

CHAPTER 1123
INFANT SUDDEN DEATH SYNDROME

H. F. 33

AN ACT to require autopsies of children under the age of two years when the circumstances of death indicate that sudden infant death syndrome may be the cause of death, to require that the results of such autopsies be transmitted to a parent, to provide that the state shall pay for these autopsies, and making an appropriation.

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

Section 1. Section three hundred thirty-nine point six (339.6), Code 1977, is amended by adding the following new numbered subsection:

NEW SUBSECTION. 10. Death of a child under the age of two years when death results from an unknown cause or when the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

Sec. 2. Section three hundred thirty-nine point seven (339.7), Code 1977, is amended as follows:

339.7 Investigation by county examiner. The county medical examiner shall investigate each death occurring in the manner specified in section 339.6, and report each case to the state medical examiner. The county medical examiner shall conduct such investigation as may be required by the state medical examiner and shall determine whether or not the public interest requires an autopsy or other special investigation. However, if the death occurred in the manner specified in section

[three hundred thirty-nine point six]*(339.6), [subsection ten]* (10) the county medical examiner shall order an autopsy and shall be reimbursed for expenses incurred by the department of health. In his determination of the need for an autopsy, the county medical examiner may consider the request for an autopsy made by private persons or public officials, except that the state medical examiner or the county attorney of the county where the death occurred may require an autopsy.

Sec. 3. Section three hundred thirty-nine point eight (339.8), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. A summary of the findings resulting from an autopsy of a child under the age of two years whose death resulted from an unknown cause or whose death was surrounded by circumstances which indicate that sudden infant death

*Words supplied by Code editor pursuant to section 3.1, subsection 3 of the Code.

syndrome may have been the cause of death shall be transmitted immediately by the physician who performed the autopsy to the county medical examiner for forwarding to the parent, guardian or custodian of the child via the infant's attending physician or the county examiner or his or her designee. A copy of the autopsy report filed with the county attorney shall be available to the parents, guardian or custodian upon request.

*** Sec. 4. There is appropriated from the general fund to the department of health for the fiscal period beginning January 1, 1978 and ending June 30, 1978, the sum of fifteen thousand (15,000) dollars, or so much thereof as may be necessary, for the purpose of reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome.***

***Item veto

Approved April 26, 1978, except the item designated as Sec. 4 herein which I hereby disapprove for the reasons set forth in my veto message delivered to the Secretary of State this same date, the original of which is attached hereto.

Robert D. Ray
Governor

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 33, an act to require autopsies of children under the age of two years when the circumstances of death indicate that Sudden Infant Death Syndrome may be the cause of death, to require that the results of such autopsies be transmitted to a parent, to provide that the State shall pay for these autopsies, and making an appropriation.

House File 33 is approved April 26, 1978, with the following exception which I hereby disapprove.

I am unable to approve the item designated as Section 4 which reads as follows:

Sec. 4. There is appropriated from the general fund to the department of health for the fiscal period beginning January 1, 1978 and ending June 30, 1978, the sum of fifteen thousand (15,000) dollars, or so much thereof as may be necessary, for the purpose of reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome.

While the \$15,000 appropriation contained in this section is for a very appropriate purpose--that of reimbursing counties for the expenses they incur because of the bill--it will be of no practical benefit to anyone. That is because of a mix-up in the timing of the appropriation.

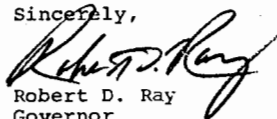
House File 33 was introduced in the 1977 session of the legislature in a form that presumed it would be passed in 1977 and become effective July 1, 1977. The authors of the bill made the appropriation available for the period beginning January 1, 1978, and ending June 30, 1978.

Since House File 33 did not receive final passage in 1977, it was held over and passed in the 1978 session. Unfortunately the appropriation was not updated to reflect the new effective date of the bill, July 1, 1978. Therefore, we end up with the ironic situation that the appropriation will expire the day before the bill becomes effective. Hence, none of the appropriation may be used for its intended purpose.

The legislature has taken quick action to make sure that this situation does not occur. Funds have been appropriated in Senate File 2241 and House File 2440 for reimbursement to counties for expenses resulting from autopsies of suspected victims of the Sudden Infant Death Syndrome during the fiscal year ending in 1979. We fully expect the bill to receive final passage and be sent to the Governor for approval. Once that is accomplished, we will have funding for this important program.

For the above reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 33 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

CHAPTER 1124

COUNTY REAL ESTATE PROJECTS SUBMISSION TO VOTERS

H. F. 2227

AN ACT increasing the dollar limit of real estate projects for which a proposition need not be submitted to electors in the case of federal revenue sharing or matching funds and funds on hand in all counties except counties having a population of more than two hundred thousand, and permitting use of federal revenue sharing funds and federal grants and county funds for the purpose of courthouse remodeling in counties having a population of more than two hundred thousand.

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

Section 1. Section three hundred forty-five point one (345.1), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter one hundred eleven (111), section one (1), is amended to read as follows:

345.1 EXPENDITURES--WHEN VOTE NECESSARY. The board of supervisors shall not order the erection of, or the building of an addition or extension to, or the remodeling or