

CHAPTER 116**HOMESTEAD PLATTING AND EXEMPTION***S.F. 179*

AN ACT to provide that a single person may claim a homestead exempt from judicial sale.

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

Section 1. Section 561.4, Code 1987, is amended to read as follows:

561.4 SELECTING — PLATTING.

The owner, husband, or wife, or a single person, may select the homestead and cause it to be platted, but a failure to do so shall not render the same liable when it otherwise would not be, and a selection by the owner shall control. When selected, it shall be designated by a legal description, or if ~~incapable thereof impossible~~ it shall be marked off by permanent, visible monuments, and the description ~~thereof~~ shall give the direction and distance of the starting point from some corner of the dwelling, which description, with the plat, shall be filed and recorded by the recorder of the proper county in the homestead book, which shall be, as nearly as may be, in the form of the record books for deeds, with an index kept in the same manner.

Sec. 2. Section 561.5, Code 1987, is amended to read as follows:

561.5 PLATTED BY OFFICER HAVING EXECUTION.

Should the homestead not be platted and recorded at the time levy is made upon real property in which a homestead is included, the officer having the execution shall give notice in writing to said the owner, and the spouse of such owner, or owners if found within the county, to plat and record the same within ten days after service ~~thereof~~; after which time said the officer shall cause said the homestead to be platted and recorded as ~~above~~, and the expense ~~thereof~~ shall be added to the costs in the case.

Sec. 3. Section 561.16, Code 1987, is amended to read as follows:

561.16 EXEMPTION.

The homestead of every person is exempt from judicial sale where there is no special declaration of statute to the contrary, ~~provided that persons~~. Persons who reside together as a single household unit are entitled to claim in the aggregate only one homestead to be exempt from judicial sale. A single person may claim only one homestead to be exempt from judicial sale. For purposes of this section, "household unit" means all persons of whatever ages, whether or not related, who habitually reside together in the same household as a group.

Approved May 6, 1987

CHAPTER 117**FOSTER CARE TRAINING AND CONFIDENTIALITY***S.F. 290*

AN ACT relating to the requirement for foster parent training, confidentiality requirements for foster care review boards, and incorporating a penalty.

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

Section 1. Section 237.5A, Code 1987, is amended to read as follows:

237.5A FOSTER PARENT TRAINING.

As a condition for initial licensure, each individual licensee shall complete twelve hours of foster parent training offered or approved by the department. Prior to annual renewal of licensure, each individual licensee shall also complete six hours of foster parent training. The training shall include but is not be limited to physical care, education, learning disabilities, referral

to and receipt of necessary professional services, behavioral assessment and modification, self-assessment, self-living skills, and biological parent contact. An individual licensee may complete the training as part of an approved training program offered by a public or private agency with expertise in the provision of child foster care or in related subject areas. The department shall adopt rules to implement and enforce this training requirement.

Sec. 2. Section 237.21, subsection 3, Code 1987, is amended to read as follows:

3. Members of the state board and local boards and the employees of the department are subject to standards of confidentiality pursuant to sections 217.30, ~~and~~ 235A.15, and 600.16. Members of the state and local boards and employees of the department who disclose information or records of the board or department, other than as provided in subsection 2, are guilty of a serious simple misdemeanor.

Approved May 6, 1987

CHAPTER 118

CORRECTIONAL PROGRAMS FOR OWI OFFENDERS AND OTHERS

S.F. 469

AN ACT relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections program.

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

Section 1. Section 246.513, subsection 1, unnumbered paragraph 1, Code 1987, is amended by striking the paragraph and inserting in lieu thereof the following:

The department of corrections in cooperation with judicial district departments of correctional services shall establish in each judicial district bed space for the confinement and treatment of offenders convicted of violating chapter 321J who are sentenced to the custody of the director. The offenders shall first be assigned to the Iowa medical classification facility at Oakdale for classification and after classification may be assigned to a residential facility operated by any judicial district department of correctional services. The facilities established shall meet all the following requirements:

Sec. 2. Section 246.513, Code 1987, is amended by adding the following new subsection after subsection 3, and renumbering the subsequent subsection: