

CHAPTER 133

COUNTY AGRICULTURAL EXTENSION COUNCILS — DUTIES AND MEETINGS

S.F. 41

AN ACT relating to the duties and meetings of the county agricultural extension councils.

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

Section 1. Section 176A.7, subsection 2, Code 1999, is amended to read as follows:

2. Each extension council shall meet ~~during the months of January and July~~ at least two times during a calendar year and at other times during the year as the council determines. The date, time, and place of each meeting shall be fixed by the council.

Sec. 2. Section 176A.8, subsections 1 and 8, Code 1999, are amended to read as follows:

1. To elect from their own number annually ~~in January~~ a chairperson, vice chairperson, secretary and a treasurer who shall serve and be the officers of the extension council for a term ~~expiring December 31~~ each of one year, and perform the functions and duties as herein in this chapter provided.

8. To prepare annually ~~on or before January 31~~ March 15 a budget for the fiscal year beginning July 1 and ending the following June 30, in accordance with the provisions of chapter 24 and certify the same to the board of supervisors of the county of their extension district as required by law.

Sec. 3. Section 176A.8, subsections 2 and 4, Code 1999, are amended by striking the subsections.

Sec. 4. Section 176A.10, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The extension council of each extension district shall, at a ~~regular or special~~ meeting held ~~in January in each year~~ before March 15, estimate the amount of money required to be raised by taxation for financing the county agricultural extension education program authorized in this chapter. The annual tax levy and the amount of money to be raised from the levy for the county agricultural extension education fund shall not exceed the following:

Approved May 18, 1999

CHAPTER 134

VIATICAL SETTLEMENT CONTRACTS — SALE AS INVESTMENTS

S.F. 410

AN ACT providing for the regulation of viatical settlement contracts when sold as investments.

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

Section 1. Section 502.102, subsection 13, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. With respect to a viatical settlement contract, “issuer” means a person involved in creating, transferring, or selling to an investor any interest in such a contract, including but not limited to fractional or pooled interests, but does not include an agent or a broker-dealer.

Sec. 2. Section 502.102, subsection 19, Code 1999, is amended to read as follows:

19. "Security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; certificate of interest or participation in a profit sharing agreement; collateral trust certificate; preorganization certificate or subscription; transferable share; investment contract; viatical settlement contract, or any fractional or pooled interest in such contract; voting trust certificate; certificate of deposit for a security; fractional undivided interest in an oil, gas, or other mineral lease or in payments out of production under such a lease, right, or royalty; an interest in a limited liability company or in a limited liability partnership or any class or series of such interest, including any fractional or other interest in such interest; or, in general, any interest or instrument commonly known as a "security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing. "Security" does not include an insurance or endowment policy or annuity contract under which an insurance company promises to pay money either in a lump sum or periodically for life or for some other specified period. "Security" also does not include an interest in a limited liability company or a limited liability partnership if the person claiming that such an interest is not a security proves that all of the members of the limited liability company or limited liability partnership are actively engaged in the management of the limited liability company or limited liability partnership; provided that the evidence that members vote or have the right to vote, or the right to information concerning the business and affairs of the limited liability company or limited liability partnership, or the right to participate in management, shall not establish, without more, that all members are actively engaged in the management of the limited liability company or limited liability partnership.

Sec. 3. Section 502.102, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 20A. "Viatical settlement contract" means an agreement for the purchase, sale, assignment, transfer, devise, or bequest of any portion of the death benefit or ownership of a life insurance policy or contract, for consideration which is less than the expected death benefit of the life insurance policy or contract.

Sec. 4. Section 502.202, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 19. A viatical settlement contract, or fractional or pooled interest in such contract, provided any of the following conditions are satisfied:

- a. The assignment, transfer, sale, devise, or bequest of a death benefit of a life insurance policy or contract, is made by the viator to an insurance company as provided under Title 13, subtitle 1.
- b. The assignment, transfer, sale, devise, or bequest of a life insurance policy or contract, for any value less than the expected death benefit, is made by the viator to a family member or other person who enters into no more than one such agreement in a calendar year.
- c. A life insurance policy or contract is assigned to a bank, savings bank, savings and loan association, credit union, or other licensed lending institution as collateral for a loan.
- d. Accelerated benefits are exercised as provided in the life insurance policy or contract and consistent with applicable law.

Approved May 18, 1999