

House File 2490

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1 3 AN ACT
1 4 RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT.
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1 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 7
1 8 Section 1. Section 554D.101, Code 2003, is amended to read
1 9 as follows:
1 10 554D.101 SHORT TITLE.
1 11 This ~~section and sections 554D.102 through 554D.124 of this~~
1 12 ~~chapter shall be known and may be cited as the "Uniform~~
1 13 ~~Electronic Transactions Act".~~
1 14 Sec. 2. Section 554D.103, subsections 4, 5, and 7, Code
1 15 2003, are amended by striking the subsections.
1 16 Sec. 3. Section 554D.103, subsection 19, Code 2003, is
1 17 amended to read as follows:
1 18 19. "Transaction" means an action or set of actions
1 19 occurring between two or more persons relating to the conduct
1 20 of business, ~~consumer,~~ commercial, or governmental affairs.
1 21 Sec. 4. Section 554D.104, subsection 2, Code Supplement
1 22 2003, is amended to read as follows:
1 23 2. ~~a. (1) This chapter does not apply to the following:~~
1 24 ~~(a) An application which would involve construction of a~~
1 25 ~~rule of law that is clearly inconsistent with the manifest~~
1 26 ~~intent of the body imposing the requirement or repugnant to~~
1 27 ~~the context of the same rule of law. However, the mere~~
1 28 ~~requirement that information be in writing, written, or~~
1 29 ~~printed shall not by itself be sufficient to establish an~~
1 30 ~~intent which is inconsistent with the requirement of this~~
1 31 ~~section.~~
1 32 ~~(b) With respect to a consumer transaction, a record that~~
1 33 ~~serves as a unique and transferable physical expression of~~
1 34 ~~rights and obligations including, without limitation,~~
1 35 ~~negotiable instruments and other instruments of title where~~
2 1 ~~possession of the instrument is deemed to confer title.~~
2 2 ~~(c) An electronic transaction initiated at a satellite~~
2 3 ~~terminal, as defined in section 527.2, or the processing and~~
2 4 ~~routing of transaction data by a central routing unit or a~~
2 5 ~~data processing center, each as defined in section 527.2.~~
2 6 ~~(2) Except as provided under paragraph "b", this This~~
2 7 ~~chapter does not apply to a transaction to the extent it is~~
2 8 ~~governed by any of the following:~~
2 9 ~~(a) A disclosure requirement associated with a consumer~~
2 10 ~~transaction, including, but not limited to, such disclosures~~
2 11 ~~required under chapter 13C, sections 321.69 and 321.71,~~
2 12 ~~chapters 516D, 523A, 523B, 523G, 533D, 537, 537B, 538A, 552,~~
2 13 ~~552A, 555A, 557A, 557B, 558A, 562A, and 562B, section 714.16,~~
2 14 ~~and chapters 714B and 714D, or an administrative rule adopted~~
2 15 ~~pursuant to such sections or chapters.~~
2 16 ~~(b) a. A rule of law governing the creation or execution~~
2 17 ~~of a will or trust, living will, a general, durable, or~~
2 18 ~~healthcare power of attorney, or a voluntary, involuntary, or~~
2 19 ~~standby guardianship or conservatorship wills, codicils, or~~
2 20 ~~testamentary trusts.~~
2 21 ~~(c) b. Chapter 554 other than articles 2 and 13 and~~
2 22 ~~sections 554.1107 and 554.1206.~~
2 23 ~~b. This chapter applies to an electronic record or~~
2 24 ~~electronic signature otherwise excluded from the application~~
2 25 ~~of this chapter under paragraph "a" to the extent it is~~
2 26 ~~governed by a law other than those specified in paragraph "a",~~
2 27 ~~subparagraph (2).~~
2 28 Sec. 5. Section 554D.110, subsection 4, paragraph b, Code
2 29 2003, is amended to read as follows:
2 30 b. A requirement under a law other than this chapter to
2 31 send, communicate, or transmit a record by ~~delivery in person,~~
2 32 ~~by first-class mail postage prepaid, or by courier may be~~
2 33 ~~varied by agreement to the extent permitted by the other law.~~
2 34 Sec. 6. Section 554D.111, subsection 3, Code 2003, is
2 35 amended by striking the subsection.
3 1 Sec. 7. Section 554D.114, subsection 7, Code 2003, is
3 2 amended to read as follows:
3 3 7. This section does not preclude a governmental agency of
3 4 this state from specifying additional requirements for the
3 5 retention of a record subject to the agency's jurisdiction.

3 6 Sec. 8. Section 554D.120, subsection 5, Code Supplement
3 7 2003, is amended by striking the subsection.
3 8 Sec. 9. NEW SECTION. 554D.124 SEVERABILITY.
3 9 If any provision of this chapter or the application thereof
3 10 to any person or circumstances is held invalid, the invalidity
3 11 shall not affect other provisions or applications of the
3 12 chapter which can be given effect without the invalid
3 13 provisions or application and, to this end, the provisions of
3 14 this chapter are severable.
3 15 Sec. 10. Sections 554D.102, 554D.105, 554D.109, 554D.122,
3 16 and 554D.123, Code 2003, are repealed.
3 17 Sec. 11. CODE EDITOR DIRECTIVE. The Code editor is
3 18 directed to renumber section 554D.104, subsection 4, as new
3 19 section 554D.125, and to change any references to subsection 4
3 20 as necessary.

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CHRISTOPHER C. RANTS
3 25 Speaker of the House
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JEFFREY M. LAMBERTI
3 30 President of the Senate
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3 32 I hereby certify that this bill originated in the House and
3 33 is known as House File 2490, Eightieth General Assembly.
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4 2 _____
MARGARET THOMSON
4 3 Chief Clerk of the House

4 4 Approved _____, 2004
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4 8 THOMAS J. VILSACK
4 9 Governor