

Sec. 52. Section 28 of this Act is effective January 1, 1989, for tax years beginning on or after that date.

Sec. 53. Sections 35, 36, 37, and 39 through 44 of this Act are effective January 1, 1988, for estates of persons dying on or after that date.

Sec. 54. Section 38 of this Act is retroactive to October 22, 1986, for generation skipping transfers which are eligible for the credit for state taxes under section 2604 of the Internal Revenue Code and are made after October 22, 1986, subject to the special rules of section 1433(b) of Pub. L. No. 99-514.

Sec. 55. Sections 3, 8, 31, 38, and 45 of this Act are repealed January 1, 1988, for tax years beginning on or after that date or for estates of persons dying on or after that date.

Sec. 56. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 4, 1988

CHAPTER 1029

EVIDENCE FROM CRIMINALISTICS LABORATORY

S.F. 2256

AN ACT relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding.

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

Section 1. Section 691.2, Code 1987, is amended to read as follows:

691.2 PRESUMPTION OF QUALIFICATION — ACCEPTANCE IN EVIDENCE.

It shall be presumed that any employee or technician of the criminalistics laboratory is qualified or possesses the required expertise to accomplish any analysis, comparison, or identification done by the employee in the course of the employee's employment in the criminalistics laboratory. Any report, or copy thereof of a report, or the findings of the criminalistics laboratory shall be received in evidence, if determined to be relevant, in any court, preliminary hearing, grand jury proceeding, civil proceeding, administrative hearing, and forfeiture proceeding in the same manner and with the same force and effect as if the employee or technician of the criminalistics laboratory who accomplished the requested analysis, comparison, or identification had testified in person.

PARAGRAPH DIVIDED. A party or the party's attorney may request that an employee or technician testify in person at a criminal trial, administrative hearing, or forfeiture proceeding on behalf of the state or the adverse agency of the state, by notifying the proper county attorney, or in the case of an administrative proceeding the adverse agency, at least ten days before the date of the criminal trial, administrative hearing, or forfeiture proceeding. A party or the party's attorney in any other civil proceeding may require an employee or technician to testify in person pursuant to a subpoena.

Approved April 4, 1988