

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

as a list of addresses where copies of the documents may be ordered. The legislative service bureau shall distribute copies of these lists to members of the general assembly weekly when the general assembly is in session, and monthly during the legislative interim.

Approved April 22, 1991

CHAPTER 48

PAYMENT OF COURT FEES

H.F. 598

AN ACT relating to the payment of certain court filing fees by the United States.

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

Section 1. Section 602.8105, subsection 1, paragraph s, Code 1991, is amended to read as follows:

s. For filing and docketing a transcript of judgment from another county, two dollars. However, transcripts of judgments submitted by the United States shall be docketed without payment of the fee at the time of filing, and the fee shall be paid by the judgment debtor at the time of filing the satisfaction of judgment.

Approved April 22, 1991

CHAPTER 49

PERSONALIZED COLLEGIATE REGISTRATION PLATES

S.F. 231

AN ACT allowing the issuance of personalized collegiate registration plates for motor vehicles and providing an effective date.

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

Section 1. Section 321.34, subsection 10, paragraph b, Code 1991, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (4) In lieu of the letter number designation provided under subparagraphs (1) through (3), the collegiate registration plates may be designated in the manner provided for personalized registration plates under subsection 5, paragraph "a", in the colors designated for the respective universities under subparagraphs (1) through (3).

Sec. 2. Section 321.34, subsection 10, Code 1991, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. A collegiate registration plate shall not be issued if its combination of alphanumeric characters are identical to those contained on a current personalized registration plate issued under subsection 5. However, the owner of a motor vehicle who has a personalized registration plate issued for the motor vehicle may, after proper application and payment of fees, be issued a collegiate registration plate containing the same alphanumeric characters as those on the personalized plate. Upon receipt of the collegiate registration plates, the owner shall surrender the personalized registration plates to the county treasurer.

Sec. 3. This Act takes effect on December 1, 1991.

Approved April 23, 1991