



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

April 29, 2005

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit:

**House File 253**, an Act relating to governmental ethics and the duties of the Iowa Ethics and Campaign Disclosure Board.

**House File 313**, an Act relating to the establishment of an industrial processing exemption study committee and including an effective date.

**House File 398**, an Act adding an exemption for colleges and universities established by city ordinance to the requirements relating to the registration of postsecondary schools.

**House File 423**, an Act relating to participation in secondary school interscholastic sports at the varsity and inferior levels.

**House File 532**, an Act relating to the administrative functions of the Department of Cultural Affairs, including the Board of Trustees of the State Historical Society of Iowa and the State Records Commission.

**House File 645**, an Act relating to the regulation of lotteries, including the definition of a lottery, permissible lotteries by commercial organizations, and the prosecution of violators.

**House File 700**, an Act relating to the Iowa Soybean Association, by providing for its board of directors, market development, and providing for an assessment.

**House File 737**, an Act relating to the registration and licensing of mortgage bankers and brokers, providing for fees, and providing an effective date.



**House File 745**, an Act relating to the criminal offense of theft of leased or rented personal property and making penalties applicable.

**House File 746**, an Act providing procedures for a rural water district to transfer its right to provide water or wastewater service and for dissolution of the district.

**House File 754**, an Act relating to a homestead exemption waiver notice contained in a written contract affecting agricultural land.

**House File 777**, an Act relating to testing a person for contagious or infectious disease if the person assaults a person by exchanging or attempting to exchange bodily fluids, and providing a penalty.

**House File 781**, an Act relating to the establishment of a direct care worker task force.

**House File 789**, an Act relating to programs and functions under the purview of the Iowa Department of Public Health.

**House File 839**, an Act providing for the establishment of a technology governance board within the Department of Administrative Service, and making an appropriation.

The above House Files are hereby approved this date.

Sincerely,



Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House



HOUSE FILE 777

AN ACT

RELATING TO TESTING A PERSON FOR CONTAGIOUS OR INFECTIOUS DISEASE IF THE PERSON ASSAULTS A PERSON BY EXCHANGING OR ATTEMPTING TO EXCHANGE BODILY FLUIDS, AND PROVIDING A PENALTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 356.48, Code 2005, is amended to read as follows:

356.48 REQUIRED TEST.

1. A person confined to a jail or in the custody of a peace officer, who bites another person, who causes an exchange of bodily fluids with another person, or who causes any bodily secretion to be cast upon another person, shall submit to the withdrawal of a bodily specimen for testing to determine if the person is infected with a contagious or infectious disease as defined in section 141A.2. The bodily specimen to be taken shall be determined by the attending physician of ~~that~~ the jail or the county medical examiner. The specimen taken shall be sent to the state hygienic laboratory at the state university at Iowa City or some other laboratory approved by the Iowa department of public health. If a person to be tested pursuant to this section refuses to submit to the withdrawal of a bodily specimen, ~~application may be made by~~ the sheriff, ~~or~~ person in charge of the jail ~~to~~, or any potentially infected person may file an application with the district court for an order compelling the person that may have caused an infection to submit to the withdrawal and, if infected, to receive available treatment. An order authorizing the withdrawal of a specimen for testing may be issued only by a district judge or district associate judge

upon application by the sheriff, or person in charge of the jail, or any other potentially infected person.

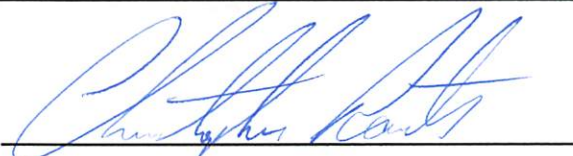
2. A person who fails to comply with an order issued pursuant to this section is guilty of a serious misdemeanor.

3. Personnel at the jail shall be notified if a person confined is found to have a contagious or infectious disease.

4. The sheriff, or person in charge of the jail, or any other potentially infected person shall take any appropriate measure to prevent the transmittal of a contagious or infectious disease to other persons, ~~including the segregation of.~~ The sheriff or person in charge of the jail shall also segregate a confined person who tests positive for acquired immune deficiency syndrome from other confined persons.

~~For purposes of this section, "infectious disease" means any infectious condition which if spread by contamination would place others at serious health risk.~~

5. For purposes of this section, "potentially infected person" includes a care provider as defined in section 139A.2.



CHRISTOPHER C. RANTS  
Speaker of the House



JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 777, Eighty-first General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved April 29, 2005



THOMAS J. VILSACK  
Governor