

CHAPTER 104

NOTIFICATION OF MECHANICS' LIENS

S.F. 437

AN ACT relating to notification regarding mechanics' liens.

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

Section 1. Section 572.33, Code 1999, is amended to read as follows:

572.33 REQUIREMENT OF NOTIFICATION.

1. Notwithstanding other provisions of this chapter, and in addition to all other requirements of this chapter, a person furnishing labor or materials to a subcontractor shall not be entitled to a lien under this chapter unless the person furnishing labor or materials does all of the following:

1 a. ~~Notifies the owner and the principal contractor in writing with a one-time notice containing the name, mailing address, and telephone number of the person furnishing the labor or materials, and the name of the subcontractor to whom the labor or materials were furnished, within thirty days of the first furnishing of the labor or materials for which a lien claim is may be made, including the amount, kind, and value of the labor or materials furnished. Additional labor or materials furnished by the same person to the same subcontractor for use in the same construction project shall be covered by this notice.~~

2 b. Supports the lien claim with a certified statement that the principal contractor was notified ~~in writing with a one-time notice containing the name, mailing address, and telephone number of the person furnishing the labor or materials, and the name of the subcontractor to whom the labor or materials were furnished, within thirty days after the labor or materials were first furnished of the amount, kind, and value of the labor or materials furnished, pursuant to paragraph "a".~~

2. ~~This section shall not apply to a mechanic's lien on single-family or two-family dwellings occupied or used or intended to be occupied or used for residential purposes.~~

3. ~~Notwithstanding other provisions of this chapter, a principal contractor shall not be prohibited from requesting information from a subcontractor or a person furnishing labor or materials to a subcontractor regarding payments made or payments to be made to a person furnishing labor or materials to a subcontractor.~~

Approved May 10, 1999

CHAPTER 105

BAIL ENFORCEMENT LIMITATIONS — EXEMPT AGENTS

H.F. 281

AN ACT related to activities of bail enforcement agents that are exempt from state licensing requirements.

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

Section 1. Section 811.12, subsection 2, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. The person is a bail enforcement agent exempt from licensing requirements pursuant to section 80A.2, subsection 3.

Approved May 10, 1999

CHAPTER 106

GRAIN INDUSTRY REGULATION

H.F. 312

AN ACT relating to regulation of the grain industry and providing for civil penalties.

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

Section 1. Section 203.1, subsection 8, unnumbered paragraph 1, Code 1999, is amended to read as follows:

“Grain dealer” means a person who buys during any calendar month ~~five hundred~~ one thousand bushels of grain or more directly from the producers of the grain for purposes of resale, milling, or processing. However, “grain dealer” does not include any of the following:

Sec. 2. Section 203.1, subsection 8, paragraph c, Code 1999, is amended to read as follows:

c. A person who purchases grain only for sale in a ~~registered feed~~ regulated under chapter 198.

Sec. 3. Section 203.1, subsection 8, paragraph d, Code 1999, is amended by striking the paragraph and inserting in lieu thereof the following:

d. A person who purchases grain only from grain dealers licensed under this chapter.

Sec. 4. NEW SECTION. 203.2A NOTICE REQUIREMENT FOR GRAIN PURCHASERS WHO ARE NOT GRAIN DEALERS.

A person shall not purchase grain from a producer for purposes of resale, milling, feeding, or processing, unless one of the following applies:

1. The person is a grain dealer licensed pursuant to section 203.3.
2. The person has purchased less than fifty thousand bushels of grain from all producers in the twelve months prior to purchasing grain from the producer.
3. a. The person provides notice to the producer. The notice shall be in the following form:

ATTENTION TO PRODUCERS:

THE PERSON PURCHASING THIS GRAIN IS NOT A LICENSED GRAIN DEALER AND THIS IS NOT A COVERED TRANSACTION ELIGIBLE FOR INDEMNIFICATION FROM THE GRAIN DEPOSITORS AND SELLERS INDEMNITY FUND AS PROVIDED IN IOWA CODE SECTION 203D.3.

b. The notice shall be provided prior to or at the time of the purchase. The notice may appear on a separate statement or as part of a document received by the producer, including a contract or receipt, as required by the department.

c. The form of the notice shall be prescribed by the department. The notice shall appear in a printed boldface font in at least ten point type.