

CHAPTER 1038CONFIDENTIAL PUBLIC RECORDS —
SCHOOL SECURITY OR EMERGENCY PREPAREDNESS*H.F. 2151*

AN ACT adding certain information concerning school security or emergency preparedness to the list of public records kept confidential.

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

Section 1. Section 22.7, Code Supplement 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 43. Information concerning security procedures or emergency preparedness information regarding a school corporation if disclosure could reasonably be expected to jeopardize student, staff, or visitor safety. This subsection is repealed effective June 30, 2007.

Approved March 29, 2002

CHAPTER 1039

CRIMINAL SENTENCING PROCEDURES — VICTIM IMPACT STATEMENTS

H.F. 2153

AN ACT relating to presentation of victim impact statements at criminal sentencing hearings.

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

Section 1. Section 915.13, subsection 1, paragraph d, Code 2001, is amended to read as follows:

d. The victim's right to make a victim impact statement, in ~~one or both~~ any of the following formats:

(1) Written victim impact statement, delivered in court in the presence of the defendant. Notification shall include the procedures for filing such a statement.

(2) Oral victim impact statement, delivered in court in the presence of the defendant. The victim shall also be notified of the time and place for such statement.

(3) Video victim impact statement, delivered in court in the presence of the defendant. Notification shall include the procedures for making and filing the video recording.

(4) Audio victim impact statement, delivered in court in the presence of the defendant. Notification shall include the procedures for making and filing the audio recording.

Sec. 2. Section 915.21, subsection 1, paragraph a, Code 2001, is amended to read as follows:

a. A victim may file a signed victim impact statement with the county attorney, and a filed impact statement shall be included in the presentence investigation report. If a presentence investigation report is not ordered by the court, a filed victim impact statement shall be provided to the court prior to sentencing. Unless requested otherwise by the victim, the victim impact statement shall be presented at the sentencing hearing in the presence of the defendant, and at any hearing regarding reconsideration of sentence. The victim impact statement may be presented by the victim or the victim's attorney or designated representative.

Sec. 3. Section 915.21, subsection 1, Code 2001, is amended by adding the following new paragraphs:

NEW PARAGRAPH. bb. A victim may make a video recording of a statement or, if available, may make a statement from a remote location through a video monitor at the sentencing hearing, in the presence of the defendant, and at any hearing regarding reconsideration of sentence.

NEW PARAGRAPH. bc. A victim may make an audio recording of the statement or appear by audio via a speakerphone to make a statement, to be delivered in court in the presence of the defendant, and at any hearing regarding reconsideration of sentence.

Sec. 4. Section 915.21, Code 2001, is amended by adding the following new subsections:

NEW SUBSECTION. 3. A victim shall not be placed under oath and subjected to cross examination at the sentencing hearing.

NEW SUBSECTION. 4. Nothing in this section shall be construed to affect the inherent power of the court to regulate the conduct of persons present in the courtroom.

Approved March 29, 2002

CHAPTER 1040

FOREIGN AND INTERNATIONAL ADOPTION PROCEDURES

H.F. 2190

AN ACT relating to the procedural requirements for foreign and international adoption and providing an effective date.

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

Section 1. Section 144.23, subsection 3, unnumbered paragraph 2, Code 2001, is amended by striking the unnumbered paragraph.

Sec. 2. NEW SECTION. 144.25A CERTIFICATE OF BIRTH — FOREIGN AND INTERNATIONAL ADOPTIONS.

The department shall adopt rules pursuant to chapter 17A to establish a procedure for the issuance of a certificate of birth for children adopted pursuant to section 600.15.

Sec. 3. Section 600.13, subsection 5, Code Supplement 2001, is amended to read as follows:

5. An interlocutory or a final adoption decree shall be entered with the clerk of court. Such decree shall set forth any facts of the adoption petition which have been proven to the satisfaction of the juvenile court or court and any other facts considered to be relevant by the juvenile court or court and shall grant the adoption petition. If so designated in the adoption decree, the name of the adopted person shall be changed by issuance of that decree. The clerk of the court shall, within thirty days of issuance, deliver one certified copy of any adoption decree to the petitioner, one copy of any adoption decree to the department and any agency or person making an independent placement who placed a minor person for adoption, and one certification of adoption as prescribed in section 144.19 to the state registrar of vital statistics. Upon receipt of the certification, the state registrar shall prepare a new birth certificate pursuant to section 144.23 and deliver to the parents named in the decree and any adult person adopted by the decree a copy of the new birth certificate. The parents shall pay the fee prescribed in