

contained in a written contract affecting agricultural land as defined in section 9H.1, or dwellings, buildings, or other appurtenances located on the land, the contract must contain a statement in substantially the following form, in boldface type of a minimum size of ten points, and be signed and dated by the person waiving the exemption at the time of the execution of the contract: "I understand that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this contract, I voluntarily give up my right to this protection for this property with respect to claims based upon this contract."

b. A principal or deputy state, county, or city officer shall not be required to waive the officer's homestead exemption in order to be bonded as required pursuant to chapter 64.

2. This section shall not apply to a written contract affecting agricultural land of less than forty acres.

Sec. 2. HOMESTEAD EXEMPTION WAIVER — APPLICABILITY. If a holder of legal or equitable title to real estate affecting agricultural land, or dwellings, buildings, or other appurtenances located on the land, conveyed less than forty acres of such real estate by written contract prior to July 1, 2005, and such written contract was not executed in compliance with the requirements of section 561.22, Code 2005, the holder is deemed to have waived the right to have the holder's homestead exempt from judicial sale unless suit is brought within one year from July 1, 2005, by the holder or the holder's representative to determine the effect of the written contract upon the real estate or any interest in the real estate.

Approved April 29, 2005

CHAPTER 87

CONTAGIOUS OR INFECTIOUS DISEASES — PERSONS CONFINED TO JAIL OR IN PEACE OFFICER CUSTODY

H.F. 777

AN ACT relating to testing a person for contagious or infectious disease if the person assaults a person by exchanging or attempting to exchange bodily fluids, and providing a penalty.

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

Section 1. Section 356.48, Code 2005, is amended to read as follows:
356.48 REQUIRED TEST.

1. A person confined to a jail or in the custody of a peace officer, who bites another person, who causes an exchange of bodily fluids with another person, or who causes any bodily secretion to be cast upon another person, shall submit to the withdrawal of a bodily specimen for testing to determine if the person is infected with a contagious or infectious disease as defined in section 141A.2. The bodily specimen to be taken shall be determined by the attending physician of ~~that the~~ jail or the county medical examiner. The specimen taken shall be sent to the state hygienic laboratory at the state university at Iowa City or some other laboratory approved by the Iowa department of public health. If a person to be tested pursuant to this section refuses to submit to the withdrawal of a bodily specimen, ~~application may be made by the sheriff, or person in charge of the jail to, or any potentially infected person may file an application with~~ the district court for an order compelling the person that may have caused an infection to submit to the withdrawal and, if infected, to receive available treatment. An order authorizing the withdrawal of a specimen for testing may be issued only by a district judge or district associate

judge upon application by the sheriff, or person in charge of the jail, or any other potentially infected person.

2. A person who fails to comply with an order issued pursuant to this section is guilty of a serious misdemeanor.

3. Personnel at the jail shall be notified if a person confined is found to have a contagious or infectious disease.

4. The sheriff, or person in charge of the jail, or any other potentially infected person shall take any appropriate measure to prevent the transmittal of a contagious or infectious disease to other persons, including the segregation of. The sheriff or person in charge of the jail shall also segregate a confined person who tests positive for acquired immune deficiency syndrome from other confined persons.

~~For purposes of this section, "infectious disease" means any infectious condition which if spread by contamination would place others at serious health risk.~~

5. For purposes of this section, "potentially infected person" includes a care provider as defined in section 139A.2.

Approved April 29, 2005

CHAPTER 88

DIRECT CARE WORKER TASK FORCE

H.F. 781

AN ACT relating to the establishment of a direct care worker task force.

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

Section 1. DIRECT CARE WORKER TASK FORCE — RECOMMENDATIONS — REPORT.

1. The Iowa department of public health shall convene a direct care worker task force to review the education and training requirements applicable to and to make recommendations regarding direct care workers. The Iowa department of public health shall provide administrative support for the task force.

2. The task force shall consist of twelve members including representatives of the direct care workforce, health care providers, consumer and disability advocates, and individuals involved in the education and training of direct care workers selected by the governor.

3. The task force shall also include the director or the director's designee of the Iowa department of public health, the department of human services, the department of elder affairs, and the department of inspections and appeals, and members of the general assembly as ex officio, nonvoting members.

4. The legislative members of the task force shall be appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate, and by the speaker of the house, after consultation with the majority leader and the minority leader of the house of representatives.

5. The task force shall select a chairperson from its membership. A majority of the members of the task force shall constitute a quorum.

6. The direct care worker task force shall do all of the following:

a. Identify the existing direct care worker classifications.