

## CHAPTER 1014

### PUBLIC UTILITIES — PUBLIC ROAD RIGHTS-OF-WAY

*S.F. 2118*

**AN ACT** regarding public utility rights-of-way and providing an effective date.

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

Section 1. NEW SECTION. 306.46 PUBLIC UTILITY FACILITIES — PUBLIC ROAD RIGHTS-OF-WAY.

1. A public utility may construct, operate, repair, or maintain its utility facilities within a public road right-of-way. The location of new utility facilities shall comply with section 319.5. A utility facility shall not be constructed or installed in a manner that causes interference with public use of the road.

2. For purposes of this section, “public utility” means a public utility as defined in section 476.1, and shall also include waterworks, municipally owned waterworks, joint water utilities, rural water districts incorporated under chapter 357A or 504A, and cooperative water associations. For the purposes of this section, “utility facilities” means any cables, conduits, wire, pipe, casing pipe, supporting poles, guys, and other material and equipment utilized for the furnishing of electric, gas, communications, water, or sewer service.<sup>1</sup>

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 29, 2004

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## CHAPTER 1015

### DESCENT AND DISTRIBUTION OF PROPERTY — DISCLAIMERS OF POWERS, RIGHTS, OR INTERESTS IN PROPERTY AND MEDICAL ASSISTANCE BENEFITS RECOVERY

*S.F. 2167*

**AN ACT** relating to the Iowa probate code, including provisions relating to estate recovery of medical assistance benefits, the power to disclaim property interests, and trusts.

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

Section 1. Section 249A.3, subsection 11, paragraph c, Code Supplement 2003, is amended to read as follows:

c. A disclaimer of any property, interest, or right pursuant to section ~~633.704~~ 633.704E constitutes a transfer of assets for the purpose of determining eligibility for medical assistance in an amount equal to the value of the property, interest, or right disclaimed.

Sec. 2. Section 633.356, subsection 1, unnumbered paragraph 1, Code 2003, is amended to read as follows:

When the gross value of the decedent’s personal property does not exceed twenty-five thou-

<sup>1</sup> See chapter 1175, §332 herein