

CHAPTER 1051

UNIFORM COMMERCIAL CODE — FINANCING STATEMENTS

H.F. 2344

AN ACT relating to certain financing statements required to be filed with the secretary of state, and providing for retroactive applicability and an immediate effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 554.11105, subsection 3, Code 1991, is amended to read as follows:

3. The effectiveness of any financing statement or continuation statement filed prior to January 1, 1975, may be continued by a continuation statement as permitted by this chapter as amended, except that if this chapter as amended requires a filing in an office where there was no previous financing statement, a new financing statement conforming to either section 554.9402 or subsection 8 shall be filed in that office. A financing statement conforming to the requirements of subsection 8 continues the effectiveness of a financing statement or continuation statement initially filed prior to January 1, 1975, for a period of five years from the last date that the prior financing statement or continuation statement would be effective if no further filing were made, if the financing statement conforming to the requirements of subsection 8 is filed within six months prior to the expiration of the prior financing statement or continuation statement.

Sec. 2. **RETROACTIVE APPLICABILITY.** This Act applies retroactively to January 1, 1975.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 9, 1992

CHAPTER 1052

AIR TOXICS FEE

H.F. 2359

AN ACT relating to an animal feed milling industry exemption from payment and to reassessment of the temporary air toxics fee.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.133A, subsection 1, unnumbered paragraph 2, Code Supplement 1991, is amended to read as follows:

A source required to report hazardous air pollutant emissions under section 313 of EPCRA shall pay a fee based upon the most recently reported emissions. A person shall pay the established fee for hazardous air pollutants which are not included in section 313 of EPCRA, but which are included in Title III of the federal Clean Air Act of 1990, based upon the facility's estimates of emissions as required by section 313 of EPCRA including threshold determinations and de minimus exclusions. An affected source under this subsection which is involved in the animal feed milling industry (Standard Industrial Classification (SIC) Code 2048) and which emits less than one hundred pounds of hazardous air pollutants, annually, is exempt from payment of the fee imposed. An affected source which is involved in the animal feed milling industry which emits one hundred pounds through one ton of hazardous air pollutants, annually, shall pay an annual fee of twenty-five dollars.

Approved April 9, 1992