

civil action. The party shall be given the opportunity to respond to the imposition of the penalty in writing, within a reasonable time as established by rule of the commission.

The commission may reduce or void a civil penalty imposed under this section. A party upon whom a civil penalty is imposed may appeal the action pursuant to chapter 17A. Moneys collected from the civil penalties shall be deposited in the general fund of the state.

Sec. 3. Section 145.4, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The commission shall determine the form in which information will be made available and to whom, when, and under what circumstances the information shall be made available. The commission may enter into agreements with private parties for the release of the information. Consistent with the purpose and intent to protect patient confidentiality expressed in section 145.1, the agreements, the terms of which shall be dictated by the commission, may prohibit parties from rereleasing some or all of the information provided. The commission may assess civil penalties against those parties who violate the terms of the agreements.

Approved May 10, 1991

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## CHAPTER 164

### NOTICE OF COUNTY BUDGET HEARINGS

*H.F. 612*

**AN ACT** relating to the publication of notice for a public hearing on a county budget.

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

Section 1. Section 331.434, subsections 3 and 6, Code 1991, is amended to read as follows:

3. The board shall set a time and place for a public hearing on the budget before the final certification date and shall publish notice of the hearing not less than ten nor more than twenty days prior to the hearing in one or more newspapers which meet the requirements of section 618.14 the county newspapers selected under chapter 349. A summary of the proposed budget, in the form prescribed by the director of the department of management, shall be included in the notice. Proof of publication shall be filed with and preserved by the auditor. A levy is not valid unless and until the notice is published and filed.

6. The board shall appropriate, by resolution, the amounts deemed necessary for each of the different county officers and departments during the ensuing fiscal year. Increases or decreases in these appropriations do not require a budget amendment, but may be provided by resolution at a regular meeting of the board, as long as each class of proposed expenditures contained in the budget summary published under subsection 3 of this section is not increased. However, decreases in appropriations for a county officer or department of more than ten percent or five thousand dollars, whichever is greater, shall not be effective unless the board sets a time and place for a public hearing on the proposed decrease and publishes notice of the hearing not less than ten nor more than twenty days prior to the hearing in one or more newspapers which meet the requirements of section 618.14 the county newspapers selected under chapter 349.

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