

Sec. 131. Sections 513C.3, 514E.1, 514I.1 through 514I.9, and 514I.11, Code 2003, are amended by striking the term “HAWK-I” and inserting in lieu thereof the term “hawk-i”. The Code editor is directed to replace the term “HAWK-I” with the term “hawk-i” in any other statute contained in the 2003 Code or which is amended or enacted in other legislation enacted during the 2003 Session of the 80th General Assembly. The Code editor is further directed to make the same replacement in statutes appearing in any legislation that was enacted prior to the 2003 Session of the 80th General Assembly, but that will be codified on or after the effective date of this Act.

Sec. 132. RETROACTIVE APPLICABILITY AND EFFECTIVE DATES.

1. The amendment in this Act to section 29A.90, subsection 3, Code 2003, is retroactively applicable to April 22, 2002.
2. The section of this Act amending 2002 Iowa Acts, chapter 1093, section 3, takes effect upon enactment and is retroactively applicable to April 8, 2002.
3. The sections of this Act amending 2002 Iowa Acts, chapter 1119, section 108 and 2002 Iowa Acts, chapter 1132, section 9, take effect upon enactment and are retroactively applicable to July 1, 2002.
4. The sections of this Act amending 2002 Iowa Acts, chapter 1140, section 28 and 2002 Iowa Acts, chapter 1149, section 2, take effect upon enactment and are retroactively applicable to May 2, 2002.
5. This section is effective upon enactment.

Approved May 2, 2003

---

## CHAPTER 109

### CRIMINAL SENTENCING — NO-CONTACT ORDERS

*H.F. 404*

**AN ACT** authorizing a sentencing court to issue no-contact orders against persons arrested for any public offense.

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

Section 1. Section 901.5, Code 2003, is amended by adding the following new subsection: **NEW SUBSECTION.** 7A. a. The court may order the defendant to have no contact with the victim of the offense, persons residing with the victim, members of the victim’s immediate family, or witnesses to the offense if the court finds that the presence of or contact with the defendant poses a threat to the safety of the victim, persons residing with the victim, members of the victim’s immediate family, or witnesses to the offense.

b. The duration of the no-contact order may extend for a period of five years from the date the judgment is entered or the deferred judgment is granted, or up to the maximum term of confinement, whichever is greater. The court may order the no-contact order regardless of whether the defendant is placed on probation.

Upon the filing of an affidavit by the victim, a person residing with the victim, a member of the victim’s immediate family, or a witness to the offense which states that the defendant continues to pose a threat to the safety of the victim, persons residing with the victim, members of the victim’s immediate family, or witnesses to the offense within ninety days prior to the

expiration of the no-contact order, the court shall modify and extend the no-contact order for an additional period of up to five years, unless the court finds that the defendant no longer poses a threat to the safety of the victim, persons residing with the victim, members of the victim's immediate family, or witnesses to the offense. The number of modifications extending the no-contact order permitted by this subsection is not limited.

c. The court order shall contain the court's directives restricting the defendant from having contact with the victim of the offense, persons residing with the victim, members of the victim's immediate family, or witnesses to the offense. The order shall state whether the defendant is to be taken into custody by a peace officer for a violation of the terms stated in the order.

d. Violation of a no-contact order issued under this section is punishable by summary contempt proceedings. A hearing in a contempt proceeding brought pursuant to this subsection shall be held not less than five<sup>1</sup> and not more than fifteen days after the issuance of a rule to show cause, as set by the court, unless the defendant is already in custody at the time of the alleged violation in which case the hearing shall be held not less than five days and not more than forty-five days after the issuance of the rule to show cause.

e. For purposes of this subsection, "victim" means a person who has suffered physical, emotional, or financial harm as the result of a public offense committed in this state.

Approved May 2, 2003

---

## CHAPTER 110

### PETROLEUM STORAGE TANK REGULATION

*H.F. 516*

**AN ACT** relating to composition and responsibilities of the Iowa comprehensive petroleum underground storage tank fund board.

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

Section 1. **NEW SECTION.** 424.19 FUTURE REPEAL.  
This chapter is repealed effective June 30, 2014.

Sec. 2. Section 455G.4, subsection 1, Code 2003, is amended by adding the following new paragraph after paragraph d:

**NEW PARAGRAPH.** dd. Two owners or operators appointed by the governor. One of the owners or operators appointed pursuant to this paragraph shall have been a petroleum systems insured through the underground storage tank insurance fund or a successor to the underground storage tank insurance fund and shall have been an insured through the insurance account of the comprehensive petroleum underground storage tank fund on or before October 26, 1990. One of the owners or operators appointed pursuant to this paragraph shall be self-insured.

Sec. 3. Section 455G.4, subsection 1, unnumbered paragraph 2, Code 2003, is amended to read as follows:

A public member appointed pursuant to paragraph "d" shall not have a conflict of interest. For purposes of this section a "conflict of interest" means an affiliation, within the twelve months before the member's appointment, with the regulated tank community, or with a person or property and casualty insurer offering competitive insurance or other means of

<sup>1</sup> See chapter 179, §77 herein