

c. The county makes a one-time permanent transfer from the general fund of the county to the county's services fund in the amount identified under paragraph "a". The county is authorized to make the transfer described in this paragraph notwithstanding section 331.424A or any other provision of law to the contrary.

d. The county auditor certifies to the department of human services that the one-time permanent transfer from the general fund of the county has been made in the specified amount to the county's services fund and that the conditions of this subsection have been met.

3. Upon receiving the certification required under subsection 2, the county shall be deemed to have met the requirement under section 426B.5, subsection 1, paragraph "c", subparagraph (1), to be levying the maximum amount allowed for the county's services fund for the fiscal year beginning July 1, 2006, and the department of human services shall authorize adjustment of the allowed growth payment to the county accordingly, subject to any other adjustments required under 2005 Iowa Acts, chapter 179, section 1, as amended by 2006 Iowa Acts, chapter 1184, section 73.

Sec. 2. STATE PAYMENT TO ELIGIBLE COUNTIES. Notwithstanding section 331.439, subsection 1, paragraph "a", a county that accurately reported the county's expenditures for mental health, mental retardation, and developmental disabilities services for the previous fiscal year on the forms prescribed by the department of human services, and the report was received after December 1, 2006, and on or before March 15, 2007, shall be eligible for state payment, as defined in section 331.438, in accordance with section 331.439 and other law providing for the state payment in the fiscal year beginning July 1, 2006.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment and applies retroactively to July 1, 2006.

Approved April 10, 2007

CHAPTER 50

UNANNOUNCED EMPLOYEE DRUG OR ALCOHOL TESTING

S.F. 284

AN ACT concerning employees subject to unannounced drug or alcohol testing.

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

Section 1. Section 730.5, subsection 8, paragraph a, Code 2007, is amended to read as follows:

a. Employers may conduct unannounced drug or alcohol testing of employees who are selected from any of the following pools of employees:

(1) The entire employee population at a particular work site of the employer except for employees not subject to testing pursuant to a collective bargaining agreement, or employees who are not scheduled to be at work at the time the testing is conducted because of the status of the employees or who have been excused from work pursuant to the employer's work policy prior to the time the testing is announced to employees.

(2) The entire full-time active employee population at a particular work site except for employees not subject to testing pursuant to a collective bargaining agreement, or employees who are not scheduled to be at work at the time the testing is to be conducted because of the

status of the employee, or who have been excused from work pursuant to the employer's working policy.

(3) All employees at a particular work site who are in a pool of employees in a safety-sensitive position and who are scheduled to be at work at the time testing is conducted, other than employees not subject to testing pursuant to a collective bargaining agreement, or employees who are not scheduled to be at work at the time the testing is to be conducted or who have been excused from work pursuant to the employer's work policy prior to the time the testing is announced to employees.

Approved April 10, 2007

CHAPTER 51

USED MOTOR VEHICLE DEALER EDUCATION REQUIREMENTS

S.F. 358

AN ACT establishing prelicensing and continuing education requirements for used motor vehicle dealers.

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

Section 1. Section 322.4, Code 2007, is amended by adding the following new subsection:
NEW SUBSECTION. 8A. If the applicant is applying for a used motor vehicle dealer license, certification that the applicant has met the educational requirements for licensure under section 322.7A. The certification may be transmitted to the department by the education provider in electronic format.

Sec. 2. Section 322.7, subsection 4, Code 2007, is amended to read as follows:

4. The motor vehicle dealer license provided for in this chapter shall be renewed upon application in the form and content prescribed by the department and upon payment of the required fee. A used motor vehicle dealer license shall not be renewed for an applicant who is subject to continuing education requirements until the licensee certifies completion of the educational requirements for license renewal under section 322.7A. The certification may be transmitted to the department by the education provider in electronic format. A licensee shall have the month of expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

Sec. 3. **NEW SECTION.** 322.7A USED MOTOR VEHICLE DEALER EDUCATION PROGRAM.

1. An applicant for a license as a used motor vehicle dealer shall complete a minimum of eight hours of prelicensing education program courses pursuant to this section prior to submitting an application to the department.

2. A person seeking renewal of a used motor vehicle dealer license shall complete a minimum of five hours of continuing education program courses over a two-year period pursuant to this section prior to submitting an application for license renewal. However, an applicant for renewal of a used motor vehicle dealer license who has met the prelicensing education requirement under subsection 1 within the preceding twelve months is exempt from the continuing education requirement for license renewal.