

Sec. 5. Section 556.20, Code 2007, is amended to read as follows:
556.20 DETERMINATION OF CLAIMS.

1. The state treasurer of state shall consider any claim filed under this chapter and may hold a hearing and receive evidence concerning it the claim. If a hearing is held, the treasurer shall prepare a finding and a decision in writing on each claim filed, stating the substance of any evidence heard by the treasurer and the reasons for the treasurer's decision. The decision shall be a public record.

2. If the claim is allowed, the state treasurer of state shall make payment forthwith. The claim shall be paid without deduction for costs of notices or sale or for service charges. The treasurer or an employee thereof shall not be held liable in any action for any claim paid in good faith pursuant to this section. However, a claimant, attorney in fact, or attorney or any other person representing a claimant to whom such payment is made may be held liable to a person who proves a superior right to the payment.

3. As a condition precedent to payment of any claim filed under this chapter, the treasurer of state may require that the claimant or owner of the unclaimed or abandoned property furnish the treasurer with a surety bond containing terms and provisions acceptable to the treasurer and issued by a corporate surety authorized to do business in this state or with such other form of indemnification and protection that is determined by the treasurer to be acceptable and sufficient to protect the treasurer and the state against any loss, liability, or damage which may arise out of or result from the payment of the claim by the treasurer. The claimant or owner shall be responsible for all premiums, costs, fees, or other expenses associated with any such surety bond or other form of indemnification and protection required pursuant to this subsection.

Sec. 6. NEW SECTION. 556.24A PUBLIC RECORDS.

1. The treasurer of state shall maintain a public record of the name and last known address of each person appearing to be entitled to unclaimed or abandoned property paid or delivered to the treasurer pursuant to this chapter.

2. Notwithstanding any other provision of law, any other identifying information set forth in any report, record, claim, or other document submitted to the treasurer of state pursuant to this chapter concerning unclaimed or abandoned property is a confidential record as provided in section 22.7 and shall be made available for public examination or copying only in the discretion of the treasurer.

Approved April 4, 2007

CHAPTER 38

PUBLIC SAFETY AND LAW ENFORCEMENT — CRIMES, PRACTICES, AND PROCEDURE

S.F. 204

AN ACT relating to the department of public safety practices and procedures.

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

Section 1. Section 80.9, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows:

They A peace officer shall not exercise ~~their~~ the general powers of a peace officer within the limits of any city, except:

Sec. 2. Section 80.9, subsection 2, unnumbered paragraph 1, Code 2007, is amended to read as follows:

In more particular, ~~their~~ the duties of a peace officer shall be as follows:

Sec. 3. Section 80.9, subsection 3, Code 2007, is amended to read as follows:

3. ~~They~~ A peace officer may administer oaths, acknowledge signatures, and take voluntary testimony pursuant to ~~their~~ the peace officer's duties as provided by law.

Sec. 4. Section 81.2, subsection 6, Code 2007, is amended to read as follows:

6. A person required to register as a sex offender shall submit a DNA sample for DNA profiling pursuant to section 81.4.

Sec. 5. NEW SECTION. 692.3 REDISSEMINATION OF ARREST DATA AND OTHER INFORMATION.

A criminal or juvenile justice agency may disseminate arrest data, and the name, photograph, physical description, and other identifying information concerning a person who is wanted or being sought if a warrant for the arrest of that person has been issued. Information relating to any threat the person may pose to the public may also be disseminated. The information may be disseminated through any written, audio, or visual means utilized by a criminal or juvenile justice agency. Any dissemination of information pursuant to this section shall also include the statement provided in section 692.2, subsection 1, paragraph "b", subparagraph (5).

Sec. 6. Section 692.6, Code 2007, is amended to read as follows:

692.6 CIVIL REMEDY.

Any person may institute a civil action for damages under chapter 669 or 670 or to restrain the dissemination of the person's criminal history data or intelligence data in violation of this chapter, ~~and. Notwithstanding any provisions of chapter 669 or 670 to the contrary,~~ any person, agency, or governmental body proven to have disseminated or to have requested and received criminal history data or intelligence data in violation of this chapter shall be liable for actual damages and exemplary damages for each violation and shall be liable for court costs, expenses, and reasonable attorneys' fees incurred by the party bringing the action. In no case shall the award for damages be less than one hundred dollars.

Sec. 7. Section 692.15, subsection 3, Code 2007, is amended to read as follows:

3. The law enforcement agency making an arrest and securing fingerprints pursuant to section 690.2 or taking a juvenile into custody and securing fingerprints pursuant to section 232.148 shall fill out a final disposition report on each arrest or taking into custody on a form and in the manner prescribed by the commissioner of public safety. The final disposition report shall be forwarded to the county attorney, or at the discretion of the county attorney, to the clerk of the district court, in the county where the arrest or taking into custody occurred, or to the juvenile court officer who received the referral, whichever is deemed appropriate under the circumstances.

Sec. 8. Section 692.16, Code 2007, is amended to read as follows:

692.16 REVIEW AND REMOVAL.

At least every year the division shall review and determine current status of all Iowa arrests or takings into custody reported, which are at least ~~one year~~ four years old with no disposition data. Any Iowa arrest or taking of a juvenile into custody recorded within a computer data storage system which has no disposition data after four years shall be removed unless there is an outstanding arrest warrant or detainer on such charge.

Sec. 9. Section 725.9, subsection 2, Code 2007, is amended by striking the subsection.

Sec. 10. Section 725.9, subsection 3, Code 2007, is amended to read as follows:

3. "Gambling device" means a device used or adapted or designed to be used for gambling

and includes, but is not limited to, roulette wheels, klondike tables, punchboards, faro layouts, keno layouts, numbers tickets, slot machines, ~~pachislo skill-stop machine or any other similar machine or device, pinball machines,~~ push cards, jar tickets and pull-tabs. However, “gambling device” does not include an antique slot machine, antique pinball machine, or any device regularly manufactured and offered for sale and sold as a toy, except that any use of such a toy, ~~or antique slot machine or antique pinball machine~~ for gambling purposes constitutes unlawful gambling.

Sec. 11. Section 809A.3, subsection 4, Code 2007, is amended to read as follows:

4. Notwithstanding subsections 1 through 3, violations of chapter 321 or 321J shall not be considered conduct giving rise to forfeiture, except for violations of the following:

a. Section 321.232.

~~a-~~ b. A second or subsequent violation of section 321J.4B, subsection 2, paragraph “b”.

~~b-~~ c. Section 321J.4B, subsection 9.

Approved April 4, 2007

CHAPTER 39

PUBLIC FUNDS DEPOSITS AND INVESTMENTS — SUDAN

S.F. 361

AN ACT concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

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

Section 1. NEW SECTION. 12A.1 LEGISLATIVE FINDINGS AND INTENT.

The general assembly is deeply concerned over the human rights situation in Sudan which calls for stepped-up international efforts to end the crisis in Sudan’s Darfur region, and concurs with United States policy which has officially declared that genocide is ongoing in the Sudan, and demands that the government of Sudan bring an end to these atrocities. Therefore, the general assembly intends that state funds and funds administered by the state, including public employee retirement funds, should not be invested in companies that provide power production-related services, mineral extraction activities, oil-related activities, or military equipment to the government of Sudan, or are complicit in the genocide in Darfur, given the ongoing genocide in that country, the previous atrocities perpetrated by the government of Sudan, and the abysmal human rights situation in that country.

Sec. 2. NEW SECTION. 12A.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. “Active business operations” means all business operations that are not inactive business operations.

2. “Business operations” means engaging in commerce in any form in Sudan, including by acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

3. “Company” means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly-owned subsidiaries, ma-