

- b. The agency or, if it is not the agency with authority to determine or approve the environmental response project, the department of natural resources.
 - c. Any person to whom the environmental covenant expressly grants power to enforce the environmental covenant.
 - d. A person whose interest in the real property or whose collateral or liability may be affected by the alleged violation of the environmental covenant.
 - e. A municipality or other unit of local government in which the real property subject to the environmental covenant is located.
2. This chapter does not limit the regulatory authority of an agency under law other than this chapter with respect to an environmental response project.
3. A person is not responsible for or subject to liability for environmental remediation solely because it has the right to enforce an environmental covenant.

Sec. 16. NEW SECTION. 455L.12 RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT.

This chapter modifies, limits, or supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001 et seq., but does not modify, limit, or supersede section 101(a) of that Act, 15 U.S.C. § 7001(a), or authorize electronic delivery of any of the notices described in section 103(b) of that Act, 15 U.S.C. § 7003(b).

Sec. 17. Section 558.68, Code 2005, is amended by adding the following new subsection: NEW SUBSECTION. 5. This section shall not impair the validity of an environmental covenant established pursuant to chapter 455L.

Sec. 18. Section 614.24, Code 2005, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section shall not impair the validity of an environmental covenant established pursuant to chapter 455L.

Sec. 19. Section 614.32, Code 2005, is amended by adding the following new subsection: NEW SUBSECTION. 6. All interests created by an environmental covenant established pursuant to chapter 455L.

Approved May 4, 2005

CHAPTER 103

PUBLIC RECORDS REQUESTS — PROCEDURES — FEES

S.F. 403

AN ACT providing for the receipt of and costs relating to public records requests.

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

Section 1. Section 22.3, Code 2005, is amended to read as follows:

22.3 SUPERVISION — FEES.

1. Such The examination and copying of public records shall be done under the supervision of the lawful custodian of the records or the custodian's authorized designee. The lawful custodian shall not require the physical presence of a person requesting or receiving a copy of a

public record and shall fulfill requests for a copy of a public record received in writing, by telephone, or by electronic means. Fulfillment of a request for a copy of a public record may be contingent upon receipt of payment of expenses to be incurred in fulfilling the request and such estimated expenses shall be communicated to the requester upon receipt of the request. The lawful custodian may adopt and enforce reasonable rules regarding the work examination and copying of the records and the protection of the records against damage or disorganization. The lawful custodian shall provide a suitable place for the work examination and copying of the records, but if it is impracticable to do the work examination and copying of the records in the office of the lawful custodian, the person desiring to examine or copy shall pay any necessary expenses of providing a place for the work.

2. All expenses of the work shall be paid by the person desiring to examine or copy. The lawful custodian may charge a reasonable fee for the services of the lawful custodian or the custodian's authorized designee in supervising the examination and copying of the records during the work. If copy equipment is available at the office of the lawful custodian of any public records, the lawful custodian shall provide any person a reasonable number of copies of any public record in the custody of the office upon the payment of a fee. The fee for the copying service as determined by the lawful custodian shall not exceed the actual cost of providing the service. Actual costs shall include only those expenses directly attributable to supervising the examination of and making and providing copies of public records. Actual costs shall not include charges for ordinary expenses or costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the lawful custodian.

Approved May 4, 2005

CHAPTER 104

REGISTRATION AND REGULATION OF INTERIOR DESIGNERS

S.F. 405

AN ACT establishing an interior design examining board, providing for the registration of interior designers, and providing fees and penalties.

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

Section 1. Section 544A.16, subsection 7, Code 2005, is amended by striking the subsection.

Sec. 2. NEW SECTION. 544C.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Board" means the interior design examining board established pursuant to this chapter.
2. "Division" means the professional licensing and regulation division of the department of commerce.
3. "Interior design" means the design of interior spaces including the preparation of documents relating to space planning, finish materials, furnishings, fixtures, and equipment, and the preparation of documents relating to interior construction that does not affect the mechanical or structural systems of a building. "Interior design" does not include services that constitute the practice of architecture or the practice of professional engineering.
4. "Registered interior designer" means a person registered under this chapter.