



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 1, 2003

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL


Dear Mr. Secretary:

I hereby transmit:

**House File 319**, an Act permitting written demand via regular mail prior to an action under the Uniform Commercial Code for recovery of civil damages for a dishonored check, draft, or order, when supported by an affidavit of service.

The above House File is hereby approved this date.

Sincerely,

  
Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 319

AN ACT

PERMITTING WRITTEN DEMAND VIA REGULAR MAIL PRIOR TO AN ACTION UNDER THE UNIFORM COMMERCIAL CODE FOR RECOVERY OF CIVIL DAMAGES FOR A DISHONORED CHECK, DRAFT, OR ORDER, WHEN SUPPORTED BY AN AFFIDAVIT OF SERVICE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 554.3513, subsection 1, paragraph b, Code 2003, is amended to read as follows:

b. The written demand notified the defendant that treble damages would be sought if the face value of the dishonored check was not paid within thirty days of receipt, and was received by the defendant ~~through-personal~~ via any of the following methods:

(1) Personal service or-restricted.

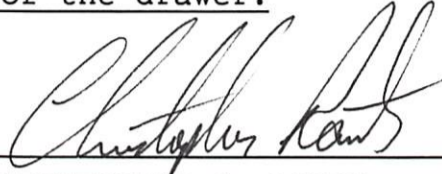
(2) Restricted certified mail.

(3) Regular mail to at least one of the following addresses, supported by an affidavit of service retained by the payee or holder of the dishonored check, which affidavit shall be presumptive evidence of the receipt of the demand by the maker three days from the date of execution of the affidavit:

(a) The address printed or written on the check.

(b) The address given by the drawer at the time of issuance of the check.

(c) The last known address of the drawer.



CHRISTOPHER C. RANTS  
Speaker of the House



MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 319, Eightieth General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved May 1, 2003



THOMAS J. VILSACK  
Governor