

forms prescribed by the commission. This does not apply to an individual farm account maintained in the name of the owner or owners for the purpose of conducting ongoing farm business whether it is conducted by the farm owner or by an agent or farm manager when the account is part of a farm management agreement between the owner and agent or manager.

Approved April 6, 1982

CHAPTER 1068

CERTIFICATION OF FLOOR PLANS FOR HORIZONTAL PROPERTY

S.F. 2097

AN ACT allowing the certification of floor plans for a building as required under chapter 499B by a registered land surveyor.

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

Section 1. Section 499B.6, Code 1981, is amended to read as follows:

499B.6 COPY OF THE FLOOR PLANS TO BE FILED. There shall be attached to the declaration, at the time it is filed, a full and an exact copy of the plans of the building, which copy of the plans shall be entered of record along with the declaration. ~~Said~~ The plans shall show graphically all particulars of the building including, but not limited to, the dimensions, area and location of common elements affording access to each apartment. Other common elements, both limited and general, shall be shown graphically insofar as possible and shall be certified to by an engineer ~~or~~ architect ~~authorized and~~, or land surveyor, either of which is registered or licensed to practice his that profession in this state.

Approved April 6, 1982

CHAPTER 1069

COMMUNITY SERVICE SENTENCING

S.F. 2163

AN ACT relating to the performance of unpaid community service by defendants convicted of crimes.

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

Section 1. Section 901.3, Code 1981, is amended to read as follows:

901.3 PRESENTENCE INVESTIGATION REPORT. ~~Whenever~~ If a presentence investigation is ordered by the court, the investigator shall promptly inquire into all of the following:

1. The defendant's characteristics, family and financial circumstances, needs, and potentialities, including the presence of any previously diagnosed mental disorder; the.
2. The defendant's criminal record and social history; the.
3. The circumstances of the offense; the.
4. The time the defendant has been in detention; and the.
5. The harm to the victim, the victim's immediate family, and the community.
6. The defendant's potential as a candidate for the community service sentence program established pursuant to section 4 of this Act.

All local and state mental and correctional institutions, courts, and police agencies shall furnish to the investigator on request the defendant's criminal record and other relevant information. With the approval of the court, a physical examination or psychiatric evaluation of the defendant may be ordered, or the defendant may be committed to an inpatient or outpatient psychiatric facility for an evaluation of his or her personality and mental health. The results of any such examination or evaluation shall be included in the report of the investigator.

Sec. 2. Section 905.7, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Provide a program to assist the court in placing defendants who as a condition of probation are sentenced to perform unpaid community service.

Sec. 3. Section 907.6, Code 1981, is amended to read as follows:

907.6 CONDITIONS OF PROBATION. The court, in ordering probation, may impose any reasonable rules and conditions which will promote rehabilitation of the defendant and protection of the community, including but not limited to adherence to regulations generally applicable to persons released on parole and including requiring unpaid community service as allowed pursuant to section 4 of this Act.

Sec. 4. Chapter 907, Code 1981, is amended by adding the following new section:

NEW SECTION. COMMUNITY SERVICE SENTENCING.

1. The court may establish as a condition of probation that the defendant perform unpaid community service for a time not to exceed the maximum period of confinement for the offense of which the defendant is convicted. If this condition is established, the defendant in cooperation with the probation officer assigned to the defendant and in cooperation with the judicial district department of correctional services, shall promptly prepare a plan to implement the community service condition. The plan shall include but shall not be limited to the suggested placement of the defendant and the suggested number of hours of services to be required.

2. The defendant's plan of community service, the comments of the defendant's probation officer, and the comments of the representative of the judicial district department of correctional services responsible for the unpaid community service program, shall be submitted promptly to the court. The court shall promptly enter an order approving the plan or modifying it. Compliance with the plan of community service as approved or modified by the court shall be a condition of the defendant's probation. The court thereafter may modify the plan at any time upon the defendant's request, upon the request of the judicial district department of correctional services, or upon the court's own motion.

3. At any time during the probation period the defendant may request and the court shall grant a hearing on any matter related to the plan of community service.

4. Failure of the defendant to comply with subsection 1 or to comply with the plan of community service as approved or modified by the court shall constitute a violation of the conditions of probation. Without limitation, the court may modify the plan of community service or modify the required hours of service, but not beyond the maximum hours of service specified in subsection 1 of this section.