

CHAPTER 45**SOURCE WATER TESTING BY PUBLIC WATER SYSTEMS***H.F. 349*

AN ACT eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

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

Section 1. Section 455B.173, subsection 6, paragraph b, Code 1999, is amended by striking the paragraph.

Approved April 21, 1999

CHAPTER 46**INFECTIOUS WASTE REGULATION***H.F. 489*

AN ACT eliminating certain requirements relating to the regulation of infectious waste.

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

Section 1. Section 455B.501, subsection 2, Code 1999, is amended to read as follows:

2. The department shall ~~institute an infectious waste management program in cooperation with the Iowa department of public health. The program shall include all of the following elements:~~

a. ~~Recommendations to the commission for revision of the rules which refer to infectious waste as hazardous or toxic waste.~~

b. ~~Initiation, in cooperation with associations of health care providers of an information and education effort regarding the current requirements for special waste authorizations prior to the disposal of infectious wastes in a landfill. The effort shall include an attempt to compile an inventory of the number of generators and the volumes generated. The inventory shall be completed and a report regarding the results of the inventory submitted to the general assembly by no later than January 15, 1991.~~

e. ~~Upon completion of the compilation of the inventory, the department shall recommend, for adoption by the commission, standards for on-site and off-site treatment of infectious waste. In developing standards, the department shall consider factors affecting the feasibility of alternative methods of treatment and disposal, including but not limited to the volume of infectious waste generated, the availability of treatment facilities within geographic areas, and the costs of transporting infectious wastes to treatment facilities. The standards shall include monitoring requirements for treatment facilities, and training requirements for operators of facilities. The standards may include requirements for management plans dealing with the plans for management of infectious wastes in compliance with adopted standards. In cases in which an individual generator of infectious waste is served by a person treating or disposing of the infectious waste, the person treating or disposing of the waste may prepare the plan for all generators served.~~

d. ~~The department shall undertake a public information program, in conjunction with the Iowa department of public health and health care providers, to promote public understanding of the scope and features of state and private efforts to manage infectious wastes.~~

Sec. 2. Section 455B.503, Code 1999, is amended to read as follows:

455B.503 INFECTIOUS WASTE TREATMENT AND DISPOSAL FACILITIES — PERMITS REQUIRED — RULES.

The commission shall adopt rules which require a person who owns or operates an infectious waste treatment or disposal facility to obtain an operating permit before initial operation of the facility. The rules shall specify the information required to be submitted with the application for a permit and the conditions under which a permit may be issued, suspended, modified, revoked, or renewed. The rules shall address but are not limited to the areas of operator safety, recordkeeping and tracking procedures, best available appropriate technologies, emergency response and remedial action procedures, waste minimization procedures, and long-term liability. ~~The department shall submit proposed rules to the commission and notify the general assembly of the submission of the proposed rules pursuant to section 7A.11 and the commission shall adopt rules by January 15, 1994. The department shall not grant permits for the construction or operation of a commercial infectious waste treatment or disposal facility until the commission has adopted the required rules, and in no event earlier than July 1, 1994.~~

Sec. 3. Section 455B.502, Code 1999, is repealed.

Approved April 21, 1999

CHAPTER 47

IDENTITY THEFT

H.F. 659

AN ACT establishing the crime of identity theft and providing penalties.

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

Section 1. **NEW SECTION.** 714.16B IDENTITY THEFT — CIVIL CAUSE OF ACTION.

In addition to any other remedies provided by law, a person as defined under section 714.16, subsection 1, suffering a pecuniary loss as a result of an identity theft by another person under section 715A.8, may bring an action against such other person to recover the following:

1. One thousand dollars or three times the actual damages, whichever is greater.
2. Reasonable attorney fees and court costs.

Sec. 2. **NEW SECTION.** 715A.8 IDENTITY THEFT.

1. For purposes of this section, "identification information" means the name, address, date of birth, telephone number, driver's license number, nonoperator's identification number, social security number, place of employment, employee identification number, parent's legal surname prior to marriage, demand deposit account number, savings or checking account number, or credit card number of a person.

2. A person commits the offense of identity theft if the person with the intent to obtain a benefit fraudulently obtains identification information of another person and uses or attempts to use that information to obtain credit, property, or services without the authorization of that other person.