

House Amendment 1589

PAG LIN

1 1 Amend the amendment, H=1375, to House File 712 as
1 2 follows:
1 3 #1. Page 1, line 8, by striking the word
1 4 <economic> and inserting the following:
1 5 <compensatory>.
1 6 #2. Page 1, line 10, by inserting after the word
1 7 <amount.> the following: <"Actual damages" does not
1 8 include damages for bodily injury, pain and suffering,
1 9 mental distress, or loss of consortium.>
1 10 #3. Page 1, by striking lines 31 and 32 and
1 11 inserting the following:
1 12 <1. A person shall not engage in an>.
1 13 #4. Page 2, by striking lines 36 through 38 and
1 14 inserting the following: <association, savings bank,
1 15 or credit union.>
1 16 #5. Page 3, by striking lines 1 through 35 and
1 17 inserting the following:
1 18 <c. In connection with an advertisement that
1 19 violates this chapter, the newspaper, magazine,
1 20 publication, or other print media in which the
1 21 advertisement appears, including the publisher of the
1 22 newspaper, magazine, publication, or other print media
1 23 in which the advertisement appears, or the radio
1 24 station, television station, or other electronic media
1 25 which disseminates the advertisement, including an
1 26 employee, agent, or representative of the publisher,
1 27 newspaper, magazine, publication or other print media,
1 28 or the radio station, television station, or other
1 29 electronic media.
1 30 d. The provision of local exchange carrier
1 31 telephone service pursuant to a certificate issued
1 32 under section 476.29.
1 33 e. Public utilities as defined in section 476.1
1 34 that furnish gas by a piped distribution system or
1 35 electricity to the public for compensation when
1 36 engaged in activities subject to regulation by the
1 37 utilities board pursuant to chapter 476.
1 38 f. Any advertisement that complies with the
1 39 statutes, rules, and regulations of the federal trade
1 40 commission.
1 41 g. Conduct that is required or permitted by the
1 42 orders or rules of, or a statute administered by, a
1 43 federal, state, or local governmental agency.
1 44 h. An affirmative act that violates this chapter
1 45 but is specifically required by other applicable law,
1 46 to the extent that the actor could not reasonably
1 47 avoid a violation of this chapter.
1 48 i. In any action relating to a charitable
1 49 solicitation, an individual who has engaged in the
1 50 charitable solicitation as an unpaid, uncompensated
2 1 volunteer and who does not receive monetary gain of
2 2 any sort from engaging in the solicitation.>
2 3 #6. Page 5, by inserting after line 9 the
2 4 following:
2 5 <7. A person shall not be held liable in any
2 6 action brought under this section for a violation of
2 7 this chapter if the person shows by a preponderance of
2 8 the evidence that the violation was not intentional
2 9 and resulted from a bona fide error notwithstanding
2 10 the maintenance of procedures reasonably adopted to
2 11 avoid the error.>
2 12 #7. Page 6, by striking lines 3 through 9.
2 13 #8. Page 6, line 10, by striking the figure
2 14 <714H.8> and inserting the following: <714H.7>.
2 15 #9. By renumbering as necessary.
2 16
2 17
2 18 _____
2 19 SWAIM of Davis
2 20
2 21
2 22 _____
2 23 PALMER of Mahaska
2 24

2 25
2 26
2 27 R. OLSON of Polk
2 28 HF 712.504 83
2 29 rh/rj/23366
