

## GENERAL LAWS

### CHAPTER 77

#### STATUTORY CONSTRUCTION

H. F. 587

AN ACT relating to rules of statutory construction.

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

1 SECTION 1. Chapter four (4), Code 1971, is amended by adding  
2 sections two (2) through eleven (11) of this Act.

1 SEC. 2. **Presumption of enactment.** In enacting a statute, it is  
2 presumed that:

3 1. Compliance with the constitutions of the state and of the United  
4 States is intended.

5 2. The entire statute is intended to be effective.

6 3. A just and reasonable result is intended.

7 4. A result feasible of execution is intended.

8 5. Public interest is favored over any private interest.

1 SEC. 3. **Prospective statutes.** A statute is presumed to be pro-  
2 spective in its operation unless expressly made retrospective.

1 SEC. 4. **Ambiguous statutes—interpretation.** If a statute is am-  
2 biguous, the court, in determining the intention of the legislature, may  
3 consider among other matters:

4 1. The object sought to be attained.

5 2. The circumstances under which the statute was enacted.

6 3. The legislative history.

7 4. The common law or former statutory provisions, including laws  
8 upon the same or similar subjects.

9 5. The consequences of a particular construction.

10 6. The administrative construction of the statute.

11 7. The preamble or statement of policy.

1 SEC. 5. **Conflicts between general and special statutes.** If a gen-  
2 eral provision conflicts with a special or local provision, they shall  
3 be construed, if possible, so that effect is given to both. If the conflict  
4 between the provisions is irreconcilable, the special or local provision  
5 prevails as an exception to the general provision.

1 SEC. 6. **Irreconcilable statutes.** If statutes enacted at the same or  
2 different sessions of the legislature are irreconcilable, the statute  
3 latest in date of enactment by the general assembly prevails. If pro-  
4 visions of the same Act are irreconcilable, the provision listed last in  
5 the Act prevails.

1     **SEC. 7. Official copy prevails.** If the language of the official copy  
2 of a statute conflicts with the language of any subsequent printing or  
3 reprinting of the statute, the language of the official copy prevails.

1     **SEC. 8. Reenactment of statutes—continuation.** A statute which  
2 is reenacted, revised or amended is intended to be a continuation of  
3 the prior statute and not a new enactment, so far as it is the same as  
4 the prior statute.

1     **SEC. 9. Conflicting amendments to same statutes—interpretation.**  
2 If amendments to the same statute are enacted at the same or dif-  
3 ferent sessions of the general assembly, one amendment without ref-  
4 erence to another, the amendments are to be harmonized, if possible,  
5 so that effect may be given to each. If the amendments are irrecon-  
6 cilable, the latest in date of enactment by the general assembly pre-  
7 vails.

1     **SEC. 10. Acts or statutes are severable.** If any provision of an  
2 act or statute or the application thereof to any person or circumstance  
3 is held invalid, the invalidity does not affect other provisions or appli-  
4 cations of the act or statute which can be given effect without the  
5 invalid provision or application, and to this end the provisions of the  
6 act or statute are severable.

1     **SEC. 11. General savings provision.** The reenactment, revision,  
2 amendment, or repeal of a statute does not affect:  
3     1. The prior operation of the statute or any prior action taken  
4 thereunder;  
5     2. Any validation, cure, right, privilege, obligation, or liability pre-  
6 viously acquired, accrued, accorded, or incurred thereunder;  
7     3. Any violation thereof or penalty, forfeiture, or punishment in-  
8 curred in respect thereto, prior to the amendment or repeal; or  
9     4. Any investigation, proceeding, or remedy in respect of any priv-  
10  ilege, obligation, liability, penalty, forfeiture, or punishment; and the  
11  investigation, proceeding, or remedy may be instituted, continued, or  
12  enforced, and the penalty, forfeiture, or punishment imposed, as if  
13  the statute had not been repealed or amended.  
14     If the penalty, forfeiture, or punishment for any offense is reduced  
15  by a reenactment, revision, or amendment of a statute, the penalty,  
16  forfeiture, or punishment if not already imposed shall be imposed  
17  according to the statute as amended.

1     **SEC. 12.** Section four point one (4.1), subsection three (3), Code  
2 1971, is amended by striking the subsection and inserting in lieu  
3 thereof the following:  
4     3. Unless otherwise specifically provided by law the singular in-  
5 cludes the plural, and the plural includes the singular. Words of one  
6 gender include the other genders.

1     **SEC. 13.** Section four point one (4.1), subsection thirteen (13),  
2 Code 1971, is amended by striking the subsection and inserting in lieu  
3 thereof the following:  
4     13. Unless otherwise provided by law "person" means individual,

5 corporation, government or governmental subdivision or agency,  
6 business trust, estate, trust, partnership or association, or any other  
7 legal entity.

1 SEC. 14. Section four point one (4.1), Code 1971, is amended by  
2 adding the following new subsections:

3 1. "If a statute refers to a series of numbers or letters, the first  
4 and the last numbers or letters are included."

5 2. "'Child' includes child by adoption."

6 3. "If there is a conflict between figures and words in expressing  
7 a number, the words govern."

8 4. "'Preceding' and 'following' when used by way of reference to  
9 a chapter or other part of a statute means the next preceding or next  
10 following chapter or other part."

11 5. "A quorum of a public body is a majority of the number of  
12 members fixed by statute."

13 6. "'Rule' includes regulation."

14 7. "Words in the present tense include the future."

15 8. "'United States' includes all the states."

16 9. "The word 'week' means seven consecutive days."

17 10. "The word 'year' means twelve consecutive months."

18 Unless otherwise specifically provided by the general assembly,  
19 whenever the following words are used in a statute hereafter en-  
20 acted, their meaning and application shall be:

21 1. The word "shall" imposes a duty.

22 2. The word "must" states a requirement.

23 3. The word "may" confers a power.

Approved May 24, 1971.

## CHAPTER 78

### PAYMENT OF STATE CLAIMS

H. F. 283

AN ACT relating to the payment of claims.

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

1 SECTION 1. Section eight point fifteen (8.15), Code 1971, is  
2 amended as follows:

3 8.15 **Vouchers.** Before a warrant shall be issued for any claim  
4 payable from the state treasury, there shall be filed an itemized, certi-  
5 fied voucher which shall show in detail the items of service, expense,  
6 thing furnished, or contract upon which payment is sought *or in lieu*  
7 *of the claimant's certification on the voucher, there may be attached*  
8 *the claimant's certified original invoice to a department's approved*  
9 *voucher if the invoice shows in detail the items of service, expense,*  
10 *thing furnished, or contract upon which payment is sought and the*