

CHAPTER 1067UNIFORM ELECTRONIC TRANSACTIONS ACT —
MISCELLANEOUS CHANGES

H.F. 2490

AN ACT relating to the uniform electronic transactions Act.

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

Section 1. Section 554D.101, Code 2003, is amended to read as follows:

554D.101 SHORT TITLE.

This ~~section and sections 554D.102 through 554D.124 of this chapter shall be known and~~ may be cited as the “Uniform Electronic Transactions Act”.

Sec. 2. Section 554D.103, subsections 4, 5, and 7, Code 2003, are amended by striking the subsections.

Sec. 3. Section 554D.103, subsection 19, Code 2003, is amended to read as follows:

19. “Transaction” means an action or set of actions occurring between two or more persons relating to the conduct of business, ~~consumer~~, commercial, or governmental affairs.

Sec. 4. Section 554D.104, subsection 2, Code Supplement 2003, is amended to read as follows:

2. ~~a. (1) This chapter does not apply to the following:~~

~~(a) An application which would involve construction of a rule of law that is clearly inconsistent with the manifest intent of the body imposing the requirement or repugnant to the context of the same rule of law. However, the mere requirement that information be in writing, written, or printed shall not by itself be sufficient to establish an intent which is inconsistent with the requirement of this section.~~

~~(b) With respect to a consumer transaction, a record that serves as a unique and transferable physical expression of rights and obligations including, without limitation, negotiable instruments and other instruments of title where possession of the instrument is deemed to confer title.~~

~~(c) An electronic transaction initiated at a satellite terminal, as defined in section 527.2, or the processing and routing of transaction data by a central routing unit or a data processing center, each as defined in section 527.2.~~

~~(2) Except as provided under paragraph “b”, this This chapter does not apply to a transaction to the extent it is governed by any of the following:~~

~~(a) A disclosure requirement associated with a consumer transaction, including, but not limited to, such disclosures required under chapter 13C, sections 321.69 and 321.71, chapters 516D, 523A, 523B, 523G, 533D, 537, 537B, 538A, 552, 552A, 555A, 557A, 557B, 558A, 562A, and 562B, section 714.16, and chapters 714B and 714D, or an administrative rule adopted pursuant to such sections or chapters.~~

~~(b) a. A rule of law governing the creation or execution of a will or trust, living will, a general, durable, or healthcare power of attorney, or a voluntary, involuntary, or standby guardianship or conservatorship wills, codicils, or testamentary trusts.~~

~~(c) b. Chapter 554 other than articles 2 and 13 and sections 554.1107 and 554.1206.~~

~~b. This chapter applies to an electronic record or electronic signature otherwise excluded from the application of this chapter under paragraph “a” to the extent it is governed by a law other than those specified in paragraph “a”, subparagraph (2).~~

Sec. 5. Section 554D.110, subsection 4, paragraph b, Code 2003, is amended to read as follows:

b. A requirement under a law other than this chapter to send, communicate, or transmit a

record by ~~delivery in person, by first-class~~ mail postage prepaid, ~~or by courier~~ may be varied by agreement to the extent permitted by the other law.

Sec. 6. Section 554D.111, subsection 3, Code 2003, is amended by striking the subsection.

Sec. 7. Section 554D.114, subsection 7, Code 2003, is amended to read as follows:

7. This section does not preclude a governmental agency of this state from specifying additional requirements for the retention of a record subject to the agency's jurisdiction.

Sec. 8. Section 554D.120, subsection 5, Code Supplement 2003, is amended by striking the subsection.¹

Sec. 9. NEW SECTION. 554D.124 SEVERABILITY.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or application and, to this end, the provisions of this chapter are severable.

Sec. 10. Sections 554D.102, 554D.105, 554D.109, 554D.122, and 554D.123, Code 2003, are repealed.

Sec. 11. CODE EDITOR DIRECTIVE. The Code editor is directed to renumber section 554D.104, subsection 4, as new section 554D.125, and to change any references to subsection 4 as necessary.

Approved April 13, 2004

CHAPTER 1068

PHYSICAL THERAPY — USE OF PROFESSIONAL TITLES AND OTHER DESIGNATIONS

H.F. 2496

AN ACT relating to the use of titles pertaining to physical therapy and providing a penalty.

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

Section 1. NEW SECTION. 148A.7 FALSE USE OF TITLES PROHIBITED.

A person or business entity, including the employees, agents, or representatives of the business entity, shall not use in connection with that person's or business entity's business activity the words "physical therapy", "physical therapist", "licensed physical therapist", "registered physical therapist", "doctor of physical therapy", "physical therapist assistant", "licensed physical therapist assistant", "registered physical therapist assistant", or the letters "P.T.", "L.P.T.", "R.P.T.", "D.P.T.", "P.T.A.", "L.P.T.A.", "R.P.T.A.", or any other words, abbreviations, or insignia indicating or implying that physical therapy is provided or supplied, unless such services are provided by or under the direction and supervision of a physical therapist licensed pursuant to this chapter. Notwithstanding section 147.74, a person or the owner, officer, or agent of an entity that violates this section is guilty of a serious misdemeanor, and a license to practice shall be revoked or suspended pursuant to section 147.55. This section shall not

¹ See chapter 1175, §273, 287 herein