

4. If before the effective date of this section the ownership or acquisition costs of a county's capital asset used in part for a purpose payable from the county's services fund were accrued to the county's services fund, beginning with the effective date of this Act, any appropriations or revenues attributable to that capital asset shall instead be accrued to the county's general fund.⁴ Except as expressly authorized by this Act, the county shall not make any adjustment to the county's services fund or general fund to remunerate the services fund for such appropriations or revenues that were accrued to the services fund before the transfer of accrual to the general fund.

Sec. 6. EFFECTIVE AND APPLICABILITY DATES. This Act, being deemed of immediate importance, takes effect upon enactment. The amendments to section 331.424A, 331.427, and 331.438, and the transition section in this Act are first applicable to county budgets and levies in effect for the fiscal year beginning July 1, 2000, and ending June 30, 2001.⁵

Approved April 13, 2000

CHAPTER 1091

DAIRY TRADE PRACTICES REGULATION

H.F. 2328

AN ACT eliminating the regulation of certain dairy trade practices.

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

Section 1. Chapter 192A, Code 1999, is repealed.

Approved April 13, 2000

CHAPTER 1092

MODIFICATION OF CHILD CUSTODY OR SUPPORT ORDERS — PILOT PROJECT

H.F. 2388

AN ACT relating to the implementation of a pilot project pertaining to the concurrent jurisdiction of the juvenile court and the district court relating to modification of child custody and support orders.

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

Section 1. CONCURRENT JURISDICTION — CUSTODY OR SUPPORT — PILOT PROJECT.

1. The judicial branch shall implement a pilot project in at least one judicial district to provide for concurrent jurisdiction between the juvenile court and the district court for the purpose of the district court modifying an existing custody or support order when the juvenile court issues an order removing a child from the custody of a parent previously granted custody or support pursuant to chapter 598.

⁴ See chapter 1232, §8, 10 herein

⁵ See chapter 1232, §9, 10 herein

2. The judicial branch shall submit a report to the general assembly on or before December 1, 2000, regarding the progress of the pilot project and recommendations regarding the continuation or expansion of the project.

Approved April 13, 2000

CHAPTER 1093
FRANCHISE AGREEMENTS
S.F. 324

AN ACT relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

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

Section 1. NEW SECTION. 537A.10 FRANCHISE AGREEMENTS.

1. DEFINITIONS.

When used in this section, unless the context otherwise requires:

a. "Affiliate" means a person controlling, controlled by, or under common control with another person, every officer or director of such a person, and every person occupying a similar status or performing similar functions.

b. "Business day" means a day other than a Saturday, Sunday, or federal holiday.

c. (1) "Franchise" means either of the following:

(a) An oral or written agreement, either express or implied, which provides all of the following:

(i) Grants the right to distribute goods or provide services under a marketing plan prescribed or suggested in substantial part by the franchisor.

(ii) Requires payment of a franchise fee to a franchisor or its affiliate.

(iii) Allows the franchise business to be substantially associated with a trademark, service mark, trade name, logotype, advertisement, or other commercial symbol of or designating the franchisor or its affiliate.

(b) A master franchise.

(2) "Franchise" does not include any business that is operated under a lease or license on the premises of the lessor or licensor as long as such business is incidental to the business conducted by the lessor or licensor on such premises, including, without limitation, leased departments, licensed departments, and concessions and the leased or licensed department operates only under the trademark, trade name, service mark, or other commercial symbol designating the lessor or licensor.

(3) "Franchise" also does not include any contract under which a petroleum retailer or petroleum distributor is authorized or permitted to occupy leased marketing premises, which premises are to be employed in connection with the sale, consignment, or distribution of motor fuel under a trademark which is owned or controlled by a refiner which is regulated by the federal Petroleum Marketing Practices Act, 15 U.S.C. § 2801 et seq. The term "refiner" means any person engaged in the refining of crude oil to produce motor fuel, and includes any affiliate of such person. "Franchise" also does not include a contract entered into by any person regulated under chapter 123, 322, 322A, 322B, 322C, 322D, 322F, 522, or 543B, or a contract establishing a franchise relationship with respect to the sale of construction equipment, lawn or garden equipment, or real estate.