

**Senate Study Bill 1093 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON GREEN)

**A BILL FOR**

1 An Act relating to requirements for the division, subdivision,  
2 and consolidation of parcels.

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

1 Section 1. Section 331.606B, Code 2023, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8. The county recorder shall refuse any  
4 document or instrument presented for recording for a division,  
5 subdivision, or consolidation, as those terms are defined in  
6 section 354.2, that is not accompanied by a certificate of the  
7 treasurer that each tract or parcel is free from certified  
8 taxes and certified special assessments or that the land is  
9 free from certified taxes and that the certified special  
10 assessments are secured by bond.

11 Sec. 2. Section 354.2, Code 2023, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 4A. "*Consolidation*" means merging two or  
14 more tracts or parcels of land into one parcel of land.

15 Sec. 3. NEW SECTION. 354.9A **Certificate of the treasurer.**

16 1. A governing body shall not approve a division,  
17 subdivision, or consolidation under this chapter or within  
18 the scope of but not limited to chapters 331, 335, 364, and  
19 414 without a certificate of the treasurer that each tract  
20 or parcel is free from certified taxes and certified special  
21 assessments or that the land is free from certified taxes and  
22 that the certified special assessments are secured by bond.

23 2. A certificate of the treasurer shall expire upon the  
24 next annual delivery of the tax list from the county auditor  
25 to the county treasurer pursuant to the procedures set forth  
26 in section 443.4. An expired certificate of the treasurer  
27 shall not be considered an acceptable document presented to the  
28 recorder for recording.

29

#### EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill provides that a city council or the board of  
33 supervisors, within whose jurisdiction land is located and  
34 which has adopted ordinances regulating the division of land,  
35 shall not approve a division, subdivision, or consolidation of

1 tracts or parcels without a certificate of the treasurer that  
2 each tract or parcel is free from certified taxes and certified  
3 special assessments or that the land is free from certified  
4 taxes and that the certified special assessments are secured  
5 by bond.

6 The bill also requires the county recorder to refuse any  
7 document or instrument presented for recording for a division,  
8 subdivision, or consolidation that is not accompanied by a  
9 certificate of the treasurer that each tract or parcel is free  
10 from certified taxes and certified special assessments or that  
11 the land is free from certified taxes and that the certified  
12 special assessments are secured by bond.