

**CHAPTER 1080****HORIZONTAL PROPERTY — BOARDS OF ADMINISTRATION***S.F. 2224*

**AN ACT** relating to boards of administration for horizontal property.

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

Section 1. Section 499B.15, Code 2009, is amended by adding the following new subsection:

**NEW SUBSECTION. 1A.** If the form of administration is a board of administration, board meetings must be open to all apartment owners except for meetings between the board and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege. Notice of each board meeting must be mailed or delivered to each apartment owner at least seven days before the meeting. Minutes of meetings of the board of administration must be maintained in written form or in another form that can be converted into written form within a reasonable time. The official records of the board of administration must be open to inspection and available for photocopying at reasonable times and places. Any action taken by a board of administration at a meeting that is in violation of any of the provisions of this subsection is not valid or enforceable.

Approved March 22, 2010

**CHAPTER 1081****MOTOR VEHICLE FRANCHISE REGULATION***S.F. 2234*

**AN ACT** relating to the regulation of motor vehicle franchises.

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

Section 1. Section 322A.1, subsection 5, Code 2009, is amended to read as follows:

5. a. “Franchise” means a contract between two or more persons when all of the following conditions are included:

a. (1) A commercial relationship of definite duration or continuing indefinite duration is involved.

b. (2) The franchisee is granted the right to offer and sell motor vehicles manufactured or distributed by the franchiser.

c. (3) The franchisee, as an independent business, constitutes a component of franchiser’s distribution system.

d. (4) The operation of the franchisee’s business is substantially associated with the franchiser’s trademark, service mark, trade name, advertising, or other commercial symbol designating the franchiser.

e. (5) The operation of the franchisee’s business is substantially reliant on franchiser for the continued supply of motor vehicles, parts, and accessories.

b. “Franchise” includes a separate written agreement between the franchisee and the franchiser which materially affects the franchise, whether entered into prior to the date of the franchise, contemporaneously with the franchise, or subsequent to the date of the franchise.

Sec. 2. **NEW SECTION. 322A.18 Duty of good faith.**

A franchise imposes on the parties a duty of good faith in performance and enforcement