

3 amount of more than one hundred dollars to anything, animate or
 4 inanimate, located thereon or therein shall be punished by a fine not
 5 to exceed three hundred dollars or by imprisonment in the county
 6 jail not to exceed six months or by both such fine and imprisonment.

1 SEC. 4. Sections seven hundred forty-four point three (744.3),
 2 and seven hundred forty-six point four (746.4), Code 1971, are re-
 3 pealed.

1 SEC. 5. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in the
 3 Creston News-Advertiser, a newspaper published in Creston, Iowa,
 4 and in the Marshalltown Times-Republican, a newspaper published in
 5 Marshalltown, Iowa.

Approved May 17, 1971.

I hereby certify that the foregoing Act, Senate File 188, was published in the Creston News-Advertiser, Creston, Iowa, May 20, 1971, and in the Marshalltown Times-Republican, Marshalltown, Iowa, May 20, 1971.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 275

PROTECTIVE EYEGLASSES

S. F. 289

AN ACT relating to providing protective eyeglass lens and frames and providing a penalty.

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

1 SECTION 1. No person shall fabricate, distribute, sell, exchange or
 2 deliver, or have in his possession with the intent to distribute, sell,
 3 exchange or deliver, any eyeglasses or sunglasses unless they are
 4 fitted with plastic lenses or laminated lenses or heat-treated glass
 5 lenses, except in those cases where a duly-licensed physician or optom-
 6 etrist, having found that such lenses will not fulfill the visual require-
 7 ments of a particular patient, directs in writing the use of other
 8 lenses, and gives written notification thereof to the patient. Glass
 9 lenses shall have an optical center of not less than two millimeters,
 10 with an average thickness between the center and the thinnest edge
 11 of not less than one point seven millimeters and with an edge thick-
 12 ness of not less than one millimeter at the thinnest point of the
 13 edged lens. Before they are mounted in frames, all plastic and heat-
 14 treated glass lenses shall be capable of withstanding an impact test
 15 of a five-eighths inch steel ball dropped fifty inches. This test to be
 16 conducted at room temperature, with the lens supported by a plastic
 17 tube one inch inside diameter, one and one-fourth inch outside diam-
 18 eter, with a one-eighth inch by one-eighth inch neoprene gasket on
 19 top edge.

20 No person shall fabricate, distribute, sell, exchange or deliver, or
 21 have in his possession with intent to distribute, sell, exchange or
 22 deliver any eyeglass frame or sunglass frame containing any form of
 23 cellulose nitrate or other highly flammable materials.

24 Any person violating either provision of this law shall upon con-
 25 viction be punished by a fine of not less than five hundred dollars
 26 for each violation.

Approved May 24, 1971.

CHAPTER 276

WAIVER OF JURY IN INDICTABLE MISDEMEANORS

H. F. 393

AN ACT relating to waiver of right to jury trial in indictable misdemeanor cases.

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

1 SECTION 1. Section seven hundred seventy-seven point sixteen
 2 (777.16), Code 1971, is amended as follows:

3 777.16 **Issues of fact—trial.** An issue of fact arises on a plea of
 4 not guilty or of former conviction or acquittal, and no further
 5 pleading is necessary. Issues of fact must be tried by a jury, *unless*
 6 *right to jury trial is waived by defendant pursuant to section seven*
 7 *hundred eighty point twenty-three (780.23) of the Code.*

1 SEC. 2. Section seven hundred eighty point twenty-three (780.23),
 2 Code 1971, is amended by adding the following:

3 “However, when the punishment prescribed for a public offense
 4 does not exceed the punishment provided in section six hundred eighty-
 5 seven point seven (687.7) of the Code, the defendant may waive his
 6 right to jury trial by signing a statement which contains a written
 7 explanation fully apprising the defendant of his right to a jury trial.
 8 The statement shall be read to the defendant by the presiding judge
 9 in open court. The presiding judge shall determine if the defendant
 10 is fully aware of the fact that he is waiving his right to a jury trial
 11 and if satisfied that the defendant is aware of such fact, the defendant
 12 shall be allowed to sign the waiver which shall be filed as part of the
 13 court record.”

Approved June 30, 1971.