

Judiciary 3/29

FILED MAR 20 1979

Do Pass per 3809

4/7 (p. 1473)

Amended per 3056 & 3057 1/24/80

SENATE FILE 437

By COMMITTEE ON JUDICIARY

Approved 3/20 (p. 921)

Passed Senate, Date 3-26 79 (p. 955) Passed House, Date 2-6-80 (p. 392)

Vote: Ayes 45 Nays 2 Vote: Ayes 92 Nays 6

Approved 2-21-80

*Repassed Senate as amended by House
2-12-80 (p. 400)
40-1*

A BILL FOR

1 An Act to repeal the limitation on charitable devises.

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

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1 Section 1. Section two hundred twenty-nine point twenty-
2 seven (229.27), subsection one (1), Code 1979, is amended
3 to read as follows:

4 1. Hospitalization of any person under this chapter,
5 either voluntarily or involuntarily, shall not be deemed to
6 constitute a finding of or to equate with nor raise a
7 presumption of incompetency, or to cause the person so
8 hospitalized to be deemed a lunatic, a person of unsound mind,
9 or a person under legal disability for any purpose including
10 but not limited to any circumstances to which sections 447.7,
11 472.15, 545.2, subsection 13, 545.11, subsection 7, 545.36,
12 567.7, 595.3, 597.6, 598.29, 614.8, 614.19, 614.22, 614.24,
13 614.27, 622.6, 633.244, ~~633.266, subsection 4,~~ and 675.21
14 are applicable.

15 Sec. 2. Section six hundred thirty-three point two hun-
16 dred sixty-six (633.266), Code 1979, is repealed.

17 Sec. 3. This Act is effective January first following
18 its enactment.

19 EXPLANATION

20 This bill repeals the limitations of section 633.266 of
21 the Code on the percentage of a decedent's estate that can
22 be willed by the decedent to charitable organizations.

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SENATE FILE 437

H-3809

- 1 Amend Senate File 437 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking line 8 and inserting in
- 4 lieu thereof the words "hospitalized to be deemed
- 5 a-lunatic; a person of unsound mind;".

H-3809 FILED *4/5 2/6 (392)*
APRIL 9, 1979

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT
Shimanek, Chairperson

SENATE FILE 437

H-5056

- 1 Amend Senate File 437 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking line 8 and inserting in
- 4 lieu thereof the words "hospitalized to be deemed
- 5 a-lunatic; a person of unsound mind;".

H-5056 FILED *Adopted 2/6 (p. 392)*
JANUARY 24, 1980

BY COMMITTEE ON JUDICIARY AND LAW
ENFORCEMENT, SHIMANEK, Chairperson

HOUSE AMENDMENT TO SENATE FILE 437

S-5079

- 1 Amend Senate File 437 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking line 8 and inserting in
- 4 lieu thereof the words "hospitalized to be deemed
- 5 a-lunatic; a person of unsound mind;".

S-5079 FILED
FEBRUARY 7, 1980

RECEIVED FROM THE HOUSE
Senate concurred 2/12 (p. 399)

Sec. 2. Section six hundred thirty-three point two hundred sixty-six (633.266), Code 1979, is repealed.

Sec. 3. This Act is effective January first following its enactment.

SENATE FILE 437

AN ACT

TO REPEAL THE LIMITATION ON CHARITABLE DEVICES.

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

Section 1. Section two hundred twenty-nine point twenty-seven (229.27), subsection one (1), Code 1979, is amended to read as follows:

1. Hospitalization of any person under this chapter, either voluntarily or involuntarily, shall not be deemed to constitute a finding of or to equate with nor raise a presumption of incompetency, or to cause the person so hospitalized to be deemed ~~a-lunatic~~, a person of unsound mind, or a person under legal disability for any purpose including but not limited to any circumstances to which sections 447.7, 472.15, 545.2, subsection 13, 545.11, subsection 7, 545.36, 567.7, 595.3, 597.6, 598.29, 614.8, 614.19, 614.22, 614.24, 614.27, 622.6, 633.244, ~~633.266, subsection 4~~, and 675.21 are applicable.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 437, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved 2/21/ 1980

ROBERT D. RAY
Governor