

Amended (p. 58) To Pass 3/12 (p. 241)

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SENATE FILE 2252
BY VARN

Passed Senate, Date 3/15/88 (p. 813) Passed House, Date _____
Vote: Ayes 45 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

- 1 An Act relating to the contents of records affecting interests in
- 2 property.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2252

S-5346

- 1 Amend Senate File 2252 as follows:
- 2 1. Page 3, by striking lines 12 through 24.
- 3 2. By renumbering as necessary.

S-5346

Filed March 14, 1988
Adopted 3/15 (p. 812)

BY RICHARD VARN

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2252

1 Section 1. Section 84.10, Code 1987, is amended to read as
2 follows:

3 84.10 LIENS FOR DEVELOPMENT AND OPERATING COSTS.

4 A person to whom another is indebted for expenses incurred
5 in drilling and operating a well on a drilling unit required
6 to be formed as provided for in section 84.8, may, in order to
7 secure payment of the amount due, fix a lien upon the interest
8 of the debtor in the production from the drilling unit or the
9 unit area, as the case may be, by filing for record, with the
10 recorder of the county where property involved, or any part
11 thereof of it, is located, an affidavit setting forth the
12 amount due, and the name, birth date, and address, where
13 applicable, and the interest of the debtor in such production.
14 The person to whom the amount is payable may, at the expense
15 of the debtor, store all or any part of the production upon
16 which the lien exists until the total amount due, including
17 reasonable storage charges, is paid or the commodity is sold
18 at foreclosure sale and delivery is made to the purchaser.
19 The lien may be foreclosed as provided for with respect to
20 foreclosure of a lien on chattels.

21 Sec. 2. Section 96.14, subsection 3, paragraph a, Code
22 Supplement 1987, is amended to read as follows:

23 a. The name, birth date, and address, where applicable, of
24 the employer.

25 Sec. 3. Section 331.606, subsection 1, Code 1987, is
26 amended to read as follows:

27 1. In addition to other requirements specified by law, the
28 recorder shall note in the fee book the date of filing of each
29 instrument, the number and character of the instrument, and
30 the name, birth date, and address, where applicable, of each
31 grantor and grantee named in the instrument. In numbering the
32 instruments, the recorder shall start with the number one
33 immediately following the date of annual settlement with the
34 board and continue to number them consecutively until the next
35 annual settlement with the board.

1 Sec. 4. Section 411.22, subsection 1, Code 1987, is
2 amended to read as follows:

3 1. If a member receives an injury for which benefits are
4 payable under section 411.6, subsection 5, or section 411.15
5 and if the injury is caused under circumstances creating a
6 legal liability for damages against a third party other than
7 the retirement system, the member or the member's legal
8 representative may maintain an action for damages against the
9 third party. If a member or a member's legal representative
10 commences such an action, the plaintiff member or
11 representative shall serve a copy of the original notice,
12 which shall contain the name, birth date, and address of the
13 third party, where applicable, upon the retirement system not
14 less than ten days before the trial of the action, but a
15 failure to serve the notice does not prejudice the rights of
16 the retirement system, and the following rights and duties
17 ensue:

18 a. The retirement system shall be indemnified out of the
19 recovery of damages to the extent of benefit payments made by
20 the retirement system, with legal interest, except that the
21 plaintiff member's attorney fees are not indemnifiable.

22 b. The retirement system has a lien on the damage claim
23 against the third party and on any judgment on the damage
24 claim for benefits for which the retirement system is liable.
25 In order to continue and preserve the lien, the retirement
26 system shall file a notice of the lien, containing the name,
27 birth date, and address of the third party, where applicable,
28 within thirty days after receiving a copy of the original
29 notice in the office of the clerk of the district court in
30 which the action is filed.

31 Sec. 5. Section 422.26, subsection 1, Code 1987, is
32 amended to read as follows:

33 1. The name, birth date, and last known address of the
34 taxpayer.

35 Sec. 6. Section 427.12, subsection 2, Code 1987, is

1 amended to read as follows:

2 2. The name, birth date, and address, where applicable, of
3 the owner of the land.

4 Sec. 7. Section 445.9, Code 1987, is amended to read as
5 follows:

6 445.9 RECORD -- CONTENTS.

7 Such An entry of tax on the delinquent personal tax list
8 shall give the names, birth dates, and addresses, where
9 applicable, of delinquents alphabetically arranged, with
10 amounts of tax and ~~for-what~~ the year or years for which tax is
11 due, and where the property was located when assessed.

12 Sec. 8. Section 445.42, Code 1987, is amended to read as
13 follows:

14 445.42 ASSESSMENT OF MIGRATORY PROPERTY OF NONRESIDENT.

15 All personal property, the owner of which is a nonresident
16 of the state, and which property is by the owner ~~thereof~~
17 intended for sale or consumption at a place, or shipment to a
18 place other than where ~~said~~ the property is located, shall be
19 assessed in the owner's name, if the owner is known, and if
20 the owner is unknown or uncertain the same shall be assessed
21 to "unknown owner", and shall be by the assessor sufficiently
22 described so that ~~said~~ the property may be identified. The
23 owner's birth date, and address, if known, shall be entered on
24 the assessment list.

25 Sec. 9. Section 448.17, Code 1987, is amended to read as
26 follows:

27 448.17 INDEXING AND RECORDING OF AFFIDAVITS AND CLAIMS.

28 All affidavits and claims as provided for in sections
29 448.15 and 448.16, filed with the county recorder, shall be
30 indexed in the claimant's book under the description of the
31 real estate involved, and shall be recorded as other
32 instruments affecting real estate. The recording shall
33 include the name, birth date, and address of the person
34 against whom the claim or affidavit is filed.

35 Sec. 10. Section 455B.396, unnumbered paragraph 1, Code

1 1987, is amended to read as follows:

2 Liability to the state under this part or part 5 of this
3 division is a debt to the state. The debt, together with
4 interest on the debt at the maximum lawful rate of interest
5 permitted pursuant to section 535.2, subsection 3, paragraph
6 "a" from the date costs and expenses are incurred by the
7 department is a lien on real property, except single and
8 multi-family residential property, on which the department
9 incurs costs and expenses creating a liability and owned by
10 the persons liable under this part or part 5. To perfect the
11 lien a statement of claim describing the property subject to
12 the lien and containing the name, birth date, and address of
13 the owner of the property, where applicable, signed by the
14 director and approved by the commission must be filed within
15 one hundred twenty days after the ~~incurrence~~ incurrence of
16 costs and expenses by the department. The statement shall be
17 filed with, accepted by, and recorded by the county recorder
18 in the county in which the property subject to the lien is
19 located. The statement of claim may be amended to include
20 subsequent liabilities. To be effective the statement of
21 claim shall be amended and filed within one hundred twenty
22 days after the occurrence of the event resulting in the
23 amendment.

24 Sec. 11. Section 554.7308, subsection 1, Code 1987, is
25 amended to read as follows:

26 1. A carrier's lien may be enforced by public or private
27 sale of the goods, in bloc or in parcels, at any time or place
28 and on any terms which are commercially reasonable, after
29 notifying all persons known to claim an interest in the goods.
30 ~~Such~~ The notification must include a statement of the amount
31 due, the name, address, and birth date of the owner of the
32 goods, the nature of the proposed sale and the time and place
33 of any public sale. The fact that a better price could have
34 been obtained by a sale at a different time or in a different
35 method from that selected by the carrier is not of itself

1 sufficient to establish that the sale was not made in a
2 commercially reasonable manner. If the carrier either sells
3 the goods in the usual manner in any recognized market
4 therefor or if the carrier sells at the price current in such
5 market at the time of the carrier's sale or if the carrier has
6 otherwise sold in conformity with commercially reasonable
7 practices among dealers in the type of goods sold the carrier
8 has sold in a commercially reasonable manner. A sale of more
9 goods than apparently necessary to be offered to ensure
10 satisfaction of the obligation is not commercially reasonable
11 except in cases covered by the preceding sentence.

12 Sec. 12. Section 554.8102, subsection 1, paragraph c, Code
13 1987, is amended to read as follows:

14 c. A security is in "registered form" when it specifies a
15 person entitled to the security or to the rights it evidences,
16 and the person's birth date, and address, where applicable,
17 and when its transfer may be registered upon books maintained
18 for that purpose by or on behalf of an issuer or the security
19 so states.

20 Sec. 13. Section 554.9402, subsections 1 and 3, Code 1987,
21 are amended to read as follows:

22 1. A financing statement is sufficient if it gives the
23 names of the debtor and the secured party, is signed by the
24 debtor, gives an address of the secured party from which
25 information concerning the security interest may be obtained,
26 gives a mailing address and the birth date, where applicable,
27 of the debtor and contains a statement indicating the types,
28 or describing the items, of collateral. A financing statement
29 may be filed before a security agreement is made or a security
30 interest otherwise attaches. When the financing statement
31 covers crops growing or to be grown, the statement must also
32 contain a description of the real estate concerned. When the
33 financing statement covers timber to be cut or covers minerals
34 or the like (including oil and gas) or accounts subject to
35 section 554.9103, subsection 5, or when the financing

1 statement is filed as a fixture filing (section 554.9313) and
2 the collateral is goods which are or are to be become
3 fixtures, the statement must also comply with subsection 5. A
4 copy of the security agreement is sufficient as a financing
5 statement if it contains the above information and is signed
6 by the debtor. A carbon, photographic or other reproduction
7 of a security agreement or a financing statement is sufficient
8 as a financing statement if the security agreement so provides
9 or if the original has been filed in this state.

10 3. A form substantially as follows is sufficient to comply
11 with subsection 1:

12 Name of debtor (or assignor)....., Birth
13 date.....

14 Address.....

15 Name of secured party (or assignee).....

16 Address.....

17 (1) This financing statement covers the following types
18 (or items) of property:

19 (Describe).....

20 (2) (If collateral is crops) The above described crops
21 are growing or are to be grown on:

22 (Describe Real Estate).....

23 (3) (If applicable) The above goods are to become
24 fixtures on

25 Where appropriate either add or substitute "The above
26 timber is standing on" or "The above minerals or the
27 like (including oil and gas) are located on" or "The
28 above accounts will be financed at the wellhead or minehead of
29 the well or mine located on" or any or all of these

30 (Describe Real Estate) and this financing
31 statement is to be filed for record in the real estate
32 records. (If the debtor does not have an interest of record)
33 The name of a record owner is

34 (4) (If products of collateral are claimed) Products of
35 the collateral are also covered.

- 1 (use whichever is applicable).....
- 2 Signature of Debtor (or Assignor).....
- 3 Signature of Secured Party (or
- 4 Assignee).....

5 Sec. 14. Section 557.18, Code 1987, is amended to read as
6 follows:

7 557.18 VENDOR'S LIEN.

8 No A vendor's lien for unpaid purchase money shall not be
 9 enforced in any court of this state after a conveyance by the
 10 vendee, unless such the lien is reserved by conveyance,
 11 mortgage, or other instrument, containing the vendee's name,
 12 birth date, and address, where applicable, duly acknowledged
 13 and recorded, or unless such the conveyance by the vendee is
 14 made after suit by the vendor, or the vendor's executor, or
 15 assigns to enforce such the lien.

16 Sec. 15. Section 557A.18, Code 1987, is amended to read as
17 follows:

18 557A.18 FINANCING OF TIME-SHARE PROGRAMS.

19 In the financing of a time-share program, the developer
 20 shall retain financial records of the schedule of payments
 21 required to be made and the payments made to any person or
 22 entity which is the holder of an underlying blanket mortgage,
 23 deed of trust, contract of sale, or other lien or encumbrance.
 24 Any A transfer of the developer's interest in the time-share
 25 program to a person other than the purchaser of a unit shall
 26 be is subject to the obligations of the developer. The
 27 financial records shall contain the name, birth date, and
 28 address of any individual obligated under a time-share
 29 program.

30 Sec. 16. Section 558.20, Code 1987, is amended to read as
31 follows:

32 558.20 ACKNOWLEDGMENTS WITHIN STATE.

33 The acknowledgment of any deed, conveyance, or other
 34 instrument in writing by which real estate in this state is
 35 conveyed or encumbered, if made within this state, must be

1 before ~~some~~ a court having a seal, or ~~some~~ a judge or clerk
2 thereof, or ~~some~~ a county auditor, or a judicial magistrate or
3 district associate judge within the county, or a notary public
4 within the state. Each of the officers above named is
5 authorized to take and certify acknowledgments of all written
6 instruments, authorized or required by law to be acknowledged.
7 The acknowledgment shall contain the transferor's name, birth
8 date, and address, where applicable.

9 Sec. 17. Section 558.21, Code 1987, is amended to read as
10 follows:

11 558.21 ACKNOWLEDGMENTS OUTSIDE OF STATE.

12 When made out of the state but within the United States, it
13 shall be before a judge of a court of record, or officer
14 holding the seal thereof, or a commissioner appointed by the
15 governor of this state to take the acknowledgment of deeds, or
16 ~~some~~ a notary public, or justice of the peace. The
17 acknowledgment shall contain the name, birth date, and address
18 of the transferor of the interest, where applicable.

19 Sec. 18. Section 558.26, unnumbered paragraph 1, Code
20 1987, is amended to read as follows:

21 In addition to the acknowledgment of instruments in the
22 manner and form and as otherwise authorized by law, any person
23 serving in or with the armed forces of the United States may
24 acknowledge ~~the same~~ an instrument wherever the person is
25 located before any commissioned officer in active service of
26 the armed forces of the United States with the rank of second
27 lieutenant or higher in the army or marine corps, or ensign or
28 higher in the navy or United States coast guard. Neither the
29 instrument nor the acknowledgment shall be rendered invalid by
30 the failure to state ~~therein~~ the place of execution or
31 acknowledgment. The acknowledgment shall contain the name,
32 address, and birth date of the transferor of the interest,
33 where applicable. No authentication of the officer's
34 certificate of acknowledgment shall be required, but the
35 officer taking the acknowledgment shall endorse ~~thereon~~ on the

1 instrument or attach thereto to it a certificate substantially
2 in the following form:

3 Sec. 19. Section 558.49, subsections 1 and 2, Code 1987,
4 are amended to read as follows:

5 1. Each grantor and the grantor's birth date, and address,
6 where applicable.

7 2. Each grantee and the grantee's birth date, and address,
8 where applicable.

9 Sec. 20. Section 570A.4, subsection 1, paragraph e, Code
10 1987, is amended to read as follows:

11 e. The name, birth date, where applicable, and address of
12 the farmer for whom the agricultural chemical, seed, feed, or
13 petroleum product was furnished or may be furnished pursuant
14 to the certified request or the combined certified request and
15 waiver of confidentiality.

16 Sec. 21. Section 571.3, Code 1987, is amended to read as
17 follows:

18 571.3 PRESERVATION OF LIEN.

19 In order to preserve the lien the person entitled to the
20 lien must, within ten days from the completion of the work for
21 which the lien is claimed, file in the office of the secretary
22 of state an itemized and verified statement setting forth the
23 services rendered, the number of bushels of grain threshed or
24 corn shelled, the value of the services, the name, birth date,
25 and address, where applicable, of the person for whom the
26 services were rendered and the place where the services were
27 rendered; ~~and the.~~ The secretary of state shall note the
28 filing of the verified statement under this section in the
29 manner provided by chapter 554 and shall charge a four dollar
30 filing fee if the statement is on the standard form prescribed
31 by the secretary of state, and a five dollar filing fee if the
32 statement is on another form.

33 Sec. 22. Section 572.8, subsection 3, Code 1987, is
34 amended to read as follows:

35 3. The name, birth date, where applicable, and last known

1 mailing address of the owner, agent, or trustee of the
2 property.

3 Sec. 23. Section 572.10, Code Supplement 1987, is amended
4 to read as follows:

5 572.10 PERFECTING SUBCONTRACTOR'S LIEN AFTER LAPSE OF
6 NINETY DAYS.

7 After the lapse of the ninety days prescribed in section
8 572.9, a subcontractor may perfect a mechanic's lien by filing
9 a claim, containing the owner's name, address, and birth date,
10 where applicable, with the clerk of the district court and
11 giving written notice thereof of the filing to the owner, or
12 the owner's agent, or trustee. Such The notice may be served
13 by any person in the manner original notices are required to
14 be served. If the party to be served, or the party's agent,
15 or trustee, is out of the county wherein where the property is
16 situated, a return of that fact by the person charged with
17 making such service shall constitute sufficient service from
18 and after the time it was is filed with the clerk of the
19 district court.

20 Sec. 24. Section 572.22, subsection 4, Code 1987, is
21 amended to read as follows:

22 4. The name, address, and birth date, where applicable, of
23 the person against whom filed.

24 Sec. 25. Section 578A.4, subsection 3, paragraph b, Code
25 1987, is amended to read as follows:

26 b. The address of the self-service storage facility, the
27 number, if any, of the space where the personal property is
28 located, and the name, address, and birth date, where
29 applicable, of the occupant.

30 Sec. 26. Section 580.4, Code 1987, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. 4. The name, address, and birth date of
33 the owner of the dam, where applicable.

34 Sec. 27. Section 581.3, Code 1987, is amended to read as
35 follows:

1 581.3 STATEMENT -- FILING.

2 Any veterinarian entitled to a lien under this chapter
3 shall make an account in writing, duly verified, stating the
4 kind and number and a particular description of livestock upon
5 which such services were rendered, the amount and kind of
6 product used and the actual and reasonable value of such the
7 services and products and the name, birth date, and last known
8 address, where applicable, of the person or persons for whom
9 such the services were rendered and file the same account in
10 the office of the clerk of the district court in the county in
11 which the person or persons owning such the livestock resides
12 reside, within sixty days after the day on which said services
13 were rendered. Said The lien shall be effective from the date
14 of filing.

15 Sec. 28. Section 582.2, Code 1987, is amended to read as
16 follows:

17 582.2 WRITTEN NOTICE OF LIEN.

18 No such lien shall be effective, however, unless a written
19 notice containing the name, birth date, where applicable, and
20 address of the injured person, the date of the accident, the
21 name and location of the hospital, and the name of the person
22 or persons, ~~-firm-or-firms,-corporation-or-corporations~~ alleged
23 to be liable to the injured party for the injuries received,
24 ~~shall-be~~ is filed in the office of the clerk of the district
25 court of the county in which such the hospital is located,
26 prior to the payment of any moneys to such the injured person,
27 or the person's attorneys or legal representative, as
28 compensation for such injuries; nor unless the hospital ~~shall~~
29 also ~~mail~~ mails, postage prepaid, a copy of such the notice
30 with a statement of the date of filing thereof to the person
31 or persons, ~~-firm-or-firms,-corporation-or-corporations~~ alleged
32 to be liable to the injured party for the injuries sustained
33 prior to the payment of any moneys to such the injured person,
34 or the person's attorneys or legal representative, as
35 compensation for such injuries. Such The hospital shall mail

1 a copy of such the notice to any insurance carrier which has
2 insured such the person, ~~firm or corporation~~ against such
3 liability, if the name and address ~~shall be~~ are known.

4 Sec. 29. Section 582.4, Code 1987, is amended to read as
5 follows:

6 582.4 LIEN BOOK -- FEES.

7 Every clerk of the district court shall, at the expense of
8 the county, provide a suitable well-bound book to be called
9 the hospital lien docket in which, upon the filing of any lien
10 claim under the provisions of this chapter, the clerk shall
11 enter the name, birth date, and last known address, where
12 applicable, of the injured person, the date of the accident,
13 and the name of the hospital or other institution making the
14 claim. Said clerk shall make a proper index of the same in
15 the name of the injured person and such clerk shall collect a
16 fee of two dollars for filing each claim.

17 Sec. 30. Section 598.22, unnumbered paragraph 3, Code
18 1987, is amended to read as follows:

19 An order or judgment entered by the court for temporary or
20 permanent support or for an assignment shall be filed with the
21 clerk. The order or judgment shall contain the address, and
22 birth date of the person, where applicable, against whom the
23 order or judgment has been rendered. The orders have the same
24 force and effect as judgments when entered in the judgment
25 docket and lien index and are records open to the public. The
26 clerk or the collection services center, as appropriate, shall
27 disburse the payments received pursuant to the orders or
28 judgments within ten working days of the receipt of the
29 payments. All moneys received or disbursed under this section
30 shall be entered in a record book kept by the clerk, or the
31 collection services center, as appropriate, which shall be
32 open to the public. The clerk or the collection services
33 center shall not enter any moneys paid in the record book if
34 not paid directly to the clerk or the center, as appropriate,
35 except as provided for trusts in section 252D.1, 598.23 or

1 this section or for tax refunds or rebates in section
2 602.8102, subsection 47.

3 Sec. 31. Section 602.8102, Code Supplement 1987, is
4 amended by adding the following new subsection:

5 NEW SUBSECTION. 31. Certify, upon presentation of proper
6 identification, that an individual is or is not the individual
7 named as the debtor, or obligor, in the judgment docket or
8 lien index.

9 Sec. 32. Section 602.10116, subsection 4, Code 1987, is
10 amended to read as follows:

11 4. After judgment in any court of record, ~~such~~ notice may
12 be given, and the lien made effective against the judgment
13 debtor, by entering the same lien in the judgment or
14 combination docket, opposite the entry of the judgment. The
15 notice shall contain the name, birth date, and address of the
16 judgment debtor, where applicable.

17 Sec. 33. Section 614.35, Code 1987, is amended to read as
18 follows:

19 614.35 RECORDING INTEREST.

20 To be effective and to be entitled to record the notice
21 ~~above-referred-to~~ shall contain the name, address, and birth
22 date of the record titleholder, where applicable, and an
23 accurate and full description of all land affected by such the
24 notice which description shall be set forth in particular
25 terms and not by general inclusions; but if ~~said~~ a claim is
26 founded upon a recorded instrument, then the description in
27 such the notice may be the same as that contained in such the
28 recorded instrument. ~~Such~~ The notice shall be filed for
29 record in the office of the county recorder of the county or
30 counties where the land described ~~therein~~ is situated. The
31 recorder of each county shall accept all ~~such~~ notices
32 presented to the recorder which describe land located in the
33 county in which the recorder serves and shall enter and record
34 full copies ~~thereof~~ in the same way that deeds and other
35 instruments are recorded, and each recorder ~~shall-be-entitled~~

1 to may charge the same fees for the recording thereof as are
2 charged for recording deeds. In indexing such notices in the
3 recorder's office each recorder shall enter such the notices
4 under the grantee indexes of deeds in the names of the
5 claimants appearing in such the notices. Such The notices
6 shall also be indexed under the description of the real estate
7 involved in a book set apart for that purpose to be known as
8 the "claimant's book."

9 Sec. 34. Section 626.12, Code 1987, is amended to read as
10 follows:

11 626.12 FORM OF EXECUTION.

12 The execution must intelligibly refer to the judgment,
13 stating the time when and place at which it was rendered, the
14 names of the parties to the action as well as to the judgment,
15 its the address and birth date of the judgment debtor, where
16 applicable, the amount of the judgment, and the amount still
17 to be collected thereon, if for money; if not, it must state
18 what specific act is required to be performed. If it is
19 against the property of the judgment debtor, it shall require
20 the sheriff to satisfy the judgment and interest out of
21 property of the debtor subject to execution.

22 Sec. 35. Section 626.22, Code 1987, is amended to read as
23 follows:

24 626.22 LEVY ON JUDGMENT.

25 The levy upon a judgment shall be made by entering upon the
26 judgment docket a memorandum of such fact, giving the names of
27 the parties plaintiff and defendant, the birth date and
28 address of the defendant, where applicable, the court from
29 which the execution issued, and the date and hour of such its
30 entry, which shall be signed by the officer serving the
31 execution, and a return made on the execution of the officer's
32 doings in the premises.

33 Sec. 36. Section 630.16, Code 1987, is amended to read as
34 follows:

35 630.16 EQUITABLE PROCEEDINGS.

1 At any time after the rendition of a judgment, an action by
2 equitable proceedings may be brought to subject any property,
3 money, rights, credits, or interest ~~therein~~ belonging to the
4 defendant to the satisfaction of such the judgment. In such
5 the action, persons indebted to the judgment debtor, or
6 holding any property or money in which such the debtor has any
7 interest, or the evidences of securities for the same, may be
8 made defendants. The petition shall state the name, address,
9 and birth date of the judgment debtor, if known.

10 Sec. 37. Section 631.3, subsection 1, Code 1987, is
11 amended to read as follows:

12 1. All actions shall be commenced by the filing of an
13 original notice with the clerk. At the time of filing, the
14 clerk shall enter on the original notice and the copies to be
15 served, the file number and the date the action is filed. The
16 notice shall contain the name, birth date, and last known
17 address of the defendant in the action.

18 Sec. 38. Section 639.3, unnumbered paragraph 1, Code
19 Supplement 1987, is amended to read as follows:

20 The petition or amendment to petition which asks an
21 attachment, must in all cases be sworn to. It must state the
22 defendant's name, birth date, and last known address, where
23 applicable, and one or more of the following grounds:

24 Sec. 39. Section 642.19, Code 1987, is amended to read as
25 follows:

26 642.19 DOCKET TO SHOW GARNISHMENTS.

27 The docketing of the original case shall contain a
28 statement of all the garnishments therein, and when judgment
29 is rendered against a garnishee, the same shall distinctly
30 refer to the original judgment and state the name, address,
31 and birth date of the garnishee, where applicable.

32 Sec. 40. Section 643.1, subsection 5, Code 1987, is
33 amended to read as follows:

34 5. The facts constituting the alleged cause of detention
35 thereof, according to the plaintiff's best belief and the

1 defendant's name, birth date, and address, if known.

2 Sec. 41. Section 655A.3, subsection 1, paragraph a, Code
3 Supplement 1987, is amended to read as follows:

4 a. Reasonably identify the mortgage, and accurately de-
5 scribe the real estate covered, and state the name, address,
6 and birth date of the mortgagor, where applicable.

7 Sec. 42. Section 675.14, Code 1987, is amended to read as
8 follows:

9 675.14 SUBSTANCE OF COMPLAINT.

10 The complainant shall charge the person named as defendant
11 with being the father of the child. The complaint shall state
12 the name, birth date, and last known address of the defendant,
13 if known.

14 Sec. 43. Section 676.3, unnumbered paragraph 1, Code 1987,
15 is amended to read as follows:

16 A statement in writing must be made, signed, and verified
17 by the defendant, state the defendant's birth date and
18 address, where applicable, and be filed with the clerk, to the
19 following effect:

20 EXPLANATION

21 This bill requires the name, address, and birth date of an
22 obligor to be stated on a recorded instrument creating a lien
23 or interest. It requires the same information to be contained
24 in instruments that are not recorded, that relate to a debt or
25 would cause a debt to arise.

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Sen. Judiciary 3/17

SENATE FILE **2252**
BY VARN

(AS AMENDED AND PASSED BY THE SENATE MARCH 15, 1988)

* - Language Stricken by the Senate

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the contents of records affecting interests in
2 property.

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

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1 Section 1. Section 84.10, Code 1987, is amended to read as
2 follows:

3 84.10 LIENS FOR DEVELOPMENT AND OPERATING COSTS.

4 A person to whom another is indebted for expenses incurred
5 in drilling and operating a well on a drilling unit required
6 to be formed as provided for in section 84.8, may, in order to
7 secure payment of the amount due, fix a lien upon the interest
8 of the debtor in the production from the drilling unit or the
9 unit area, as the case may be, by filing for record, with the
10 recorder of the county where property involved, or any part
11 thereof of it, is located, an affidavit setting forth the
12 amount due, and the name, birth date, and address, where
13 applicable, and the interest of the debtor in such production.
14 The person to whom the amount is payable may, at the expense
15 of the debtor, store all or any part of the production upon
16 which the lien exists until the total amount due, including
17 reasonable storage charges, is paid or the commodity is sold
18 at foreclosure sale and delivery is made to the purchaser.
19 The lien may be foreclosed as provided for with respect to
20 foreclosure of a lien on chattels.

21 Sec. 2. Section 96.14, subsection 3, paragraph a, Code
22 Supplement 1987, is amended to read as follows:

23 a. The name, birth date, and address, where applicable, of
24 the employer.

25 Sec. 3. Section 331.606, subsection 1, Code 1987, is
26 amended to read as follows:

27 1. In addition to other requirements specified by law, the
28 recorder shall note in the fee book the date of filing of each
29 instrument, the number and character of the instrument, and
30 the name, birth date, and address, where applicable, of each
31 grantor and grantee named in the instrument. In numbering the
32 instruments, the recorder shall start with the number one
33 immediately following the date of annual settlement with the
34 board and continue to number them consecutively until the next
35 annual settlement with the board.

1 Sec. 4. Section 411.22, subsection 1, Code 1987, is
2 amended to read as follows:

3 1. If a member receives an injury for which benefits are
4 payable under section 411.6, subsection 5, or section 411.15
5 and if the injury is caused under circumstances creating a
6 legal liability for damages against a third party other than
7 the retirement system, the member or the member's legal
8 representative may maintain an action for damages against the
9 third party. If a member or a member's legal representative
10 commences such an action, the plaintiff member or
11 representative shall serve a copy of the original notice,
12 which shall contain the name, birth date, and address of the
13 third party, where applicable, upon the retirement system not
14 less than ten days before the trial of the action, but a
15 failure to serve the notice does not prejudice the rights of
16 the retirement system, and the following rights and duties
17 ensue:

18 a. The retirement system shall be indemnified out of the
19 recovery of damages to the extent of benefit payments made by
20 the retirement system, with legal interest, except that the
21 plaintiff member's attorney fees are not indemnifiable.

22 b. The retirement system has a lien on the damage claim
23 against the third party and on any judgment on the damage
24 claim for benefits for which the retirement system is liable.
25 In order to continue and preserve the lien, the retirement
26 system shall file a notice of the lien, containing the name,
27 birth date, and address of the third party, where applicable,
28 within thirty days after receiving a copy of the original
29 notice in the office of the clerk of the district court in
30 which the action is filed.

31 Sec. 5. Section 422.26, subsection 1, Code 1987, is
32 amended to read as follows:

33 1. The name, birth date, and last known address of the
34 taxpayer.

35 Sec. 6. Section 427.12, subsection 2, Code 1987, is

1 amended to read as follows:

2 2. The name, birth date, and address, where applicable, of
3 the owner of the land.

4 Sec. 7. Section 445.9, Code 1987, is amended to read as
5 follows:

6 445.9 RECORD -- CONTENTS.

7 Such An entry of tax on the delinquent personal tax list
8 shall give the names, birth dates, and addresses, where
9 applicable, of delinquents alphabetically arranged, with
10 amounts of tax and for what the year or years for which tax is
11 due, and where the property was located when assessed.

* 12 Sec. 8. Section 448.17, Code 1987, is amended to read as
13 follows:

14 448.17 INDEXING AND RECORDING OF AFFIDAVITS AND CLAIMS.

15 All affidavits and claims as provided for in sections
16 448.15 and 448.16, filed with the county recorder, shall be
17 indexed in the claimant's book under the description of the
18 real estate involved, and shall be recorded as other
19 instruments affecting real estate. The recording shall
20 include the name, birth date, and address of the person
21 against whom the claim or affidavit is filed.

22 Sec. 9. Section 455B.396, unnumbered paragraph 1, Code
23 1987, is amended to read as follows:

24 Liability to the state under this part or part 5 of this
25 division is a debt to the state. The debt, together with
26 interest on the debt at the maximum lawful rate of interest
27 permitted pursuant to section 535.2, subsection 3, paragraph
28 "a" from the date costs and expenses are incurred by the
29 department is a lien on real property, except single and
30 multi-family residential property, on which the department
31 incurs costs and expenses creating a liability and owned by
32 the persons liable under this part or part 5. To perfect the
33 lien a statement of claim describing the property subject to
34 the lien and containing the name, birth date, and address of
35 the owner of the property, where applicable, signed by the

1 director and approved by the commission must be filed within
2 one hundred twenty days after the ~~incurrence~~ incurrence of
3 costs and expenses by the department. The statement shall be
4 filed with, accepted by, and recorded by the county recorder
5 in the county in which the property subject to the lien is
6 located. The statement of claim may be amended to include
7 subsequent liabilities. To be effective the statement of
8 claim shall be amended and filed within one hundred twenty
9 days after the occurrence of the event resulting in the
10 amendment.

11 Sec. 10. Section 554.7308, subsection 1, Code 1987, is
12 amended to read as follows:

13 1. A carrier's lien may be enforced by public or private
14 sale of the goods, in bloc or in parcels, at any time or place
15 and on any terms which are commercially reasonable, after
16 notifying all persons known to claim an interest in the goods.
17 ~~Such~~ The notification must include a statement of the amount
18 due, the name, address, and birth date of the owner of the
19 goods, the nature of the proposed sale and the time and place
20 of any public sale. The fact that a better price could have
21 been obtained by a sale at a different time or in a different
22 method from that selected by the carrier is not of itself
23 sufficient to establish that the sale was not made in a
24 commercially reasonable manner. If the carrier either sells
25 the goods in the usual manner in any recognized market
26 therefor or if the carrier sells at the price current in such
27 market at the time of the carrier's sale or if the carrier has
28 otherwise sold in conformity with commercially reasonable
29 practices among dealers in the type of goods sold the carrier
30 has sold in a commercially reasonable manner. A sale of more
31 goods than apparently necessary to be offered to ensure
32 satisfaction of the obligation is not commercially reasonable
33 except in cases covered by the preceding sentence.

34 Sec. 11. Section 554.8102, subsection 1, paragraph c, Code
35 1987, is amended to read as follows:

1 c. A security is in "registered form" when it specifies a
2 person entitled to the security or to the rights it evidences,
3 and the person's birth date, and address, where applicable,
4 and when its transfer may be registered upon books maintained
5 for that purpose by or on behalf of an issuer or the security
6 so states.

7 Sec. 12. Section 554.9402, subsections 1 and 3, Code 1987,
8 are amended to read as follows:

9 1. A financing statement is sufficient if it gives the
10 names of the debtor and the secured party, is signed by the
11 debtor, gives an address of the secured party from which
12 information concerning the security interest may be obtained,
13 gives a mailing address and the birth date, where applicable,
14 of the debtor and contains a statement indicating the types,
15 or describing the items, of collateral. A financing statement
16 may be filed before a security agreement is made or a security
17 interest otherwise attaches. When the financing statement
18 covers crops growing or to be grown, the statement must also
19 contain a description of the real estate concerned. When the
20 financing statement covers timber to be cut or covers minerals
21 or the like (including oil and gas) or accounts subject to
22 section 554.9103, subsection 5, or when the financing
23 statement is filed as a fixture filing (section 554.9313) and
24 the collateral is goods which are or are to become
25 fixtures, the statement must also comply with subsection 5. A
26 copy of the security agreement is sufficient as a financing
27 statement if it contains the above information and is signed
28 by the debtor. A carbon, photographic or other reproduction
29 of a security agreement or a financing statement is sufficient
30 as a financing statement if the security agreement so provides
31 or if the original has been filed in this state.

32 3. A form substantially as follows is sufficient to comply
33 with subsection 1:

34 Name of debtor (or assignor)....., Birth
35 date.....

1 Address.....
2 Name of secured party (or assignee).....
3 Address.....

4 (1) This financing statement covers the following types
5 (or items) of property:

6 (Describe).....

7 (2) (If collateral is crops) The above described crops
8 are growing or are to be grown on:

9 (Describe Real Estate).....

10 (3) (If applicable) The above goods are to become
11 fixtures on

12 Where appropriate either add or substitute "The above
13 timber is standing on" or "The above minerals or the
14 like (including oil and gas) are located on" or "The
15 above accounts will be financed at the wellhead or minehead of
16 the well or mine located on" or any or all of these

17 (Describe Real Estate) and this financing
18 statement is to be filed for record in the real estate
19 records. (If the debtor does not have an interest of record)
20 The name of a record owner is

21 (4) (If products of collateral are claimed) Products of
22 the collateral are also covered.

23 (use whichever is applicable).....

24 Signature of Debtor (or Assignor).....

25 Signature of Secured Party (or
26 Assignee).....

27 Sec. 13. Section 557.18, Code 1987, is amended to read as
28 follows:

29 557.18 VENDOR'S LIEN.

30 No A vendor's lien for unpaid purchase money shall not be
31 enforced in any court of this state after a conveyance by the
32 vendee, unless such the lien is reserved by conveyance,
33 mortgage, or other instrument, containing the vendee's name,
34 birth date, and address, where applicable, duly acknowledged
35 and recorded, or unless such the conveyance by the vendee is

1 made after suit by the vendor, or the vendor's executor, or
2 assigns to enforce such the lien.

3 Sec. 14. Section 557A.18, Code 1987, is amended to read as
4 follows:

5 557A.18 FINANCING OF TIME-SHARE PROGRAMS.

6 In the financing of a time-share program, the developer
7 shall retain financial records of the schedule of payments
8 required to be made and the payments made to any person or
9 entity which is the holder of an underlying blanket mortgage,
10 deed of trust, contract of sale, or other lien or encumbrance.
11 Any A transfer of the developer's interest in the time-share
12 program to a person other than the purchaser of a unit ~~shall~~
13 be is subject to the obligations of the developer. The
14 financial records shall contain the name, birth date, and
15 address of any individual obligated under a time-share
16 program.

17 Sec. 15. Section 558.20, Code 1987, is amended to read as
18 follows:

19 558.20 ACKNOWLEDGMENTS WITHIN STATE.

20 The acknowledgment of any deed, conveyance, or other
21 instrument in writing by which real estate in this state is
22 conveyed or encumbered, if made within this state, must be
23 before ~~some~~ a court having a seal, or ~~some~~ a judge or clerk
24 thereof, or ~~some~~ a county auditor, or a judicial magistrate or
25 district associate judge within the county, or a notary public
26 within the state. Each of the officers above named is
27 authorized to take and certify acknowledgments of all written
28 instruments, authorized or required by law to be acknowledged.
29 The acknowledgment shall contain the transferor's name, birth
30 date, and address, where applicable.

31 Sec. 16. Section 558.21, Code 1987, is amended to read as
32 follows:

33 558.21 ACKNOWLEDGMENTS OUTSIDE OF STATE.

34 When made out of the state but within the United States, it
35 shall be before a judge of a court of record, or officer

1 holding the seal thereof, or a commissioner appointed by the
2 governor of this state to take the acknowledgment of deeds, or
3 some a notary public, or justice of the peace. The
4 acknowledgment shall contain the name, birth date, and address
5 of the transferor of the interest, where applicable.

6 Sec. 17. Section 558.26, unnumbered paragraph 1, Code
7 1987, is amended to read as follows:

8 In addition to the acknowledgment of instruments in the
9 manner and form and as otherwise authorized by law, any person
10 serving in or with the armed forces of the United States may
11 acknowledge the same an instrument wherever the person is
12 located before any commissioned officer in active service of
13 the armed forces of the United States with the rank of second
14 lieutenant or higher in the army or marine corps, or ensign or
15 higher in the navy or United States coast guard. Neither the
16 instrument nor the acknowledgment shall be rendered invalid by
17 the failure to state therein the place of execution or
18 acknowledgment. The acknowledgment shall contain the name,
19 address, and birth date of the transferor of the interest,
20 where applicable. No authentication of the officer's
21 certificate of acknowledgment shall be required, but the
22 officer taking the acknowledgment shall endorse thereon on the
23 instrument or attach thereto to it a certificate substantially
24 in the following form:

25 Sec. 18. Section 558.49, subsections 1 and 2, Code 1987,
26 are amended to read as follows:

27 1. Each grantor and the grantor's birth date, and address,
28 where applicable.

29 2. Each grantee and the grantee's birth date, and address,
30 where applicable.

31 Sec. 19. Section 570A.4, subsection 1, paragraph e, Code
32 1987, is amended to read as follows:

33 e. The name, birth date, where applicable, and address of
34 the farmer for whom the agricultural chemical, seed, feed, or
35 petroleum product was furnished or may be furnished pursuant

1 to the certified request or the combined certified request and
2 waiver of confidentiality.

3 Sec. 20. Section 571.3, Code 1987, is amended to read as
4 follows:

5 571.3 PRESERVATION OF LIEN.

6 In order to preserve the lien the person entitled to the
7 lien must, within ten days from the completion of the work for
8 which the lien is claimed, file in the office of the secretary
9 of state an itemized and verified statement setting forth the
10 services rendered, the number of bushels of grain threshed or
11 corn shelled, the value of the services, the name, birth date,
12 and address, where applicable, of the person for whom the
13 services were rendered and the place where the services were
14 rendered, ~~and the~~. The secretary of state shall note the
15 filing of the verified statement under this section in the
16 manner provided by chapter 554 and shall charge a four dollar
17 filing fee if the statement is on the standard form prescribed
18 by the secretary of state, and a five dollar filing fee if the
19 statement is on another form.

20 Sec. 21. Section 572.8, subsection 3, Code 1987, is
21 amended to read as follows:

22 3. The name, birth date, where applicable, and last known
23 mailing address of the owner, agent, or trustee of the
24 property.

25 Sec. 22. Section 572.10, Code Supplement 1987, is amended
26 to read as follows:

27 572.10 PERFECTING SUBCONTRACTOR'S LIEN AFTER LAPSE OF
28 NINETY DAYS.

29 After the lapse of the ninety days prescribed in section
30 572.9, a subcontractor may perfect a mechanic's lien by filing
31 a claim, containing the owner's name, address, and birth date,
32 where applicable, with the clerk of the district court and
33 giving written notice thereof of the filing to the owner, or
34 the owner's agent, or trustee. Such The notice may be served
35 by any person in the manner original notices are required to

1 be served. If the party to be served, or the party's agent,
2 or trustee, is out of the county ~~wherein~~ where the property is
3 situated, a return of that fact by the person charged with
4 making such service shall constitute sufficient service from
5 and after the time it ~~was~~ is filed with the clerk of the
6 district court.

7 Sec. 23. Section 572.22, subsection 4, Code 1987, is
8 amended to read as follows:

9 4. The name, address, and birth date, where applicable, of
10 the person against whom filed.

11 Sec. 24. Section 578A.4, subsection 3, paragraph b, Code
12 1987, is amended to read as follows:

13 b. The address of the self-service storage facility, the
14 number, if any, of the space where the personal property is
15 located, and the name, address, and birth date, where
16 applicable, of the occupant.

17 Sec. 25. Section 580.4, Code 1987, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 4. The name, address, and birth date of
20 the owner of the dam, where applicable.

21 Sec. 26. Section 581.3, Code 1987, is amended to read as
22 follows:

23 581.3 STATEMENT -- FILING.

24 Any veterinarian entitled to a lien under this chapter
25 shall make an account in writing, duly verified, stating the
26 kind and number and a particular description of livestock upon
27 which such services were rendered, the amount and kind of
28 product used and the actual and reasonable value of such the
29 services and products and the name, birth date, and last known
30 address, where applicable, of the person or persons for whom
31 such the services were rendered and file the same account in
32 the office of the clerk of the district court in the county in
33 which the person or persons owning such the livestock resides
34 reside, within sixty days after the day on which said services
35 were rendered. Said The lien shall be effective from the date

1 of filing.

2 Sec. 27. Section 582.2, Code 1987, is amended to read as
3 follows:

4 582.2 WRITTEN NOTICE OF LIEN.

5 No such lien shall be effective, however, unless a written
6 notice containing the name, birth date, where applicable, and
7 address of the injured person, the date of the accident, the
8 name and location of the hospital, and the name of the person
9 or persons, ~~firm or firms, corporation or corporations~~ alleged
10 to be liable to the injured party for the injuries received,
11 ~~shall be~~ is filed in the office of the clerk of the district
12 court of the county in which ~~such~~ the hospital is located,
13 prior to the payment of any moneys to ~~such~~ the injured person,
14 or the person's attorneys or legal representative, as
15 compensation for ~~such~~ injuries; nor unless the hospital ~~shall~~
16 also ~~mail~~ mails, postage prepaid, a copy of ~~such~~ the notice
17 with a statement of the date of filing thereof to the person
18 or persons, ~~firm or firms, corporation or corporations~~ alleged
19 to be liable to the injured party for the injuries sustained
20 prior to the payment of any moneys to ~~such~~ the injured person,
21 or the person's attorneys or legal representative, as
22 compensation for ~~such~~ injuries. ~~Such~~ The hospital shall mail
23 a copy of ~~such~~ the notice to any insurance carrier which has
24 insured ~~such~~ the person, ~~firm or corporation~~ against ~~such~~
25 liability, if the name and address ~~shall be~~ are known.

26 Sec. 28. Section 582.4, Code 1987, is amended to read as
27 follows:

28 582.4 LIEN BOOK -- FEES.

29 Every clerk of the district court shall, at the expense of
30 the county, provide a suitable well-bound book to be called
31 the hospital lien docket in which, upon the filing of any lien
32 claim under the provisions of this chapter, the clerk shall
33 enter the name, birth date, and last known address, where
34 applicable, of the injured person, the date of the accident,
35 and the name of the hospital or other institution making the

1 claim. Said clerk shall make a proper index of the same in
2 the name of the injured person and such clerk shall collect a
3 fee of two dollars for filing each claim.

4 Sec. 29. Section 598.22, unnumbered paragraph 3, Code
5 1987, is amended to read as follows:

6 An order or judgment entered by the court for temporary or
7 permanent support or for an assignment shall be filed with the
8 clerk. The order or judgment shall contain the address, and
9 birth date of the person, where applicable, against whom the
10 order or judgment has been rendered. The orders have the same
11 force and effect as judgments when entered in the judgment
12 docket and lien index and are records open to the public. The
13 clerk or the collection services center, as appropriate, shall
14 disburse the payments received pursuant to the orders or
15 judgments within ten working days of the receipt of the
16 payments. All moneys received or disbursed under this section
17 shall be entered in a record book kept by the clerk, or the
18 collection services center, as appropriate, which shall be
19 open to the public. The clerk or the collection services
20 center shall not enter any moneys paid in the record book if
21 not paid directly to the clerk or the center, as appropriate,
22 except as provided for trusts in section 252D.1, 598.23 or
23 this section or for tax refunds or rebates in section
24 602.8102, subsection 47.

25 Sec. 30. Section 602.8102, Code Supplement 1987, is
26 amended by adding the following new subsection:

27 NEW SUBSECTION. 31. Certify, upon presentation of proper
28 identification, that an individual is or is not the individual
29 named as the debtor, or obligor, in the judgment docket or
30 lien index.

31 Sec. 31. Section 602.10116, subsection 4, Code 1987, is
32 amended to read as follows:

33 4. After judgment in any court of record, such notice may
34 be given, and the lien made effective against the judgment
35 debtor, by entering the same lien in the judgment or

1 combination docket, opposite the entry of the judgment. The
2 notice shall contain the name, birth date, and address of the
3 judgment debtor, where applicable.

4 Sec. 32. Section 614.35, Code 1987, is amended to read as
5 follows:

6 614.35 RECORDING INTEREST.

7 To be effective and to be entitled to record the notice
8 ~~above-referred-to~~ shall contain the name, address, and birth
9 date of the record titleholder, where applicable, and an
10 accurate and full description of all land affected by such the
11 notice which description shall be set forth in particular
12 terms and not by general inclusions; but if ~~said~~ a claim is
13 founded upon a recorded instrument, then the description in
14 such the notice may be the same as that contained in such the
15 recorded instrument. Such The notice shall be filed for
16 record in the office of the county recorder of the county or
17 counties where the land described ~~therein~~ is situated. The
18 recorder of each county shall accept all such notices
19 presented to the recorder which describe land located in the
20 county in which the recorder serves and shall enter and record
21 full copies ~~thereof~~ in the same way that deeds and other
22 instruments are recorded, and each recorder ~~shall-be-entitled~~
23 ~~to~~ may charge the same fees for the recording ~~thereof~~ as are
24 charged for recording deeds. In indexing such notices in the
25 recorder's office each recorder shall enter such the notices
26 under the grantee indexes of deeds in the names of the
27 claimants appearing in such the notices. Such The notices
28 shall also be indexed under the description of the real estate
29 involved in a book set apart for that purpose to be known as
30 the "claimant's book."

31 Sec. 33. Section 626.12, Code 1987, is amended to read as
32 follows:

33 626.12 FORM OF EXECUTION.

34 The execution must intelligibly refer to the judgment,
35 stating the time when and place at which it was rendered, the

1 names of the parties to the action as well as to the judgment,
2 its the address and birth date of the judgment debtor, where
3 applicable, the amount of the judgment, and the amount still
4 to be collected thereon, if for money; if not, it must state
5 what specific act is required to be performed. If it is
6 against the property of the judgment debtor, it shall require
7 the sheriff to satisfy the judgment and interest out of
8 property of the debtor subject to execution.

9 Sec. 34. Section 626.22, Code 1987, is amended to read as
10 follows:

11 626.22 LEVY ON JUDGMENT.

12 The levy upon a judgment shall be made by entering upon the
13 judgment docket a memorandum of such fact, giving the names of
14 the parties plaintiff and defendant, the birth date and
15 address of the defendant, where applicable, the court from
16 which the execution issued, and the date and hour of such its
17 entry, which shall be signed by the officer serving the
18 execution, and a return made on the execution of the officer's
19 doings in the premises.

20 Sec. 35. Section 630.16, Code 1987, is amended to read as
21 follows:

22 630.16 EQUITABLE PROCEEDINGS.

23 At any time after the rendition of a judgment, an action by
24 equitable proceedings may be brought to subject any property,
25 money, rights, credits, or interest therein belonging to the
26 defendant to the satisfaction of such the judgment. In such
27 the action, persons indebted to the judgment debtor, or
28 holding any property or money in which such the debtor has any
29 interest, or the evidences of securities for the same, may be
30 made defendants. The petition shall state the name, address,
31 and birth date of the judgment debtor, if known.

32 Sec. 36. Section 631.3, subsection 1, Code 1987, is
33 amended to read as follows:

34 1. All actions shall be commenced by the filing of an
35 original notice with the clerk. At the time of filing, the

1 clerk shall enter on the original notice and the copies to be
2 served, the file number and the date the action is filed. The
3 notice shall contain the name, birth date, and last known
4 address of the defendant in the action.

5 Sec. 37. Section 639.3, unnumbered paragraph 1, Code
6 Supplement 1987, is amended to read as follows:

7 The petition or amendment to petition which asks an
8 attachment, must in all cases be sworn to. It must state the
9 defendant's name, birth date, and last known address, where
10 applicable, and one or more of the following grounds:

11 Sec. 38. Section 642.19, Code 1987, is amended to read as
12 follows:

13 642.19 DOCKET TO SHOW GARNISHMENTS.

14 The docketing of the original case shall contain a
15 statement of all the garnishments therein, and when judgment
16 is rendered against a garnishee, the same shall distinctly
17 refer to the original judgment and state the name, address,
18 and birth date of the garnishee, where applicable.

19 Sec. 39. Section 643.1, subsection 5, Code 1987, is
20 amended to read as follows:

21 5. The facts constituting the alleged cause of detention
22 thereof, according to the plaintiff's best belief and the
23 defendant's name, birth date, and address, if known.

24 Sec. 40. Section 655A.3, subsection 1, paragraph a, Code
25 Supplement 1987, is amended to read as follows:

26 a. Reasonably identify the mortgage, and accurately de-
27 scribe the real estate covered, and state the name, address,
28 and birth date of the mortgagor, where applicable.

29 Sec. 41. Section 675.14, Code 1987, is amended to read as
30 follows:

31 675.14 SUBSTANCE OF COMPLAINT.

32 The complainant shall charge the person named as defendant
33 with being the father of the child. The complaint shall state
34 the name, birth date, and last known address of the defendant,
35 if known.

1 Sec. 42. Section 676.3, unnumbered paragraph 1, Code 1987,
2 is amended to read as follows:

3 A statement in writing must be made, signed, and verified
4 by the defendant, state the defendant's birth date and
5 address, where applicable, and be filed with the clerk, to the
6 following effect:

7 EXPLANATION

8 This bill requires the name, address, and birth date of an
9 obligor to be stated on a recorded instrument creating a lien
10 or interest. It requires the same information to be contained
11 in instruments that are not recorded, that relate to a debt or
12 would cause a debt to arise.

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