

CHAPTER 46**FORECLOSURES – NOTICE OF RIGHT TO CURE DEFAULT***H.F. 567*

AN ACT relating to the requirements for a notice of right to cure concerning an obligation secured by a deed of trust or mortgage.

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

Section 1. Section 654.2B, Code 1991, is amended to read as follows:

654.2B REQUIREMENTS OF NOTICE OF RIGHT TO CURE.

The notice of right to cure shall be in writing and shall conspicuously state the name, address, and telephone number of the creditor or other person to which payment is to be made, a brief identification of the obligation secured by the deed of trust or mortgage and of the borrower's right to cure the default, a statement of the nature of the right to cure the default, a statement of the nature of the alleged default, a statement of the total payment, including an itemization of any delinquency or deferral charges, or other performance necessary to cure the alleged default, and the exact date by which the amount must be paid or performance tendered and a statement that if the borrower does not cure the alleged default the creditor or a person acting on behalf of the creditor is entitled to proceed with initiating a foreclosure action or procedure. The failure of the notice of right to cure to comply with one or more provisions of this section is not a defense or claim in any action pursuant to this chapter and does not invalidate any procedure pursuant to chapter 655A, unless the person asserting the defense, claim, or invalidity proves that the person was substantially prejudiced by such failure.

Sec. 2. Section 654.2D, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 10. As used in this section, "creditor" includes a person acting on behalf of a creditor.

Approved April 22, 1991

CHAPTER 47**DOCUMENTS FILED WITH GENERAL ASSEMBLY***H.F. 592*

AN ACT relating to documents filed with the general assembly by officials and departments.

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

Section 1. **NEW SECTION. 17.11 DOCUMENTS FILED WITH THE GENERAL ASSEMBLY.**

1. It is the intent of the general assembly that a department or official may notify the chief clerk of the house of representatives and the secretary of the senate of the availability of documents and materials other than those covered by subsection 2.

2. A department or official required to file a document with the general assembly shall only be required to send one copy of the document to each of the following:

- a. The chief clerk of the house of representatives.
- b. The secretary of the senate.
- c. Each caucus or research staff director of the general assembly.

3. The chief clerk of the house of representatives and the secretary of the senate shall transmit a list of the documents received, and a list of the documents and materials available to the general assembly to the legislative service bureau, which shall maintain the lists, as well