion under this chapter on or before June 30, 2005, as provided in this section is terminated on July 1, 2005.

2. ELECTION PROCEDURE. A corporation incorporated and governed under chapter 176 as an association organized under chapter 176 prior to July 1, 2005, may elect to be governed as a corporation under this chapter. The association governed under chapter 176 shall be a corporation governed under this chapter by complying with all of the following requirements:

a. The adoption of a resolution or resolutions at a meeting of the board of directors upon receiving the vote of a majority of the directors in office and of the members of the association in the same manner as provided in section 504A.35. The resolution or resolutions shall recite that the association voluntarily elects to be governed as a corporation under this chapter. The resolution must designate the address of the association's initial registered office and the name of the association's registered agent or agents at that office, if any.

b. The adoption of articles of incorporation in compliance with section 504A.29 at a meeting of the board of directors upon receiving the vote of a majority of the directors in office and of the members of the association in the same manner as provided in section 504A.35. The articles of incorporation may be a restatement, substitution, or amendment of articles of incorporation adopted by the association pursuant to section 176.3. The articles of incorporation may be made part of the resolution or resolutions adopted by the association pursuant to paragraph "a" of this subsection.

c. Upon the adoption of a resolution or resolutions and articles of incorporation as provided in paragraphs "a" and "b" of this subsection, the president or vice president and secretary or an assistant secretary shall execute an instrument of verification. The instrument of verification shall certify all of the following:

(1) The association name as provided in the association's articles of incorporation pursuant to section 176.3 and the new corporation's corporate name, if different, as provided in section 504A.6.

(2) An identification of each resolution adopted under paragraph "a" of this subsection, including the date of each resolution's adoption, and a recitation that each resolution and the articles of incorporation for the new corporation are filed with the office of secretary of state.

(3) The address of the new corporation's registered office and the name of the new corporation's registered agent as provided in section 504A.8.

d. All of the following shall be delivered to the office of the secretary of state for filing and recording as provided in section 504A.30:

(1) Each resolution adopted pursuant to paragraph "a" of this subsection.

(2) The new corporation's articles of incorporation adopted pursuant to paragraph "b" of this subsection.

(3) The instrument of verification that is executed pursuant to paragraph "c" of this subsection.

3. CERTIFICATE OF INCORPORATION. Upon filing of the resolution or resolutions, the articles of incorporation, and the instrument of verification as provided in subsection 2, the office of secretary of state shall issue a certificate of incorporation and send the certificate to the corporation or its representative as provided in section 504A.30.

4. LIABILITIES AND RIGHTS PRIOR TO THE ELECTION. An association's election to be governed as a corporation under this chapter does not affect any right accrued or established, or any liability or penalty incurred, under the provisions of chapter 176, prior to filing of the resolution or resolutions, articles of incorporation, and instrument of verification by the association as provided in subsection 2.

5. REPEAL. This section is repealed on July 1, 2005.

## DIVISION II CORRESPONDING CHANGES

Sec. 2. Section 159.6, subsection 8, Code 2001, is amended to read as follows:

8. State aid received by certain associations as provided in chapters ~~176~~ 177 through 182, 186, and 352.

Sec. 3. Section 173.3, Code 2001, is amended to read as follows:

173.3 CERTIFICATION OF STATE AID ASSOCIATIONS.

On or before November 15 of each year, the secretary of agriculture shall certify to the secretary of the state fair board the names of the various associations and societies which have qualified for state aid under the provisions of chapters ~~176~~ 177 through 178, 181, 182, 186, and 352, and which are entitled to representation in the convention as provided in section 173.2.

Sec. 4. Section 331.602, subsection 13, Code 2001,<sup>6</sup> is amended by striking the subsection.

Sec. 5. Section 490.1701, subsection 2, Code 2001, is amended to read as follows:

2. Unless otherwise provided, this chapter does not apply to an entity subject to chapter 174, ~~176~~, 497, 498, 499, 499A, 524, 533, or 534 or a corporation organized on the mutual plan under chapter 491, or a telephone company organized as a corporation under chapter 491 qualifying pursuant to an internal revenue service letter ruling under Internal Revenue Code § 501(c)(12) as a nonprofit corporation entitled to distribute profits in a manner similar to a chapter 499 corporation, unless such entity voluntarily elects to adopt the provisions of this chapter and complies with the procedure prescribed by subsection 3 of this section.

Sec. 6. Section 504A.100, subsection 1, Code 2001, is amended to read as follows:

1. Except for this subsection, this chapter shall not apply to or affect corporations subject to the provisions of ~~chapters 176, chapter~~ 497, 498, 499, or 512B. Such corporations shall continue to be governed by all laws of this state heretofore applicable thereto and as the same may hereafter be amended. This chapter shall not be construed as in derogation of or as a limitation on the powers to which such corporations may be entitled.

Sec. 7. Chapter 176 is repealed.

### DIVISION III EFFECTIVE DATE

Sec. 8. EFFECTIVE DATE FOR DIVISION II. Division II of this Act, amending sections 159.6, 173.3, 331.602, 490.1701, and 504A.100, and repealing chapter 176, is effective on July 1, 2005.

Approved March 14, 2002

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## CHAPTER 1018

### SUPPORT OF DEPENDENTS — CALCULATION AND WITHHOLDING — MEDICAL AND EDUCATIONAL SUPPORT

*H.F. 2395*

**AN ACT** relating to child support including provisions relating to medical support and the calculation of the child support amount relative to receipt of federal social security benefits, providing an effective date, and providing for retroactive applicability.

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

Section 1. Section 252D.18A, subsection 1, Code 2001, is amended to read as follows:

1. The total of all amounts withheld shall not exceed the amounts specified in 15 U.S.C.

<sup>6</sup> Code Supplement 2001 probably intended