

MAR 1 1999

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433

COMMERCE AND REGULATION

HOUSE FILE

BY RANTS, HANSEN, and CATALDO

Passed House, ^(P.821) Date 3/24/99
Vote: Ayes 55 Nays 42
Approved _____

^{Parled} Passed Senate, Date 4/20/99
Vote: Ayes 25 Nays 24

A BILL FOR

1 An Act relating to the exclusion of certain transactions
2 involving a public utility or common carrier from the
3 applicability of the consumer credit code.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 433

1 Section 1. Section 537.1202, subsection 3, Code 1999, is
2 amended to read as follows:

3 3. Transactions under of a public utility or common
4 carrier tariffs if a subdivision or agency of this state or of
5 the United States regulates ~~the-charges-for-the-services~~
6 ~~involved, the-charges-for-delayed-payment, and-any-discount~~
7 allowed-for-early-payment the public utility or common carrier
8 pursuant to tariff, rule, or other jurisdiction to resolve
9 consumer complaints against such public utility or common
10 carrier.

11 EXPLANATION

12 This bill amends Code section 537.1202 which enumerates
13 certain types of transactions or businesses to which the
14 consumer credit code does not apply. Currently, transactions
15 under a public utility or common carrier tariff are excluded
16 from the chapter's applicability if a subdivision or agency of
17 this state or of the United States regulates the charges for
18 the services involved, the charges for delayed payment, and
19 any discount allowed for early payment. The bill provides
20 that the exclusion would apply to transactions of a public
21 utility or common carrier if a subdivision or agency of this
22 state or of the United States regulates the public utility or
23 common carrier pursuant to tariff, rule, or other jurisdiction
24 to resolve consumer complaints against such public utility or
25 common carrier.

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HOUSE FILE 433

H-1151

- 1 Amend the amendment, H-1080, to House File 433 as
- 2 follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "service" the following: "which is effective for a
- 5 period of no more than twenty-four months in
- 6 duration".

By RANTS of Woodbury

H-1151 FILED MARCH 22, 1999

HOUSE FILE 433

H-1080

- 1 Amend House File 433 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 537.3310, subsection 5, Code
- 5 1999, is amended to read as follows:
- 6 5. Subsections 1 through 4 do not apply to a the
- 7 following:
- 8 a. A membership camping contract which is subject
- 9 to the requirements of chapter 557B.
- 10 b. A contract for wireless communications service.
- 11 For purposes of this subsection, "wireless
- 12 communications service" means as defined in section
- 13 34A.7A, subsection 4. However, this subsection shall
- 14 not be interpreted as prohibiting a consumer from
- 15 canceling a contract where the terms of the agreement
- 16 entered into have not been met by the provider of the
- 17 wireless communications service."

By COMMITTEE ON COMMERCE
METCALF of Polk, Chairperson

H-1080 FILED MARCH 11, 1999

S-5/24/99 Co. *see*
S-4/20/99 *Deferred*
S-4/20/99 Motion to R/C failure to Pass
by *General & Sexton*
S-4/27/99 *may be withdrawn by*
General

HOUSE FILE

433

BY RANTS, HANSEN, and

CATALDO

S-4/27/99 Motion by *Sexton*
Revoled
S-4/27/99 *Deferred*

(As Amended and Passed by the House, March 24, 1999)

(P. 1218)

Passed House, Date _____

Failed
Passed Senate, Date 4/20/99

Vote: Ayes _____ Nays _____

Vote: Ayes 25 Nays 24

Approved _____

A BILL FOR

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All New Language

1 Section 1. Section 537.3310, subsection 5, Code 1999, is
2 amended to read as follows:

3 5. Subsections 1 through 4 do not apply to a the
4 following:

5 a. A membership camping contract which is subject to the
6 requirements of chapter 557B.

7 b. A contract for wireless communications service which is
8 effective for a period of no more than twenty-four months in
9 duration.

10 For purposes of this subsection, "wireless communications
11 service" means as defined in section 34A.7A, subsection 4.

12 However, this subsection shall not be interpreted as
13 prohibiting a consumer from canceling a contract where the
14 terms of the agreement entered into have not been met by the
15 provider of the wireless communications service.

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