

2. The commission shall be required to repay one million dollars of start-up funding from the Iowa communications network fund to the general fund of the state. For the fiscal year beginning July 1, 2007, and ending June 30, 2008, the commission shall repay two hundred fifty thousand dollars of start-up funding at the end of that fiscal year, and for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the commission shall repay two hundred fifty thousand dollars of start-up funding at the end of that fiscal year. The remaining five hundred thousand dollars shall be repaid in a reasonable period of time thereafter as provided in this subsection. The commission shall conduct a review of the operation of the fund and the extent to which a continued need for funding for cash flow support exists, and shall provide a report summarizing the results of the review to the general assembly by January 1, 2010. The report shall also include a plan regarding repayment of the remaining five hundred thousand dollars in start-up funding in a manner which will not adversely affect network operations, and any other recommendations relating to the fund and the operation of the network deemed appropriate by the commission.

Sec. 5. Section 8D.7, Code 2005, is repealed.

Approved May 24, 2006

CHAPTER 1127

CONFIDENTIALITY OF CHARITABLE DONATION RECORDS

H.F. 2706

AN ACT providing for the confidentiality of certain records relating to charitable donations made to a foundation acting solely for the support of an institution governed by the state board of regents, to a private foundation as defined in section 509 of the Internal Revenue Code organized for the support of a government body, or to an endow Iowa qualified community foundation, as defined in section 15E.303, organized for the support of a government body.

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

Section 1. Section 22.7, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 52. The following records relating to a charitable donation made to a foundation acting solely for the support of an institution governed by the state board of regents,¹ to a private foundation as defined in section 509 of the Internal Revenue Code organized for the support of a government body, or to an endow Iowa qualified community foundation, as defined in section 15E.303, organized for the support of a government body:

- a. Portions of records that disclose a donor's or prospective donor's personal, financial, estate planning, or gift planning matters.
- b. Records received from a donor or prospective donor regarding such donor's prospective gift or pledge.
- c. Records containing information about a donor or a prospective donor in regard to the appropriateness of the solicitation and dollar amount of the gift or pledge.
- d. Portions of records that identify a prospective donor and that provide information on the appropriateness of the solicitation, the form of the gift or dollar amount requested by the solicitor, and the name of the solicitor.

¹ See chapter 1185, §57 herein

e. Portions of records disclosing the identity of a donor or prospective donor, including the specific form of gift or pledge that could identify a donor or prospective donor, directly or indirectly, when such donor has requested anonymity in connection with the gift or pledge. This paragraph does not apply to a gift or pledge from a publicly held business corporation.

f. The confidential records described in paragraphs “a” through “e” shall not be construed to make confidential those portions of records disclosing any of the following:

- (1) The amount and date of the donation.
- (2) Any donor-designated use or purpose of the donation.
- (3) Any other donor-imposed restrictions on the use of the donation.
- (4) When a pledge or donation is made expressly conditioned on receipt by the donor, or any person related to the donor by blood or marriage within the third degree of consanguinity, of any privilege, benefit, employment, program admission, or other special consideration from the government body, a description of any and all such consideration offered or given in exchange for the pledge or donation.

g. Except as provided in paragraphs “a” through “f”, portions of records relating to the receipt, holding, and disbursement of gifts made for the benefit of regents institutions and made through foundations established for support of regents institutions, including but not limited to written fund-raising policies and documents evidencing fund-raising practices, shall be subject to this chapter.

This subsection does not apply to a report filed with the ethics and campaign disclosure board pursuant to section 8.7.

Approved May 24, 2006

CHAPTER 1128

REPORTS AND INFORMATION RELATING TO MEDICAL CONDITION AND TREATMENT

H.F. 2716

AN ACT relating to civil actions for personal injury or death, including certain evidentiary, reporting, and study information requirements.

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

Section 1. Section 135.40, Code 2005, is amended to read as follows:

135.40 COLLECTION AND DISTRIBUTION OF INFORMATION.

Any person, hospital, sanatorium, nursing or rest home or other organization may provide information, interviews, reports, statements, memoranda, or other data relating to the condition and treatment of any person to the department, the Iowa medical society or any of its allied medical societies, ~~or the Iowa osteopathic medical association, or any in-hospital staff committee, or the Iowa healthcare collaborative,~~ to be used in the course of any study for the purpose of reducing morbidity or mortality, and no liability of any kind or character for damages or other relief shall arise or be enforced against any person or organization that has acted reasonably and in good faith, by reason of having provided such information or material, or by reason of having released or published the findings and conclusions of such groups to advance medical research and medical education, or by reason of having released or published generally a summary of such studies.