

CHAPTER 1128**CRIME VICTIM COMPENSATION***S.F. 2329*

AN ACT relating to crime victims, by expanding the compensation available from the crime victim compensation program to victims of crime and their families and providing a Code editor directive.

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

Section 1. Section 912.6, Code 1997, is amended to read as follows:

912.6 COMPUTATION OF COMPENSATION.

The department shall award compensation, as appropriate, for any of the following economic losses incurred as a direct result of an injury to or death of the victim:

1. Reasonable charges incurred for medical care not to exceed ten thousand five hundred dollars. Reasonable charges incurred for mental health care not to exceed three thousand dollars which includes services provided by a psychologist licensed under chapter 154B, a person holding at least a master's degree in social work or counseling and guidance, or a victim counselor as defined in section 236A.1.

2. Loss of income from work the victim would have performed and for which the victim would have received remuneration if the victim had not been injured, not to exceed six thousand dollars.

3. Reasonable replacement value of clothing that is held for evidentiary purposes not to exceed one hundred dollars.

4. Reasonable funeral and burial expenses not to exceed five seven thousand five hundred dollars.

5. Loss of support for dependents resulting from death or a period of disability of the victim of sixty days or more not to exceed two thousand dollars per dependent ~~or a total of six thousand dollars.~~

6. In the event of a victim's death, reasonable charges incurred for counseling the victim's spouse, children, parents, siblings, or persons cohabiting with or related by blood or affinity to the victim if the counseling services are provided by a psychologist licensed under chapter 154B, a victim counselor as defined in section 236A.1, subsection 1, or an individual holding at least a master's degree in social work or counseling and guidance, and reasonable charges incurred by such persons for medical care counseling provided by a psychiatrist licensed under chapter 147 or 150A. The allowable charges under this subsection shall not exceed three thousand dollars per person ~~or a total of six thousand dollars per victim death.~~

7. In the event of a victim's death, reasonable charges incurred for health care for the victim's spouse, children, parents, siblings, or persons related by blood or affinity to the victim not to exceed three thousand dollars per survivor.

8. In the event of a victim's death, loss of income from work that, but for the death of the victim, would have been earned by the victim's spouse, child, parent, sibling, or person cohabiting with or related by blood or affinity to the victim, not to exceed six thousand dollars.

~~8.~~ 9. Reasonable expenses incurred for cleaning the scene of a homicide, if the scene is a residence, not to exceed one thousand dollars.

~~9.~~ 10. Reasonable charges incurred for mental health care for secondary victims which includes the services provided by a psychologist licensed under chapter 154B, a person holding at least a master's in social work, counseling, or a related field, a victim counselor as defined in section 236A.1, or a psychiatrist licensed under chapter 147, 148, or 150A. The allowable charges under this subsection shall not exceed one thousand dollars per secondary victim ~~or a total of six thousand dollars.~~

Sec. 2. PREVAILING AMENDMENTS AND CODE EDITOR DIRECTIVE.

1. Any amendments to section 232A.4, section 232.28, subsections 10 and 11, sections 232.28A, 709.10, and 709.17, section 904.108, subsection 6, and chapters 709B, 910A, and 912, Code and Code Supplement, enacted in any Acts of the Seventy-seventh General Assembly, 1998 Session, shall prevail over the repeal of those provisions in 1998 Iowa Acts, House File 2527,* as the reenactment of those provisions in new Code chapter 915 in that Act is intended to be a continuation of the prior statutes but is not intended to preclude further amendment of those provisions.

2. The Code editor is therefore directed to apply and harmonize any amendments enacted during the 1998 Session of the Seventy-seventh General Assembly to section 232A.4, section 232.28, subsections 10 and 11, sections 232.28A, 709.10, and 709.17, section 904.108, subsection 6, and chapters 709B, 910A, and 912, Code and Code Supplement, to the appropriate corresponding provisions of new Code chapter 915, as enacted in 1998 Iowa Acts, House File 2527.*

3. If amendments in other 1998 Iowa Acts to any of the repealed sections and chapters or partially stricken sections cannot easily be applied and harmonized to corresponding provisions in new Code chapter 915, the amendments may be included in a Code editor's bill to be submitted to the general assembly which convenes in January 1999.

4. Notwithstanding subsection 1, the repeal of section 232.28A in section 81 of 1998 Iowa Acts, House File 2527,* is intended to prevail over the amendment of section 232.28A in section 62 of that Act.

Approved April 20, 1998

CHAPTER 1129

SELF-SERVICE DISPLAYS FOR CIGARETTES AND TOBACCO PRODUCTS

H.F. 2120

AN ACT prohibiting the use of self-service displays in the offering for sale or sale of cigarettes or tobacco products, and providing a penalty.

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

Section 1. **LEGISLATIVE INTENT.** It is the intent of the general assembly to restrict access of minors to cigarettes and tobacco products by limiting self-service sales and self-service displays of cigarettes and tobacco products. This Act is necessary because of the widespread problem of access of minors to cigarettes and tobacco products through unsupervised sales and shoplifting. The general assembly recognizes that a large percentage of adult smokers begin smoking before they can legally purchase tobacco products. Cigarette smoking is responsible for hundreds of thousands of deaths each year and thousands of minors start smoking each day. The overall purpose of this Act is to protect the health and welfare of the citizens of this state.

Sec. 2. Section 453A.1, Code 1997, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. "Carton" means a box or container of any kind in which ten or more packages or packs of cigarettes or tobacco products are offered for sale, sold, or otherwise distributed to consumers.

* Chapter 1090 herein