

CHAPTER 1082**FAILURE TO STOP AND RENDER AID
AT MOTOR VEHICLE ACCIDENTS — PENALTIES***H.F. 2398*

AN ACT relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident.

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

Section 1. Section 321.261, Code 2005, is amended by adding the following new subsection:

NEWSUBSECTION. 3. Notwithstanding subsection 2, any person failing to stop or to comply with the requirements in subsection 1, in the event of an accident resulting in a serious injury to any person, is guilty upon conviction of an aggravated misdemeanor. For purposes of this section, “serious injury” means as defined in section 702.18.

Sec. 2. Section 321.261, subsection 3, Code 2005, is amended to read as follows:

~~3.~~ **4.** A person failing to stop or to comply with the requirements in subsection 1, in the event of an accident resulting in the death of a person, is guilty upon conviction of ~~an aggravated misdemeanor~~ **a class “D” felony.**

Sec. 3. Section 902.12, subsection 6, Code 2005, is amended to read as follows:

6. Vehicular homicide in violation of section 707.6A, subsection 1 or 2, if the person was also convicted under section 321.261, subsection ~~3~~ **4**, based on the same facts or event that resulted in the conviction under section 707.6A, subsection 1 or 2.

Approved April 21, 2006

CHAPTER 1083**WAGE PAYMENT DEPOSIT AND PAYDAY STATEMENT INFORMATION***H.F. 2508*

AN ACT relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability.

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

Section 1. Section 91A.3, subsection 3, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

The wages paid under subsection 1 shall be sent to the employee by mail or be paid at the employee’s normal place of employment during normal employment hours or at a place and hour mutually agreed upon by the employer and employee, or the employee may elect to have the wages sent for direct deposit, on or by the regular payday of the employee, into a financial institution designated by the employee. ~~An employer shall not require a current employee to participate in direct deposit. The employer~~ **employee hired on or after July 1, 2005, may**

~~require be required, as a condition of hire employment, a new employee to sign up for to participate in~~ direct deposit of the employee's wages in a financial institution of the employee's choice unless any of the following conditions exist:

Sec. 2. Section 91A.3, subsection 3, Code Supplement 2005, is amended by adding the following new unnumbered paragraph after paragraph c:

NEW UNNUMBERED PARAGRAPH. If the employer fails to send an employee's wages for direct deposit on or by the regular payday in accordance with this subsection, the employer is liable for the amount of any overdraft charge if the overdraft is created on the employee's account because of the employer's failure to send the wages on or by the regular payday.

Sec. 3. Section 91A.6, subsection 4, Code Supplement 2005, is amended to read as follows:

4. On each regular payday, the employer shall send to each employee by mail or shall provide at the employee's normal place of employment during normal employment hours a statement showing the hours the employee worked, the wages earned by the employee, and deductions made for the employee. However, the employer need not provide information on hours worked for employees who are exempt from overtime under the federal Fair Labor Standards Act, as defined in 29 C.F.R. pt. 541, unless the employer has established a policy or practice of paying to or on behalf of exempt employees overtime, a bonus, or a payment based on hours worked, whereupon the employer shall send or otherwise provide a statement to the exempt employees showing the hours the employee worked or the payments made to the employee by the employer, as applicable. An employer who provides each employee access to view an electronic statement of the employee's earnings and provides the employee free and unrestricted access to a printer to print the employee's statement of earnings, if the employee chooses, is in compliance with this subsection.

Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act which amends section 91A.3, subsection 3, unnumbered paragraph 1, is retroactively applicable to July 1, 2005, for employees hired on or after that date.

Approved April 21, 2006

CHAPTER 1084

CRIMINAL INDICTMENTS OR INFORMATIONS — STATUTES OF LIMITATIONS

H.F. 2624

AN ACT extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

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

Section 1. Section 802.3, Code 2005, is amended to read as follows:

802.3 FELONY — AGGRAVATED OR SERIOUS MISDEMEANOR.

In all cases, except those enumerated in ~~sections~~ section 802.1, 802.2, ~~and~~ 802.2A, or 802.10, an indictment or information for a felony or aggravated or serious misdemeanor shall be found within three years after its commission.