

traded, or transferred, the person is authorized by the owner of such veterans commemorative property, or by operation of law other than this section, to sell, trade, or transfer the veterans commemorative property and to retain and use the proceeds of the sale, trade, or transfer.

3. A person who engages in the sale, trade, or transfer of veterans commemorative property without the authorization of the department pursuant to this section is guilty of a simple misdemeanor.

4. The department may adopt rules in accordance with chapter 17A to administer this chapter.

Approved April 11, 2008

CHAPTER 1068

RIGHTS OF VICTIMS OF ALLEGED SEXUAL ASSAULT

S.F. 2335

AN ACT relating to the rights of a victim of an alleged sexual assault and notification of these rights by a peace officer.

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

Section 1. Section 709.22, Code 2007, is amended to read as follows:

709.22 PREVENTION OF FURTHER SEXUAL ASSAULT — NOTIFICATION OF RIGHTS.

1. If a peace officer has reason to believe that a sexual assault as defined in section 915.40 has occurred, the officer shall use all reasonable means to prevent further violence including but not limited to the following:

1. a. If requested, remaining on the scene of the alleged sexual assault as long as there is a danger to the victim's physical safety without the presence of a peace officer, including but not limited to staying in the dwelling unit or residence when it is the scene of the alleged sexual assault, or if unable to remain on the scene, assisting the victim in leaving the residence scene.

2. b. Assisting a victim in obtaining medical treatment necessitated by the sexual assault, including providing assistance to the victim in obtaining transportation to the emergency room of the nearest hospital.

3. c. Providing a victim with immediate and adequate notice of the victim's rights. The notice shall consist of handing the victim a copy of the following statement written in English and Spanish, asking the victim to read the statement, and asking whether the victim understands the rights:

(1) "You have the right to ask the court for help with any of the following on a temporary basis:

a. (a) Keeping your attacker away from you, your home, and your place of work.

b. (b) The right to stay at your home without interference from your attacker.

c. (c) The right to seek a no-contact order under section 664A.3 or 915.22, if your attacker is arrested for sexual assault.

(2) You have the right to register as a victim with the county attorney under section 915.12.

(3) You have the right to file a complaint for threats, assaults, or other related crimes.

(4) You have the right to seek restitution against your attacker for harm to you or your property.

(5) You have the right to apply for victim compensation.

(6) You have the right to contact the county attorney or local law enforcement to determine the status of your case.

(7) If you are in need of medical treatment, you have the right to request that the officer present assist you in obtaining transportation to the nearest hospital or otherwise assist you.

(8) You have the right to a sexual assault examination performed at state expense.

(9) You have the right to request the presence of a victim counselor, as defined in section 915.20A, at any proceeding related to an assault including a medical examination.

(10) If you believe that police protection is needed for your physical safety, you have the right to request that the officer present remain at the scene until you and other affected parties can leave or until safety is otherwise ensured.”

d. The notice shall also contain the telephone numbers of shelters, support groups, and crisis lines operating in the area.

4. 2. A peace officer is not civilly or criminally liable for actions taken in good faith pursuant to this section.

Approved April 11, 2008

CHAPTER 1069

WATER TRAILS AND LOW HEAD DAM PUBLIC HAZARD PROGRAM

S.F. 2380

AN ACT establishing a low head dam public hazard program.

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

Section 1. NEW SECTION. 464A.11 WATER TRAILS AND LOW HEAD DAM PUBLIC HAZARD STATEWIDE PLAN.

1. The department shall establish a water trails and low head dam public hazard program.

2. In administering the water trails and low head dam public hazard program, the department shall conduct a study of waterways for recreational purposes and develop a statewide plan by January 1, 2010. Elements of the plan shall include but not be limited to:

a. Compiling an inventory of low head dams, including a listing of those low head dams, for the purposes of publicizing hazards through maps and warning signage.

b. Seeking input from the public and experts in various fields, including fisheries, rescue professionals, water recreation, river management, public utilities conservation, and landscape architecture to be used in the recreation and safety components of the plan.

c. Developing standard recommendations for local communities including signage system and placement guidelines, boating access type, placement and construction guidelines, and volunteer recommendations for communities.

d. Recommending design templates for low head dams to reduce incidents of drowning.

e. With input from stakeholders, developing criteria for prioritizing removal or modification of low head dams.

f. With input from stakeholders, developing criteria for prioritizing development of water trails.

3. The department may contract with a university or private consultant in order to assist with development of the plan.