

CHAPTER 104 RESERVE PEACE OFFICERS

H.F. 229

AN ACT relating to judicial district departments of correctional services by providing for the establishment of a reserve peace officer force.

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

Section 1. Section 80D.1, Code 2001, is amended to read as follows:

80D.1 ESTABLISHMENT OF A FORCE OF RESERVE PEACE OFFICERS.

The governing body of a city, a county, ~~or~~ the state of Iowa, or a judicial district department of correctional services may provide, either separately or collectively through a chapter 28E agreement, for the establishment of a force of reserve peace officers, and may limit the size of the reserve force. In the case of the state, the department of public safety shall act as the governing body.

This chapter constitutes the only procedure for appointing reserve peace officers.

Sec. 2. Section 80D.4, Code 2001, is amended to read as follows:

80D.4 TRAINING.

Training for individuals appointed as reserve peace officers shall be provided by that law enforcement agency, but may be obtained in a community college or other facility selected by the individual and approved by the law enforcement agency. Upon satisfactory completion of training required by the Iowa law enforcement academy, the chief of police, sheriff, ~~or~~ commissioner of public safety, or director of the judicial district department of correctional services shall certify the individual as a reserve peace officer.

Sec. 3. Section 80D.6, Code 2001, is amended to read as follows:

80D.6 STATUS OF RESERVE PEACE OFFICERS.

Reserve peace officers shall serve as peace officers on the orders and at the discretion of the chief of police, sheriff, ~~or~~ commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be.

While in the actual performance of official duties, reserve peace officers shall be vested with the same rights, privileges, obligations, and duties as any other peace officers.

Sec. 4. Section 80D.7, Code 2001, is amended to read as follows:

80D.7 CARRYING WEAPONS.

A member of a reserve force shall not carry a weapon in the line of duty until the member has been approved by the governing body and certified by the Iowa law enforcement academy council to carry weapons. After approval and certification, a reserve peace officer may carry a weapon in the line of duty only when authorized by the chief of police, sheriff, ~~or~~ commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be.

Sec. 5. Section 80D.9, Code 2001, is amended to read as follows:

80D.9 SUPERVISION OF RESERVE PEACE OFFICERS.

Reserve peace officers shall be subordinate to regular peace officers, shall not serve as peace officers unless under the direction of regular peace officers, and shall wear a uniform prescribed by the chief of police, sheriff, ~~or~~ commissioner of public safety, or director of the judicial district department of correctional services unless that superior officer designates alternate apparel for use when engaged in assignments involving special investigation, civil process, court duties, jail duties and the handling of mental patients. The reserve peace officer shall not wear an insignia of rank. Each department for which a reserve force is established shall appoint a ~~regular force~~ certified peace officer as the reserve force co-

ordinating and supervising officer. A reserve peace officer force established in a judicial district department of correctional services must be directly supervised by a certified peace officer who is on duty. That ~~regular~~ certified peace officer shall report directly to the chief of police, sheriff, ~~or~~ commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be.

Sec. 6. Section 80D.11, Code 2001, is amended to read as follows:

80D.11 EMPLOYEE — PAY.

While performing official duties, each reserve peace officer shall be considered an employee of the governing body which the officer represents and shall be paid a minimum of one dollar per year. The governing body of a city, a county, ~~or~~ the state, or a judicial district department of correctional services may provide additional monetary assistance for the purchase and maintenance of uniforms and equipment used by reserve peace officers.

Sec. 7. Section 905.4, Code 2001, is amended by adding the following new subsection: NEW SUBSECTION. 11. Have authority to establish a force of reserve peace officers, either separately or collectively through a chapter 28E agreement, as provided in chapter 80D.

Sec. 8. Section 905.6, subsection 3, Code 2001, is amended to read as follows:

3. Employ, with approval of the district board, and supervise the employees of the district department, including reserve peace officers, if a force of reserve peace officers has been established.

Approved May 2, 2001

CHAPTER 105

REGULATION OF CHILD FOSTER CARE

H.F. 560

AN ACT relating to child foster care regulatory requirements and providing an effective date.

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

Section 1. Section 237.3, subsection 2, paragraph f, Code 2001, is amended to read as follows:

f. Housing, health, safety, and medical-care policies for children receiving child foster care. The medical care policies shall include but are not limited to both of the following:

(1) If the health records supplied in accordance with the child's case permanency plan to the foster care provider are incomplete, provision for obtaining additional health information from the child's parent or other source and supplying the additional information to the foster care provider.

(2) Provision for emergency health coverage of the child while the child is engaged in temporary out-of-state travel with the child's foster family.

Sec. 2. Section 237.3, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall adopt rules to administer the exception to the definition of child care in section 237A.1, subsection 3, paragraph "m", allowing a child care facility, for purposes of providing respite care to a foster family home, to provide care,