



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

April 12, 2011

The Honorable Matthew Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 329, an Act relating to equipment dealership agreements by providing for supplier liability.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



House File 329

AN ACT

RELATING TO EQUIPMENT DEALERSHIP AGREEMENTS BY PROVIDING FOR
SUPPLIER LIABILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 322F.7, unnumbered paragraph 1, Code 2011, is amended to read as follows:

~~A supplier violates~~ A violation of this chapter if the
includes but is not limited to a supplier does doing any of the
following:

Sec. 2. Section 322F.8, subsection 1, paragraph a,
subparagraph (1), Code 2011, is amended to read as follows:

(1) A dealer may bring a legal action against a supplier
for damages sustained by the dealer as a consequence of
the supplier's violation of any provision of this chapter,
including but not limited to a violation described in section
322F.7. A supplier violating this chapter shall compensate the
dealer for damages sustained by the dealer as a consequence of
the supplier's violation, together with the actual costs of the
action, including reasonable attorney fees.

Sec. 3. Section 322F.8, subsection 2, Code 2011, is amended
to read as follows:

2. a. If the payment or allowance of equipment repurchased
pursuant to section 322F.3 is not made as required, or the
supplier is found liable for damages pursuant to subsection
1, paragraph "a", subparagraph (1), the amount due ~~bears to~~
the dealer shall bear interest at the rate of one and one-half
percent per month calculated from the date that the dealership
agreement was terminated.

b. ~~If upon~~ Upon termination of a dealership agreement
by nonrenewal or cancellation, by a dealer or supplier, if

the supplier fails to make payment or credit the account of the dealer as provided in any provision of this chapter, the supplier is liable in a civil action brought by the dealer for the repurchase amount set forth in section 322F.3, plus interest as calculated pursuant to paragraph "a". The supplier's civil liability as provided in this paragraph shall be in addition to and not in lieu of any remedy provided by subsection 1, paragraph "a", subparagraph (1).



KRAIG PAULSEN

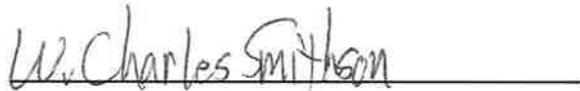
Speaker of the House



JOHN P. KIBBIE

President of the Senate

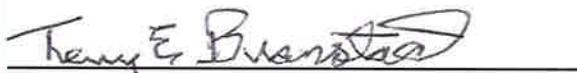
I hereby certify that this bill originated in the House and is known as House File 329, Eighty-fourth General Assembly.



W. CHARLES SMITHSON

Chief Clerk of the House

Approved April 12, 2011



TERRY E. BRANSTAD

Governor