

FEB 8 1999

JUDICIARY

HOUSE FILE

229

BY WITT

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act exempting the seller of a portable water device or
2 assembly from the requirements and the penalties of the
3 consumer fraud law.

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

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HF 229

1 Section 1. Section 714.16, subsection 1, paragraph o, Code
2 1999, 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 device or
9 assembly used by a hiker or a camper. As used in this
10 paragraph and in subsection 2, paragraph "h", each model of a
11 water treatment system shall be deemed a distinct water
12 treatment system.

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EXPLANATION

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

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