

FILED FEB 5 1998

JUDICIARY

SENATE FILE 2137

BY REHBERG

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing applicability provisions regarding recent
2 amendments to the law relating to operating while intoxicated
3 offenses.

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

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S.F. 2137

1 Section 1. 1997 Iowa Acts, chapter 177, is amended by
2 adding the following new section:

3 SEC. 39. APPLICABILITY. Sections 1, 4, 8, 15, 16, 18, and
4 31 of this Act, which change the previous six-year time frame
5 for determining if an offender has a prior offense, shall only
6 apply to offenses committed on or after July 1, 1997.

7 With respect to application of time periods for revocation
8 of licenses, eligibility for temporary restricted licenses,
9 and reinstatement of driving privileges, this Act shall only
10 apply to offenses committed on or after July 1, 1997.

11 Sec. 2. RETROACTIVE APPLICABILITY. This Act is
12 retroactively applicable to July 1, 1997, and is applicable on
13 and after that date.

14 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
15 3, shall not apply to this Act.

16 EXPLANATION

17 This bill amends chapter 177 of 1997 Iowa Acts, relating to
18 operating while intoxicated (OWI) offenses. The bill adds two
19 applicability provisions to the session law, to provide
20 expressly that the law applies to offenses committed on or
21 after July 1, 1997, with respect to: (1) using a 12-year time
22 frame to calculate prior OWI offenses for various purposes,
23 and (2) application of new time periods for license
24 revocation, eligibility for temporary restricted licenses, and
25 reinstatement of driving privileges.

26 This bill is retroactive to July 1, 1997.

27 This bill may include a state mandate as defined in Code
28 section 25B.3. This bill makes inapplicable Code section
29 25B.2, subsection 3, which would relieve a political
30 subdivision from complying with a state mandate if funding for
31 the cost of the state mandate is not provided or specified.
32 Therefore, political subdivisions are required to comply with
33 any state mandate included in this bill.

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