



THOMAS J. VILSACK  
GOVERNOR

**OFFICE OF THE GOVERNOR**

SALLY J. PEDERSON  
LT. GOVERNOR

April 27, 2005

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**Senate File 340**, an Act relating to motor vehicle registration and driver licensing services provided by county treasurers and providing for the collection of certain fees, fines, and penalties, and providing an effective date.

**Senate File 352**, an Act relating to confidentiality and liability provisions involving the child advocacy board and the programs associated with the board and making a penalty applicable.

**Senate File 363**, an Act providing for the regulation of persons engaged in soliciting business opportunities, included franchises.

**Senate File 365**, an Act relating to the application deadline for certification of enterprise zones.

**Senate File 370**, an Act relating to the duration of a no-contact order in a criminal case.

The above Senate Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc  
cc: Secretary of the Senate  
Chief Clerk of the House





SENATE FILE 363

AN ACT

PROVIDING FOR THE REGULATION OF PERSONS ENGAGED IN SOLICITING BUSINESS OPPORTUNITIES, INCLUDING FRANCHISES.

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

Section 1. Section 551A.3, subsection 3, paragraphs a and b, Code 2005, are amended to read as follows:

a. A uniform franchise offering circular prepared in accordance with the guidelines adopted by the North American securities administrators association, inc. ~~7-as-amended through-July-17-2004.~~

b. A disclosure document prepared pursuant to the federal trade commission rule relating to disclosure requirements and prohibitions concerning franchising and business opportunity ventures in accordance with 16 C.F.R. § 436 or any successor regulation.

Sec. 2. Section 551A.4, subsection 1, paragraph b, Code 2005, is amended to read as follows:

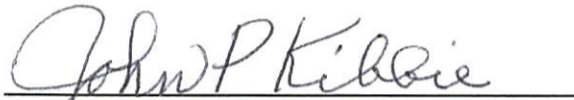
b. An offer or sale of a business opportunity which is a franchise, provided that the seller delivers to each purchaser at the earlier of the first personal meeting between the seller and the purchaser, or ~~ten-business~~ fourteen days prior to the earlier of the execution by a purchaser of a contract imposing a binding legal obligation on the purchaser or the payment by a purchaser of any consideration in connection with the offer or sale of the business opportunity, one of the following disclosure documents:

(1) A uniform franchise-offering circular prepared in accordance with the guidelines adopted by the North American

securities administrators association, inc. ~~as amended through September 21, 1983.~~

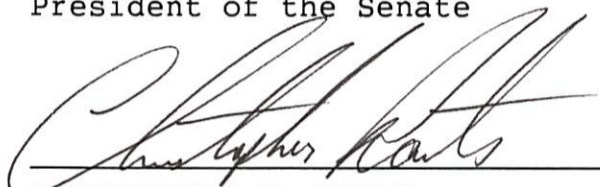
(2) A disclosure document prepared pursuant to the federal trade commission rule entitled "Disclosure requirements and prohibitions concerning franchising and business opportunity ventures", 16 C.F.R. § 436 ~~(1979)~~ or any successor regulation.

For the purposes of this paragraph "b", a personal meeting means a face-to-face meeting between the purchaser and the seller or their representatives, which is held for the purpose of discussing the offer or sale of a business opportunity.



JOHN P. KIBBIE

President of the Senate



CHRISTOPHER C. RANTS

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 363, Eighty-first General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved April 27, 2005



THOMAS J. VILSACK

Governor