

FEB 15 2006
PUBLIC SAFETY

HOUSE FILE 2369
BY BAUDLER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to accidental disability retirement benefits for
2 a peace officer who is exposed to noxious substances and
3 providing effective and retroactive applicability dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2369

1 Section 1. Section 97A.6, subsection 5, Code Supplement
2 2005, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. Injury, disease, or exposure under this
4 subsection shall include any case where disability or death is
5 caused by latent or delayed pathological conditions, blood, or
6 other tissue changes or malignancies due to exposure to
7 noxious fumes, poisons, or gases while on active duty,
8 including but not limited to exposure to methamphetamine, or
9 its components or materials used in its manufacture. A member
10 in service is not entitled to disability benefits for such
11 exposure unless the disability or death results within five
12 years after the last injurious exposure while on active duty.

13 Sec. 2. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY
14 PROVISIONS. This Act, being deemed of immediate importance,
15 takes effect upon enactment, is retroactively applicable to
16 five years prior to the effective date, and is applicable to
17 disability or death that occurs on and after that date.

18 EXPLANATION

19 This bill provides that a peace officer who is disabled or
20 dies due to exposure to noxious fumes, poisons, or gases,
21 including but not limited to methamphetamine or its components
22 or materials used in its manufacture, while on active duty, is
23 entitled to accidental disability benefits under Code chapter
24 97A if disability or death results within five years after the
25 last injurious exposure to such noxious substances while on
26 active duty.

27 The bill is effective upon enactment and is retroactively
28 applicable to five years prior to the effective date and is
29 applicable to disability or death that occurs on and after
30 that date.

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