

b. All written reports filed by law enforcement officers as required under section 462A.7, subsection 3, are confidential to the extent provided in section 22.7, subsection 5, and section 622.11. However, a completed law enforcement officer's report shall be made available by the department or the investigating law enforcement agency to any party to a boating accident, collision, or other casualty, the party's insurance company or its agent, or the party's attorney on written request and payment of a fee.

Sec. 3. EFFECTIVE DATE — APPLICABILITY.

1. This Act, being deemed of immediate importance, takes effect upon enactment.
2. Section 1 of this Act applies to written reports of accidents involving water and ice vessel accidents occurring on or after the effective date of this Act.

Approved April 22, 1997

CHAPTER 56

FRAUDULENT PRACTICES INVOLVING PUBLIC ASSISTANCE BENEFITS

S.F. 131

AN ACT relating to fraudulent practices involving family investment and medical assistance program benefits and making penalties applicable.

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

Section 1. Section 239.14, Code 1997, is amended to read as follows:

239.14 FRAUDULENT ACTS PRACTICES.

~~Whoever~~ A person who obtains, ~~or~~ attempts to obtain, or aids or abets any person to obtain, by means of a willfully false statement or representation, by knowingly failing to disclose a material fact, or by impersonation, or any fraudulent device, any assistance under this chapter to which the recipient is not entitled, ~~shall be guilty of~~ commits a fraudulent practice.

Sec. 2. Section 239.17, Code 1997, is amended to read as follows:

239.17 RECOVERY OF ASSISTANCE OBTAINED BY FRAUDULENT ACT PRACTICE.

A person who obtains, ~~or~~ attempts to obtain, or aids or abets any person to obtain, by means of a willfully false statement or representation, by knowingly failing to disclose a material fact, or by impersonation or any fraudulent device, assistance to which the recipient is not entitled, is personally liable for the amount of assistance thus obtained. The amount of the assistance may be recovered from the offender or the offender's estate in an action brought or by claim filed in the name of the state and the recovered funds shall be deposited in the family investment program account. The action or claim filed in the name of the state shall not be considered an election of remedies to the exclusion of other remedies.

Sec. 3. Section 249A.7, unnumbered paragraph 1, Code 1997, is amended to read as follows:

A person who obtains assistance or payments for medical assistance under this chapter ~~by misrepresentation or failure, with fraudulent intent, to bring forth all the facts~~ knowingly making or causing to be made, a false statement or a misrepresentation of a material fact or by knowingly failing to disclose a material fact required of an applicant for aid under the provisions of this chapter and a person who knowingly makes or causes to be made, a false

~~statements statement or a misrepresentation of a material fact or knowingly fails to disclose a material fact concerning the applicant's eligibility for aid under this chapter shall be guilty of commits a fraudulent practice.~~

Sec. 4. Section 249A.8, Code 1997, is amended to read as follows:
249A.8 FRAUDULENT PRACTICE.

A person who knowingly makes or causes to be made false statements or misrepresentations of material facts ~~or knowingly fails to disclose material facts~~ in application for payment of services or merchandise rendered or purportedly rendered by a provider participating in the medical assistance program under this chapter ~~is guilty of~~ commits a fraudulent practice.

Approved April 22, 1997

CHAPTER 57

TRESPASSING OR STRAY LIVESTOCK

S.F. 219

AN ACT relating to trespassing or stray livestock and providing remedies and an effective date.

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

Section 1. NEW SECTION. 169C.1 DEFINITIONS.

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

1. "Aggrieved party" means a landowner or a local authority.
2. "Landowner" means a person who holds an interest in land, including a titleholder or tenant.
3. "Livestock" means an animal belonging to the bovine, caprine, equine, ovine, or porcine species; ostriches, rheas, or emus; farm deer as defined in section 481A.1; or poultry.
4. "Livestock care provider" means a person designated by a local authority to provide care to livestock which is distrained by a local authority.
5. "Livestock owner" means the person who holds title to livestock or who is primarily responsible for the care and feeding of the livestock as provided by the titleholder.
6. "Local authority" means a city as defined in section 362.2 or a county as provided in chapter 331.
7. "Maintenance" means the provision of shelter, food, water, or a nutritional formulation as required pursuant to chapter 717.

Sec. 2. NEW SECTION. 169C.2 CUSTODY AND MAINTENANCE.

A landowner may take custody of livestock if the livestock trespasses upon the landowner's land or strays from the livestock owner's control on a public road which adjoins the landowner's land. A local authority may take custody of the livestock as provided by the local authority. The landowner shall not transfer custody of the livestock to a person other than the livestock owner or a local authority, unless the livestock owner approves of the transfer. A local authority shall not transfer custody of the livestock to a person other than the livestock owner or a livestock care provider.

Sec. 3. NEW SECTION. 169C.3 NOTICE TO LIVESTOCK OWNER.

1. a. If livestock trespasses upon a landowner's land or the landowner takes custody of