

CHAPTER 1146

TEXTBOOKS USED AT HIGHER EDUCATION INSTITUTIONS

H.F. 2197

AN ACT recommending institutions of higher learning to provide students with specific textbook information.

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

Section 1. NEW SECTION. 261.7 TEXTBOOK NOTICE — LEGISLATIVE INTENT AND RECOMMENDATION.

1. In order to promote consumer choice and lower the costs of textbooks in higher education, the general assembly intends that students enrolled in institutions of higher learning have access to appropriate textbook information prior to the start of classes, with adequate time to pursue alternative purchase avenues.

2. The general assembly recommends that every public and private institution for higher education in this state, including those institutions referenced in chapters 260C and 262 and section 261.9, post the list of required and suggested textbooks for all courses and the corresponding international standard book numbers for such textbooks at least fourteen days before the start of each semester or term, to the extent possible, at the locations where textbooks are sold on campus and on the web site for the respective institution for higher education.

3. The college student aid commission is directed to convey the legislative intent and recommendation contained in this section to every institution for higher education in the state registered pursuant to chapter 261B at least once a year.¹

Approved May 7, 2008

CHAPTER 1147

ELUDING LAW ENFORCEMENT AND EXPLOSIVES REGULATION

H.F. 2266

AN ACT relating to the criminal offenses of eluding or attempting to elude a law enforcement vehicle and the possession of an incendiary or explosive device or material, and the regulation of explosives, and providing penalties.

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

Section 1. Section 101A.1, subsection 3, Code 2007, is amended to read as follows:

3. "Explosive" or "~~explosives~~" means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, ~~i.e.~~, with substantially instantaneous release of gas and heat, unless such compound, mixture, or device is otherwise specifically classified by the United States department of transportation. The term "~~explosives~~" "explosive" includes all ~~material materials~~ which ~~is~~ are classified as a class A, class B, and class C explosives 1, division 1.1, 1.2, 1.3, or 1.4 explosive by the United States department of transportation, under 49 C.F.R. § 173.50, and all materials classified as explosive materials under 18 U.S.C. § 841, and includes, but is not limited to, dynamite, black powder, pellet powders, initiating explosives, blasting caps, electric blasting caps, safety fuse, fuse lighters, fuse igniters, squibs, cordeau detonative fuse, instantaneous fuse, igniter cord, igniters, smokeless pro-

¹ See chapter 1191, §125 herein

pellant, cartridges for propellant-actuated power devices, ~~and~~ cartridges for industrial guns, ~~and overpressure devices~~, but ~~shall~~ does not include “fireworks” as defined in section 727.2 ~~nor or~~ ammunition or small arms primers manufactured for use in shotguns, rifles, and pistols. Commercial explosives are those explosives which are intended to be used in commercial or industrial operations.

Sec. 2. Section 101A.1, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. “Overpressure device” means any device constructed of a container or improvised container which is filled with a mixture of chemicals or sublimating materials or gases that generate an expanding gas, which is designed or constructed to cause the container to break, fracture, or rupture in a violent manner capable of causing death, serious injury, or property damage.

Sec. 3. Section 321.279, subsection 1, Code 2007, is amended to read as follows:

1. The driver of a motor vehicle commits a serious misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle driven by a uniformed peace officer after being given a visual and audible signal to stop. The signal given by the peace officer shall be by flashing red light, or by flashing red and blue lights, and siren. For purposes of this section, “peace officer” means those officers designated under section 801.4, subsection 11, paragraphs “a”, “b”, “c”, “f”, “g”, and “h”.

Sec. 4. Section 712.6, Code 2007, is amended to read as follows:

712.6 EXPLOSIVE OR INCENDIARY MATERIALS OR DEVICES.

1. ~~Any A~~ person who ~~shall possess~~ possesses any incendiary or explosive device or material with the intent to use such device or material to commit ~~any a~~ public offense shall be guilty of a class “C” felony.

2. a. A person who possesses any incendiary or explosive device or material shall be guilty of an aggravated misdemeanor.

b. This subsection does not apply to a person holding a valid commercial license or user’s permit issued pursuant to chapter 101A, provided that the person is acting within the scope of authority granted by the license or permit.

2. 3. ~~Any A~~ person who, with the intent to intimidate, annoy, or alarm another person, ~~who~~ places a simulated explosive or simulated incendiary device in or near an occupied structure as defined in section 702.12, is guilty of a serious misdemeanor.

Approved May 7, 2008

CHAPTER 1148

DISPOSITION OF SCHOOL PROPERTY

H.F. 2526

AN ACT relating to the disposition of school property.

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

Section 1. Section 278.1, subsection 2, Code 2007, is amended to read as follows:

2. Direct ~~Except when restricted by section 297.25, direct~~ the sale, lease, or other disposition