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SENATE FILE 2241  
BY MURPHY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to establishing, for purposes of establishing  
2 disability and providing death benefits under the statewide  
3 fire and police retirement system, a presumption that  
4 infectious diseases are work-related.

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

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S.F. 2241

1 Section 1. Section 411.6, subsection 5, paragraph c, Code  
2 1995, is amended to read as follows:

3 c. Disease under this section shall mean heart disease, or  
4 any disease of the lungs or respiratory tract, or an  
5 infectious disease, and shall be presumed to have been  
6 contracted while on active duty as a result of strain or the  
7 inhalation of noxious fumes, poison, or gases. For purposes  
8 of this paragraph, "infectious disease" includes, but is not  
9 limited to, hepatitis in any form, tuberculosis, HIV or AIDS  
10 as defined in section 141.21, and all forms of cancer.

11 However, if a person's membership in the system first  
12 commenced on or after July 1, 1992, and the heart disease,  
13 infectious disease, or disease of the lungs or respiratory  
14 tract would not exist, but for a medical condition that was  
15 known to exist on the date that membership commenced, the  
16 presumption established in this paragraph shall not apply.

17 Sec. 2. Section 411.6, subsection 9, paragraph b,  
18 unnumbered paragraph 2, Code 1995, is amended to read as  
19 follows:

20 Disease under this subsection shall mean heart disease, or  
21 any disease of the lungs or respiratory tract, or an  
22 infectious disease, and shall be presumed to have been  
23 contracted while on active duty as a result of strain or the  
24 inhalation of noxious fumes, poison, or gases. For purposes  
25 of this paragraph, "infectious disease" includes, but is not  
26 limited to, hepatitis in any form, tuberculosis, HIV or AIDS  
27 as defined in section 141.21, and all forms of cancer.

28 EXPLANATION

29 This bill provides that infectious diseases contracted by a  
30 member of the statewide fire and police retirement system are  
31 presumed to be disease contracted while on active duty due to  
32 the job for purposes of establishing disability or providing a  
33 death benefit. The bill also provides that the presumption  
34 will not apply to members who join the system after July 1,  
35 1992, and in which the infectious disease would not have

1 existed but for a medical condition that was known on the date  
2 the member joined.

3 This bill may impose a state mandate as defined in section  
4 25B.3. The state mandate funding requirement in section  
5 25B.2, however, does not apply to public employee retirement  
6 systems.

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