

the advocate is required to represent pursuant to this section, the advocate's duties shall include all of the following:

Approved April 24, 1987

CHAPTER 58
NOMINEES FOR COMMISSION ON THE DEAF
H.F. 373

AN ACT relating to the division of deaf services of the department of human rights.

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

Section 1. Section 601K.112, unnumbered paragraph 1, Code 1987, is amended to read as follows:

A commission on the deaf is established, consisting of seven members appointed by the governor, subject to confirmation by the senate. Lists of nominees for appointment to membership on the commission ~~shall~~ may be submitted by the Iowa association for the deaf, the Iowa state registry of interpreters for the deaf, the Iowa school for the deaf, and the commission of persons with disabilities. At least four members shall be persons who cannot hear human speech with or without use of amplification. All members shall reside in Iowa. The members of the commission shall appoint the chairperson of the commission. A majority of the members of the commission shall constitute a quorum.

Approved April 24, 1987

CHAPTER 59
EMPLOYMENT SCREENING FOR JUVENILE
SUBSTANCE ABUSE TREATMENT PROGRAMS
H.F. 378

AN ACT relating to the dissemination and redissemination of criminal history data to the Iowa department of public health for purposes of employment screening for juvenile substance abuse treatment programs, and providing a penalty.

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

Section 1. Section 692.2, subsection 1, Code 1987, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. The Iowa department of public health for the purposes of screening employees and applicants for employment in substance abuse treatment programs which admit juveniles and are licensed under chapter 125.

Sec. 2. Section 692.3, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Notwithstanding subsection 1, paragraph "a", the Iowa department of public health may redisseminate criminal history data obtained pursuant to section 692.2, subsection 1, paragraph "f", to administrators of facilities licensed under chapter 125 which admit juveniles. Persons who receive criminal history data pursuant to this subsection shall not use this information other than for the purpose of screening employees and applicants for employment in substance abuse programs which admit juveniles and are licensed under chapter 125. A person who receives criminal history data pursuant to this subsection and who uses

it for any other purpose or who communicates the information to any other person other than for the purposes permitted by this subsection is guilty of an aggravated misdemeanor.

Approved April 24, 1987

CHAPTER 60

TRANSIENT MERCHANTS' AND OUT-OF-STATE CONTRACTORS' BONDS

H.F. 394

AN ACT relating to nonlocal business entities, particularly transient merchants and out-of-state contractors and providing penalties.

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

Section 1. Section 81A.4, Code 1987, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. The requirements of this section also apply to transient merchants who are licensed in accordance with an ordinance of a city in the state of Iowa.

NEW UNNUMBERED PARAGRAPH. Notwithstanding the above provisions, the bond provided for in this section shall be forfeited to the state of Iowa upon the applicant's failure to pay the total of all taxes payable by or due from the applicant to the state which taxes are administered by the department of revenue and finance. The department shall adopt administrative rules for the collection of the forfeiture. Notice shall be provided to the surety and to the applicant. Notice to the applicant shall be mailed to the applicant's last known address. The applicant or the surety shall have the opportunity to apply to the director of revenue and finance for a hearing within thirty days after the giving of such notice. Upon the failure to timely request a hearing, the bond shall be forfeited. If, after the hearing upon timely request, the director finds that the applicant has failed to pay the total of all taxes payable and the bond is forfeited, the director shall order the bond forfeited. The amount of the forfeiture shall be the amount of taxes payable or the amount of the bond. The surety shall not have standing to contest the amount of any taxes payable. For purposes of this section "taxes payable" means all tax, penalties, interest, and fees that the department has previously determined to be due by assessment or in an appeal of an assessment.

Sec. 2. **NEW SECTION. 81A.10 ENFORCEMENT.**

The attorney general, or designees of the attorney general, may seek an injunction from a court of competent jurisdiction in order to prohibit sales by a transient merchant who is in violation of this chapter.

Sec. 3. Section 103A.3, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 25. "Out-of-state contractor" means a person whose principal place of business is in another state, and which contracts to perform construction, installation, or any other work covered by this chapter, in this state.

Sec. 4. **NEW SECTION. 103A.24 BOND FOR OUT-OF-STATE CONTRACTORS.**

An out-of-state contractor, before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the office of the secretary of state, with sureties to be approved by the secretary of state's office. The bond shall be in the sum of the greater of the following:

1. One thousand dollars.
2. Five percent of the contract price.

Release of the bond shall be conditioned upon the payment of all taxes, including contributions due under the unemployment compensation insurance system, penalties, interest, and