

or council is composed of an even number of members, not more than one-half of the membership shall be of one gender. If there are multiple appointing authorities for a board, commission, committee, or council, they shall consult each other to avoid a violation of this section. This section shall not prohibit an individual from completing a term being served on June 30, 1987.

2. All appointive boards, commissions, committees, and councils of a political subdivision of the state that are established by the Code, if not otherwise provided by law, shall be gender balanced as provided by subsection 1 unless the political subdivision has made a good faith effort to appoint a qualified person to fill a vacancy on a board, commission, committee, or council in compliance with subsection 1 for a period of three months but has been unable to make a compliant appointment. In complying with the requirements of this subsection, political subdivisions shall utilize a fair and unbiased method of selecting the best qualified applicants. This subsection shall not prohibit an individual whose term expires prior to January 1, 2012, from being reappointed even though the reappointment continues an inequity in gender balance.

Sec. 2. APPLICABILITY. This Act is applicable to appointive boards, commissions, committees, and councils of a political subdivision of the state on and after January 1, 2012.

Approved May 26, 2009

CHAPTER 163

ASSISTIVE OR SERVICE ANIMALS

H.F. 488

AN ACT relating to assistive or service animals including provisions relating to persons controlling the assistive animal and including the maintenance of service animals as an eligible service reimbursable under the home and community-based services waivers.

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

Section 1. Section 216C.11, subsection 2, Code 2009, is amended to read as follows:

2. A person with a disability ~~or, a person assisting a person with a disability by controlling an assistive animal, or a~~ person training an assistive animal has the right to be accompanied by a service dog or an assistive animal, under control, in any of the places listed in sections 216C.3 and 216C.4 without being required to make additional payment for the service dog or assistive animal. A landlord shall waive lease restrictions on the keeping of animals for the service dog or assistive animal of a person with a disability. The person is liable for damage done to any premises or facility by a service dog or assistive animal.

Sec. 2. SERVICE ANIMALS — ELIGIBLE SERVICE UNDER MEDICAL ASSISTANCE HOME AND COMMUNITY-BASED SERVICES WAIVERS.

1. The department of human services shall submit an amendment to the centers for Medicare and Medicaid services of the United States department of health and human services to add the maintenance of a service animal as an eligible service reimbursable under the medical assistance home and community-based services waivers.

2. For the purposes of this section:

a. "Maintenance of a service animal" means the provision of ancillary care for a service animal if specifically related to the health and maintenance of the service animal.

b. "Service animal" means an animal professionally trained and certified by a recognized certification entity to assist a person with a disability in meeting specific personal care needs or engaging in daily activities.

3. If the amendment is approved, the department shall adopt rules pursuant to chapter 17A to implement this section. The rules shall provide all of the following:

a. Reimbursement of the costs of maintenance of a service animal may be subject to prior authorization.

b. Reimbursement of the costs of maintenance of a service animal shall be limited to no more than five hundred dollars per year for an individual waiver recipient.

c. The process for receiving reimbursement for the maintenance of a service animal.

Approved May 26, 2009

CHAPTER 164

VETERAN — DEFINITION AND RELATED CHANGES

H.F. 503

†AN ACT concerning the definition of veteran and providing an effective date.

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

Section 1. Section 35.1, subsection 2, Code 2009, is amended to read as follows:

2. "Veteran" means any of the following:

a. "Veteran" means a A resident of this state who served in the armed forces of the United States at any time during the following dates and who was discharged under honorable conditions:

- (1) World War I from April 6, 1917, through November 11, 1918.
- (2) Occupation of Germany from November 12, 1918, through July 11, 1923.
- (3) American expeditionary forces in Siberia from November 12, 1918, through April 30, 1920.
- (4) Second Haitian suppression of insurrections from 1919 through 1920.
- (5) Second Nicaragua campaign with marines or navy in Nicaragua or on combatant ships from 1926 through 1933.
- (6) Yangtze service with navy and marines in Shanghai or in the Yangtze valley from 1926 through 1927 and 1930 through 1932.
- (7) China service with navy and marines from 1937 through 1939.
- (8) World War II from December 7, 1941, through December 31, 1946.
- (9) Korean Conflict from June 25, 1950, through January 31, 1955.
- (10) Vietnam Conflict from February 28, 1961, through May 7, 1975.
- (11) Lebanon or Grenada service from August 24, 1982, through July 31, 1984.
- (12) Panama service from December 20, 1989, through January 31, 1990.
- (13) Persian Gulf Conflict from August 2, 1990, through the date the president or the Congress of the United States declares a cessation of hostilities. However, if the United States Congress enacts a date different from August 2, 1990, as the beginning of the Persian Gulf Conflict for purposes of determining whether a veteran is entitled to receive military benefits as a veteran of the Persian Gulf Conflict, that date shall be substituted for August 2, 1990.

b. "Veteran" includes the following persons:

- (1) Former members of the reserve forces of the United States who served at least twenty

† Estimate of additional local revenue expenditures required by state mandate on file with the Secretary of State