

the general assembly if the conduct involves lobbying activities before the general assembly or with the board if the conduct involves lobbying activities before the executive branch.

Sec. 8. Section 68B.36, subsections 1 and 5, Code 2009, are amended to read as follows:

1. All lobbyists shall, on or before the day their lobbying activity begins, register by filing a lobbyist's registration statement at times and in the manner provided in this section. In addition to any other information required by the general assembly and the board, a lobbyist shall identify in the registration statement all clients of the lobbyist. Lobbyists engaged in lobbying activities before the general assembly shall file the statement with the chief clerk of the house of representatives or the secretary of the senate. Lobbyists engaged in lobbying activities before the office of the governor or any state agency shall file the statement with the board. The chief clerk of the house and the secretary of the senate shall provide appropriate registration forms to lobbyists before the general assembly. The board shall prescribe appropriate registration forms for lobbyists before the office of the governor and state agencies.

~~5. All federal, state, and local officials or employees representing the official positions of their departments, commissions, boards, or agencies shall, when lobbying the general assembly, present to the chief clerk of the house or the secretary of the senate a letter of authorization from their department or agency heads prior to the commencement of their lobbying. When lobbying a state agency or the office of the governor, the letter shall be presented to the board. The lobbyist registration statement of these officials and employees shall not be deemed complete until the letter of authorization is attached. Federal, state, and local officials who wish to lobby in opposition to the official position of their departments, commissions, boards, or agencies must indicate this on their lobbyist registration statements.~~

Sec. 9. Section 68B.38, subsection 1, Code 2009, is amended to read as follows:

1. On or before July 31 of each year, a lobbyist's client shall file with the general assembly ~~or~~ and board a report that contains information on all salaries, fees, retainers, and reimbursement of expenses paid ~~or anticipated to be paid~~ by the lobbyist's client to the lobbyist for lobbying purposes during the preceding twelve calendar months, concluding on June 30 of each year. The amount reported to the general assembly and the board shall include the total amount of all salaries, fees, retainers, and reimbursement of expenses paid to a lobbyist for lobbying both the legislative and executive branches.

Sec. 10. REPEAL. Section 68B.37, Code 2009, is repealed.

Sec. 11. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved February 10, 2010

## CHAPTER 1007

### TRUTH IN LENDING REFERENCES UPDATE

*H.F. 2131*

**AN ACT** updating references to the federal Truth in Lending Act.

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

Section 1. Section 537.1302, Code 2009, is amended to read as follows:

**537.1302 Definition — Truth in Lending Act.**

As used in this chapter, "Truth in Lending Act" means Title 1 of the Consumer Credit Protection Act, in subchapter 1 of 15 U.S.C. ch. 41, as amended to and including January

July 1, ~~2008~~ 2010, and includes regulations issued pursuant to that Act prior to ~~January~~ July 1, ~~2008~~ 2010.

Approved February 10, 2010

## CHAPTER 1008

### CONSUMER FRAUD AND ARTISAN'S LIENS

*S.F. 2108*

**AN ACT** relating to artisan's liens and Iowa's consumer frauds Act and making remedies applicable and including effective date provisions.

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

Section 1. NEW SECTION. **577.3 Possession to be surrendered upon notice from attorney general.**

1. A supplier, as defined in section 537B.2, upon receipt of a written notice from the attorney general that the attorney general has reason to believe that the supplier has engaged in a deceptive act or practice pursuant to section 537B.6, subsections 2 through 12, in connection with a transaction in which the supplier is asserting a lien to personal property pursuant to this chapter, shall surrender possession of the property to the owner of the property. The supplier shall make the property available to the owner within one business day of receiving notice from the attorney general during the supplier's usual business hours.

2. The attorney general shall serve the written notice pursuant to subsection 1 by certified mail and such notice shall be presumed to have been received by the supplier upon the earlier of the date of actual receipt, the date upon which the supplier refused initial delivery, or the date the supplier was notified was the last day to retrieve the delivery from the postal service.

3. The attorney general's belief that the supplier has engaged in a deceptive act or practice pursuant to section 537B.6, subsections 2 through 12, the supplier's surrendering possession of the motor vehicle to the owner pursuant to this section, and the attorney general's service of notice on the supplier pursuant to this section shall not be admissible in any litigation between the supplier and the owner of the property subject to the lien unless the supplier fails to comply with the requirements of this section.

4. An otherwise valid lien under this chapter is not lost as a result of the supplier surrendering possession of the property pursuant to this section and an otherwise valid lien may be foreclosed pursuant to section 554.7308 within one year of the supplier surrendering possession under this section.

5. In addition to any other applicable remedy, the attorney general may seek relief against a supplier for a violation of this section to the same extent the attorney general may seek relief under section 714.16, subsection 6, for failure or refusal to obey a subpoena issued by the attorney general.

Sec. 2. **EFFECTIVE DATE.** This Act takes effect May 1, 2010.

Approved February 17, 2010