

inconsistent with this code. ~~This code shall be construed as to effectuate the general purpose of uniformity so far as practical with the uniform code of military justice, 10 U.S.C. ch. 47.~~ All courts and other proceedings shall be conducted under the procedural rules established under 10 U.S.C. ch. 47 unless otherwise provided in this code.

Sec. 3. Section 29B.47, subsection 3, Code 2009, is amended to read as follows:

3. Process issued in court-martial cases to compel witnesses to appear and testify and to compel the production of other evidence shall run to any part of the state United States and shall be executed by civil officers as prescribed by laws of the state United States or the place where the witness or evidence is located.

Sec. 4. NEW SECTION. 29B.107A **Wrongful use or possession of controlled substances.**

1. Any person subject to this code who wrongfully uses, possesses, manufactures, distributes, or introduces into an installation, vessel, vehicle, or aircraft used by or under the control of the armed forces of the United States or of the state military forces, a controlled substance shall be punished as a court-martial may direct.

2. For purposes of this section, “*controlled substance*” includes but is not limited to any of the following:

a. Opium, heroin, cocaine, amphetamine, lysergic acid diethylamide, methamphetamine, phencyclidine, barbituric acid, and marijuana and any compound or derivative of any such substance.

b. Any substance listed on a schedule of controlled substances prescribed by the president of the United States for the purposes of the uniform code of military justice, 10 U.S.C. ch. 47.

c. Any substance listed in schedules I through V of section 202 of the federal Controlled Substances Act, 21 U.S.C. § 812.

Sec. 5. NEW SECTION. 29B.130 **Uniformity of interpretation.**

This code shall be construed as to effectuate the general purpose of uniformity, so far as practical, with the uniform code of military justice, 10 U.S.C. ch. 47.

Approved March 22, 2010

CHAPTER 1088

PUBLIC HEALTH — MISCELLANEOUS ACTIVITIES AND REGULATIONS

H.F. 2144

AN ACT relating to health-related activities and regulation by the department of public health, and making penalties applicable.

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

DIVISION I

PUBLIC HEALTH DISASTER SCHOOL CLOSINGS

Section 1. Section 135.144, Code Supplement 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 13. Order, in conjunction with the department of education, temporary closure of any public school or nonpublic school, as defined in section 280.2, to prevent or control the transmission of a communicable disease as defined in section 139A.2.

DIVISION II
SCHOOL DENTAL SCREENINGS

Sec. 2. Section 135.17, subsection 1, paragraphs a and b, Code Supplement 2009, are amended to read as follows:

a. Except as provided in paragraphs “c” and “d”, the parent or guardian of a child enrolled in elementary school shall provide evidence to the school district or accredited nonpublic elementary school in which the child is enrolled of the child having, no earlier than three years of age but ~~prior to reaching six years of age~~ no later than four months after enrollment, at a minimum, a dental screening performed by a licensed physician ~~as defined in chapter 148~~, a licensed nurse licensed under chapter 152, a licensed physician assistant ~~as defined in section 148C.1~~, or a licensed dental hygienist or dentist ~~as defined in chapter 153~~. Except as provided in paragraphs “c” and “d”, the parent or guardian of a child enrolled in high school shall provide evidence to the school district or accredited nonpublic high school in which the child is enrolled of the child having, at a minimum, a dental screening performed ~~within the prior year~~ no earlier than one year prior to enrollment and not later than four months after enrollment by a licensed dental hygienist or dentist ~~as defined in chapter 153~~. A school district or accredited nonpublic school shall provide access to a process to complete the screenings described in this paragraph as appropriate.

b. A person ~~performing~~ authorized to perform a dental screening required by this section shall record ~~the fact of having conducted that the screening was completed~~, and such additional information required by the department, on uniform forms developed by the department in cooperation with the department of education. The form shall include a space for the person ~~performing the screening~~ to summarize any condition that may indicate a need for special services.

Sec. 3. Section 135.17, subsection 3, Code Supplement 2009, is amended to read as follows:

3. By ~~June 30~~ May 31 annually, each local board shall furnish the department with evidence that each student enrolled in any public or nonpublic school within the local board’s jurisdiction has met the dental screening requirement in this section.

DIVISION III
MISCELLANEOUS PROVISIONS

Sec. 4. Section 135.11, subsection 13, Code Supplement 2009, is amended by striking the subsection.

Sec. 5. Section 135.11, subsection 29, Code Supplement 2009, is amended to read as follows:

29. In consultation with the advisory committee for perinatal guidelines, develop and maintain the statewide perinatal program based on the recommendations of the American academy of pediatrics and the American college of obstetricians and gynecologists contained in the most recent edition of the guidelines for perinatal care, and shall adopt rules in accordance with chapter 17A to implement those recommendations. Hospitals within the state shall determine whether to participate in the statewide perinatal program, and select the hospital’s level of participation in the program. A hospital having determined to participate in the program shall comply with the guidelines appropriate to the level of participation selected by the hospital. Perinatal program surveys and reports are privileged and confidential and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the affected hospital, and are not admissible in evidence in a judicial or administrative proceeding other than a proceeding involving verification of the participating hospital under this subsection.

Sec. 6. Section 135.11, Code Supplement 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 31. Administer the Iowa youth survey, in collaboration with other state agencies, as appropriate, every two years to students in grades six, eight, and eleven

in Iowa's public and nonpublic schools. Survey data shall be evaluated and reported, with aggregate data available online at the Iowa youth survey internet site.

Sec. 7. Section 135.161, Code 2009, is amended by adding the following new subsection:
NEW SUBSECTION. 5. Following the initial submission of recommendations pursuant to subsection 3, the council shall recommend, no later than December 15, 2011, strategies to collect and provide statistically accurate data concerning chronic disease in multicultural groups of racial and ethnic diversity in the state. Following implementation of the strategies and collection of data, the council shall also make evidence-based recommendations to the director to address and reduce identified disparities.

Approved March 22, 2010

CHAPTER 1089

HOME OWNERSHIP ASSISTANCE PROGRAM FOR MILITARY MEMBERS — LENDERS

H.F. 2148

AN ACT relating to eligible lenders for the home ownership assistance program for military members.

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

Section 1. Section 16.54, subsection 4, paragraphs a and b, Code 2009, are amended to read as follows:

a. The person eligible for the program shall, for financed home purchases that close on or after July 1, 2008, use a lender that participates in the authority's applicable programs for ~~first-time~~ homebuyers or a lender approved by the authority under subsection 4A.

b. ~~If the person eligible for the program is a first-time homebuyer, then, for~~ For financed home purchases that close on or after July 1, 2008, the eligible person shall participate, if eligible to participate, in one of the authority's ~~other~~ applicable programs for ~~first-time~~ homebuyers. However, a person eligible for one of the authority's other applicable programs for homebuyers may use a lender that does not participate in the authority's programs for homebuyers if such lender is approved by the authority under subsection 4A.

Sec. 2. Section 16.54, Code 2009, is amended by adding the following new subsection:
NEW SUBSECTION. 4A. a. A mortgage lender maintaining an office in the state that does not participate in the authority's programs for homebuyers may submit an application to the authority for approval to provide a mortgage loan or other financing under the home ownership assistance program or another homebuyer program, if applicable pursuant to subsection 4, paragraph "b". The authority shall prescribe a form for such applications.

b. The authority shall by rule establish criteria for the review and approval of applications submitted under this subsection, including criteria for the approval of a mortgage lender that offers an eligible person a lower annual percentage rate than the annual percentage rates available from lenders that participate in the authority's applicable programs for homebuyers.

c. The authority may determine and collect a reasonable application fee for each application submitted under this subsection. The application fees collected under this subsection shall be used exclusively for costs associated with the review and approval of applications submitted under this subsection.

Approved March 22, 2010