

Sec. 5. Section 15.104, subsection 4, unnumbered paragraph 1, Code 2005, is amended to read as follows:

Review and approve or disapprove a life science enterprise plan or amendments to that plan as provided in chapter 10C as that chapter exists on or before June 30, 2004 ~~2005~~,¹ and according to rules adopted by the board. A life science plan shall make a reasonable effort to provide for participation by persons who are individuals or family farm entities actively engaged in farming as defined in section 10.1. The persons may participate in the life science enterprise by holding an equity position in the life science enterprise or providing goods or service to the enterprise under contract. The plan must be filed with the board not later than June 30, 2004 ~~2005~~. The life science enterprise may file an amendment to a plan at any time. A life science enterprise is not eligible to file a plan, unless the life science enterprise files a notice with the board. The notice shall be a simple statement indicating that the life science enterprise may file a plan as provided in this section. The notice must be filed with the board not later than June 30, 2004 ~~1, 2005~~. The notice, plan, or amendments shall be submitted by a life science enterprise as provided by the board. The board shall consult with the department of agriculture and land stewardship during its review of a life science plan or amendments to that plan. The plan shall include information regarding the life science enterprise as required by rules adopted by the board, including but not limited to all of the following:

Sec. 6. CODE EDITOR DIRECTIVE. The Code editor shall, upon the repeal of sections 10C.1 through 10C.4, pursuant to section 10C.5, insert in section 10C.6 references to the Code or Code Supplement in which the most recent amendments to Code chapter 10C or portions thereof, as applicable, were incorporated.

Sec. 7. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 6, 2005

CHAPTER 17

DUAL PARTY RELAY SERVICE FUNDING

S.F. 264

AN ACT relating to the funding of the dual party relay service through assessments on telecommunications carriers providing telephone service.

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

Section 1. Section 477C.7, Code 2005, is amended to read as follows:
477C.7 FUNDING.

1. The board shall impose an annual assessment to fund the programs described in this chapter upon all telephone utilities telecommunications carriers providing service in the state as follows:

1. 2. The total assessment shall be allocated one-half to local exchange telephone utilities and one-half to the following telephone utilities as follows:

a. Wireless communications service providers shall be assessed three cents per month for each wireless communications service number provided in this state.

¹ See chapter 179, §108 herein

b. (1) The remainder of the assessment shall be allocated one-half to local exchange telephone utilities and one-half to the following:

- a. (a) Interexchange carriers.
- b. (b) Centralized equal access providers.
- c. (c) Alternative operator services companies.

2. (2) The assessment shall be levied allocated proportionally based upon revenues from all intrastate regulated, deregulated, and exempt telephone services under sections 476.1 and 476.1D.

3. The ~~telephone utilities~~ telecommunications carriers shall remit the assessed amounts quarterly to a special fund, as defined under section 8.2, subsection 9. The moneys in the fund are appropriated solely to plan, establish, administer, and promote the relay service and equipment distribution programs.

4. The ~~telephone utilities~~ telecommunications carriers subject to assessment shall provide the information requested by the board necessary for implementation of the assessment.

5. The local exchange telephone utilities shall not recover from intrastate access charges any portion of such utilities assessment imposed under this section.

Approved April 6, 2005

CHAPTER 18

IDENTITY THEFT

S.F. 270

AN ACT relating to identity theft including criminal violations and damages recoverable in a civil action, providing for forfeiture of property and for certain rights of financial institutions, and providing for civil remedies.

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

Section 1. NEW SECTION. 614.4A IDENTITY THEFT.

In actions for relief on the ground of identity theft under section 714.16B, the cause of action shall not be deemed to have accrued until the identity theft complained of is discovered by the party aggrieved.

Sec. 2. Section 714.16B, Code 2005, is amended to read as follows:

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, or a financial institution on behalf of an account holder 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 all of the following:

1. One Five thousand dollars or three times the actual damages, whichever is greater.
2. Reasonable costs incurred due to the violation of section 715A.8, including all of the following:

- a. Costs for repairing the victim's credit history or credit rating.
- b. Costs incurred for bringing a civil or administrative proceeding to satisfy a debt, lien, judgment, or other obligation of the victim.