

1-8-96 Judiciary

FILED JAN 8 1996

SENATE FILE 2004
BY SZYMONIAK

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act exempting the seller of a portable water system from the
2 requirements and the penalties of the consumer fraud law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

01. 2004

1 Section 1. Section 714.16, subsection 1, paragraph o, Code
2 1995, is amended to read as follows:

3 o. "Water treatment system" means a permanent, nonportable
4 device or assembly for which a claim is made that it will
5 improve the quality of drinking water by reducing one or more
6 contaminants through mechanical, physical, chemical, or
7 biological processes or combinations of the processes. "Water
8 treatment system" does not include a portable water system
9 used by a hiker or a camper. As used in this paragraph and in
10 subsection 2, paragraph "h", each model of a water treatment
11 system shall be deemed a distinct water treatment system.

12 EXPLANATION

13 This bill amends the consumer fraud law by limiting the
14 definition of a "water treatment system" to a permanent,
15 nonportable device or assembly that does not include a
16 portable water system used by a hiker or a camper. The bill
17 exempts the seller of a portable water system from the need to
18 comply with the requirements of the consumer fraud law. The
19 consumer fraud law requires that a "water treatment system" is
20 performance-tested by a third-party testing agency, meets the
21 performance-testing requirements specified in the testing
22 protocol, bears a conspicuous and legible label pertaining to
23 the need to read the manufacturer's performance data sheet,
24 and is accompanied by the consumer information pamphlet
25 compiled by the Iowa department of public health. The
26 attorney general is authorized to enforce the provisions of
27 the consumer fraud law through numerous civil remedies
28 including restitution, injunctions, fines, dissolving a
29 corporation, and payment of attorney's fees.

30
31
32
33
34
35