

tural property under chapter 554, or to otherwise garnish, levy on, execute on, seize, or attach agricultural property, shall file a request for mediation with the farm mediation service. The creditor shall not begin the proceeding subject to this chapter until the creditor receives a mediation release, or until the court determines after notice and hearing that the time delay required for the mediation would cause the creditor to suffer irreparable harm. Title to land that is agricultural property is not affected by the failure of any creditor to receive a mediation release regardless of its validity. The time period for the notice of right to cure provided in section 654.2A shall run concurrently with the time period for the mediation period provided in this section and section 654A.10.

b. The requirements of paragraph "a" are jurisdictional prerequisites to a creditor filing a civil action that initiates a proceeding subject to this chapter.

Sec. 2. Section 654B.3, subsection 1, Code 1999, is amended to read as follows:

1. a. A person who is a farm resident, or other party, desiring to initiate a civil proceeding to resolve a dispute, shall file a request for mediation with the farm mediation service. The person shall not begin the proceeding until the person receives a mediation release, or until the court determines after notice and hearing that one of the following applies:

a. (1) The time delay required for the mediation would cause the person to suffer irreparable harm.

b. (2) The dispute involves a claim which has been brought as a class action.

b. The requirements of paragraph "a" are jurisdictional prerequisites to a person filing a civil action that initiates a civil proceeding to resolve a dispute subject to this chapter.

Approved April 20, 2000

CHAPTER 1130

GAMES AND RAFFLES

S.F. 2143

AN ACT relating to the eligibility of certain school organizations to conduct games and raffles and the disposition of receipts from games and raffles.

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

Section 1. Section 99B.1, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 24. "Unrelated entity" means a person that has a separate and distinct state charter and tax identification number from any other person, and, if the person is an individual, an individual that is not related by law or by consanguinity.

Sec. 2. Section 99B.7, subsection 1, paragraph m, subparagraph (1), Code 1999, is amended to read as follows:

(1) The organization is eligible for exemption from federal income taxes under section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code as defined in section 422.3, or in lieu of eligibility for exemption from federal income taxes, the organization is a parent-teacher organization or booster club that is recognized as a fund-raiser and supporter for a school district organized pursuant to chapter 274 or for a school within the school district, in a notarized letter signed by the president of the board of directors, the superintendent of the school district, or a principal of a school within that school district.

Sec. 3. Section 99B.7, Code 1999, is amended by adding the following new subsection:
NEW SUBSECTION. 3A. If a licensee derives ninety percent or more of its total income from conducting bingo, raffles, or small games of chance, at least seventy-five percent of the licensee's net receipts shall be distributed to an unrelated entity for an educational, civic, public, charitable, patriotic, or religious use.

Approved April 21, 2000

CHAPTER 1131

CRIMINAL DEFENDANTS — APPEARANCE — RELEASE

S.F. 2146

AN ACT relating to the appearance in court and the release from custody of certain criminal defendants.

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

Section 1. Section 805.6, subsection 1, paragraph c, Code 1999, is amended by adding the following new subparagraph before subparagraph (1):

NEW SUBPARAGRAPH. (0) If the offense is one to which an assessment of a minimum fine is applicable and the entry is otherwise not prohibited by this section, an amount equal to one and one-half times the minimum fine plus court costs.

Sec. 2. Section 805.6, subsection 1, paragraph c, subparagraph (3), Code 1999, is amended to read as follows:

(3) If the violation is for any offense for which a court appearance is mandatory, and an assessment of a minimum fine is not applicable, the amount of one hundred dollars plus court costs.

Sec. 3. Section 805.6, subsection 1, paragraph d, Code 1999, is amended to read as follows:

d. The written appearance defined in paragraph "b" shall not be used for any offense other than a simple misdemeanor and shall not be used for any offense under section 321.218 or 321A.32.

Sec. 4. Section 805.10, subsection 1, Code 1999, is amended to read as follows:

1. When the violation charged involved or resulted ~~in an accident or injury to property and the total damages are one thousand dollars or more, or in an~~ a death or caused serious injury to person as defined under section 702.18.

Sec. 5. Section 805.10, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. When the violation charged involved or resulted in an accident or injury to property and based upon the violator's driving record, or failure to pay any fine, surcharge, or court costs, or any other circumstances involving the accident, the officer determines a court appearance is necessary.