

board of health. Formulation of the rules shall include consultation with Iowa hospice organization representatives and other persons affected by the division.

Sec. 4. Section 135B.11, subsection 2, unnumbered paragraph 1, Code 1987, is amended to read as follows:

To review and approve rules and standards authorized under this chapter prior to their approval by the state board of health and adoption by the department of inspections and appeals.

Approved March 20, 1987

CHAPTER 9

PROFITING FROM INTENTIONAL HOMICIDE

H.F. 168

AN ACT to prohibit a person who intentionally and unjustifiably causes or procures the death of another from receiving any property, benefit, or other interest by reason of the death.

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

Section 1. Section 633.535, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

633.535 PERSON CAUSING DEATH.

1. A person who intentionally and unjustifiably causes or procures the death of another shall not receive any property, benefit, or other interest by reason of the death as an heir, distributee, beneficiary, appointee, or in any other capacity whether the property, benefit, or other interest passed under any form of title registration, testamentary or nontestamentary instrument, intestacy, renunciation, or any other circumstance. The property, benefit, or other interest shall pass as if the person causing death died before the decedent.

2. A joint tenant who intentionally and unjustifiably causes or procures the death of another joint tenant thereby affecting their interests so that the share of the decedent passes as the decedent's property and the person causing death has no rights by survivorship. This provision applies to joint tenancies and tenancies by the entireties in real and personal property, joint and multiple-party accounts in banks, savings and loan associations, credit unions, and other institutions, and any other form of co-ownership with survivorship rights.

3. A named beneficiary of a bond, life insurance policy, or any other contractual arrangement who intentionally and unjustifiably causes or procures the death of the principal obligee or person upon whose life the policy is issued or whose death generates the benefits under any other contractual arrangement is not entitled to any benefit under the bond, policy, or other contractual arrangement, and the benefits become payable as though the person causing death had predeceased the decedent.

Sec. 2. Section 633.536, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

633.536 PROCEDURE TO DENY BENEFITS TO A PERSON CAUSING DEATH.

A determination under section 633.535 may be made by any court of competent jurisdiction by a preponderance of the evidence separate and apart from any criminal proceeding arising from the death. However, such a civil proceeding shall not proceed to trial, and the person causing death is not required to submit to discovery in such a civil proceeding until the criminal proceeding has been finally determined by the trial court, or in the event no criminal charge has been brought, until six months after the date of death. A person convicted of murder or voluntary manslaughter of the decedent is conclusively presumed to have intentionally and unjustifiably caused the death for purposes of this section and section 633.535.

Sec. 3. Section 633.537, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

633.537 THIRD PARTY NONLIABILITY.

Any insurance company, bank, or other obligor making payment according to the terms of its policy or obligation is not liable by reason of section 633.535 unless prior to payment it has received at its home office or principal address written notice of the claimed applicability of section 633.535.

Approved March 30, 1987

CHAPTER 10

FIRE EXTINGUISHERS IN PUBLIC BUILDINGS

H.F. 194

AN ACT repealing the prohibition of use of toxic halogenated fire extinguishers in public buildings.

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

Section 1. Section 100.36, Code 1987, is repealed.

Approved March 30, 1987

CHAPTER 11

INDUSTRIAL LOAN COMPANIES

H.F. 265

AN ACT relating to the regulation of industrial loan companies.

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

Section 1. Section 536A.12, unnumbered paragraph 1, Code 1987, is amended to read as follows:

Each such license ~~shall remain~~ remains in full force and effect until surrendered, revoked, or suspended. ~~Every~~ A licensee shall, on or before the second day of January, pay to the superintendent the sum of fifty dollars as an annual license fee for the succeeding calendar year. When a licensee ~~shall change~~ changes its place of business from one location to another in the same city it shall at once give written notice ~~thereof~~ to the superintendent who shall attach to the license in writing the superintendent's record of the change and the date ~~thereof of the change~~, which ~~shall be~~ is authority for the operation of ~~such~~ the business under ~~such that~~ that license at the new place of business.

Sec. 2. Section 536A.12, unnumbered paragraph 2, Code 1987, is amended by striking the paragraph.

Sec. 3. Section 536A.15, Code 1987, is amended to read as follows:

536A.15 EXAMINATION OF LICENSEES.

The superintendent or the superintendent's duly authorized representative shall, at least once each year without previous notice, examine ~~and audit~~ the books, accounts, and records of each licensee engaged in the industrial loan business as defined by this chapter. ~~Any~~ A licen-