

relieved from any other liability for recovery of damages, or other compensation for injury.

Sec. 3. Section 85.36, subsection 10, Code Supplement 1995, is amended to read as follows:

10. If a wage, or method of calculating a wage, is used for the basis of the payment of a workers' compensation insurance premium for a proprietor, partner, limited liability company member, or officer of a corporation, the wage or the method of calculating the wage is determinative for purposes of computing the proprietor's, partner's, limited liability company member's, or officer's weekly workers' compensation benefit rate.

Sec. 4. Section 85.61, subsection 11, unnumbered paragraph 1, Code Supplement 1995, is amended to read as follows:

"Worker" or "employee" means a person who has entered into the employment of, or works under contract of service, express or implied, or apprenticeship, for an employer; an executive officer elected or appointed and empowered under and in accordance with the charter and bylaws of a corporation, including a person holding an official position, or standing in a representative capacity of the employer; an official elected or appointed by the state, or a county, school district, area education agency, municipal corporation, or city under any form of government; a member of the Iowa highway safety patrol; a conservation officer; and a proprietor, limited liability company member, or partner who elects to be covered pursuant to section 85.1A, except as specified in this chapter.

Sec. 5. Section 85.61, subsection 13, paragraph e, Code Supplement 1995, is amended to read as follows:

e. Proprietors, limited liability company members, and partners who have not elected to be covered by the workers' compensation law of this state pursuant to section 85.1A.

Approved April 4, 1996

CHAPTER 1060

LEGALIZATION OF DEFECTIVE NOTARIAL ACTS

H.F. 2081

AN ACT relating to legalizing official acts performed by notaries public more than ten years earlier.

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

Section 1. **NEW SECTION.** 9E.9A DEFECTIVE NOTARIAL ACT.

An instrument in writing to which is attached a defective certificate of acknowledgment attached by a notary public more than ten years earlier is valid, legal, and binding as if the instrument had been properly acknowledged by the notary public.

Sec. 2. Section 586.1, subsections 1 and 2, Code 1995, are amended to read as follows:

1. Official acts performed ~~before 1970~~ more than ten years earlier by notaries public during the time that they held over in office without qualifying after the expiration of the preceding term, if such notaries public ~~have since~~ subsequently qualified.

2. Acknowledgments taken ~~before 1970~~ more than ten years earlier by notaries public outside their jurisdiction.

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