

(1) December 1 of the school year prior to the beginning of the school year for which the services are being requested.

(2) Ninety days prior to the beginning of the time for which the services are being requested if the facility is a newly established facility.

Sec. 2. EFFECTIVE DATE — FACILITIES FOR 1999-2000 SCHOOL YEAR. Section 1 of this Act, amending section 282.30 and relating to educational services provided to a facility by an area education agency, being deemed of immediate importance, takes effect upon enactment. A facility described in section 282.30, subsection 1, paragraph “a”, that was initially established and approved or licensed after December 1, 1998, and that made a written request to the area education agency for educational services at least ninety days prior to the placement of children at the facility, shall be reimbursed by the department of revenue and finance for the facility’s costs of providing the appropriate educational services to children placed at the facility for the 1999-2000 school year. The reimbursable costs shall be approved pursuant to section 282.31 and applicable administrative rules. Any amount paid by the department of revenue and finance shall be deducted monthly from the state foundation aid paid under section 257.16 to all school districts in the state during the subsequent fiscal year.

Approved April 20, 2000

CHAPTER 1122

DNA PROFILING

S.F. 2324

AN ACT relating to DNA profiling.

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

Section 1. Section 13.10, Code 1999, is amended to read as follows:

13.10 PHYSICAL CRIMINAL EVIDENCE — DNA PROFILING.

1. The attorney general shall adopt rules in consultation with the division of criminal investigation, department of public safety, for the purpose of classifying felonies and indictable misdemeanors which shall require the offender to submit a physical specimen for DNA profiling upon confinement in or prior to release from a county jail, upon commitment to the custody of the director of the department of corrections or, prior to discharge of sentence or, as a condition of probation, parole, or work release. Factors to be considered shall include the deterrent effect of DNA profiling, the likelihood of repeated violations, and the seriousness of the offense. The offenses that require the offender to submit a physical specimen for DNA profiling shall include but are not limited to the following:

- a. Murder in violation of section 707.2 or 707.3.
- b. Attempt to commit murder in violation of section 707.11.
- c. Kidnapping in violation of section 710.1, 710.2, or 710.3.
- d. Sexual abuse in violation of sections 709.2, 709.3, or 709.4.
- e. Assault with intent to commit sexual abuse in violation of section 709.11.
- f. Assault while participating in a felony in violation of section 708.3.
- g. Burglary in the first degree in violation of section 713.3.

~~2. Upon appropriation or receipt of sufficient funds, the~~ The division of criminal investigation shall carry out DNA profiling of submitted physical specimens. The division may contract with private entities for DNA profiling. "DNA profiling" means the procedure established by the division of criminal investigation, department of public safety, for determining a person's genetic identity.

Sec. 2. Section 901.2, unnumbered paragraph 2, Code Supplement 1999, is amended by striking the unnumbered paragraph.

Sec. 3. Section 901.5, Code 1999, is amended by adding the following new subsection: NEW SUBSECTION. 8A. a. The court shall order DNA profiling of a defendant convicted of an offense that requires profiling under section 13.10.

b. Notwithstanding section 13.10, the court may order the defendant to provide a physical specimen to be submitted for DNA profiling if appropriate. In determining the appropriateness of ordering DNA profiling, the court shall consider the deterrent effect of DNA profiling, the likelihood of repeated offenses by the defendant, and the seriousness of the offense.

Sec. 4. Section 906.4, unnumbered paragraph 2, Code 1999, is amended to read as follows:

~~Notwithstanding section 13.10, the board may determine if the defendant shall be required to provide a physical specimen to be submitted for DNA profiling as a condition of parole or work release. The board shall consider the deterrent effect of DNA profiling, the likelihood of repeated violations by the offender, and the seriousness of the offense. When funds have been allocated from the general fund of the state, or funds have been provided by other public or private sources, the board shall order DNA profiling if appropriate. Notwithstanding section 13.10, the board may order the defendant to provide a physical specimen to be submitted for DNA profiling as a condition of parole or work release, if appropriate. In determining the appropriateness of ordering DNA profiling, the board shall consider the deterrent effect of DNA profiling, the likelihood of repeated offenses by the defendant, and the seriousness of the offense.~~

Approved April 20, 2000

CHAPTER 1123

INTERAGENCY SHARING OF CONFIDENTIAL INFORMATION

S.F. 2369

AN ACT relating to the sharing of juvenile court social records, child abuse records, or other information.

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

Section 1. Section 217.30, subsection 4, paragraph b, Code 1999, is amended to read as follows:

b. Confidential information described in subsection 1, paragraphs "a," "b", and "c", shall be disclosed to public officials, for use in connection with their official duties relating to law enforcement, audits and other purposes directly connected with the administration of such programs, upon written application to and with approval of the director or the director's designee. Confidential information described in subsection 1 paragraphs "a", "b", and "c",