

5. In addition to funds appropriated for the program, the department may allocate resources from the Iowa strategic investment fund under section 15.313 for the administration and operation of the program.

6. The department shall adopt administrative rules pursuant to chapter 17A to administer this section.

Approved April 18, 1997

CHAPTER 48

WORKERS' COMPENSATION FOR PROFESSIONAL ATHLETES

H.F. 370

AN ACT relating to workers' compensation benefits for professional athletes and providing an effective date.

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

Section 1. Section 85.33, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 6. For purposes of this section and section 85.34, subsection 1, "employment substantially similar to the employment in which the employee was engaged at the time of the injury" includes, for purposes of an individual who was injured in the course of performing as a professional athlete, any employment the individual has previously performed.

Sec. 2. Section 85.34, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 6. PROFESSIONAL ATHLETE. For purposes of subsection 2, paragraph "u", a determination of the degree of permanent disability of an individual who was injured in the course of performing as a professional athlete shall not be determined based upon employment as a professional athlete but shall be determined based upon other occupations the individual has previously performed or was reasonably suited to perform at the time of the injury.

Sec. 3. Section 85.36, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 12. In the case of an employee injured in the course of performing as a professional athlete, the basis of compensation for weekly earnings shall be one-fiftieth of total earnings which the employee has earned from all employment for the previous twelve months prior to the injury.

Sec. 4. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 18, 1997