

## CHAPTER 9

## SECRETARY OF STATE

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**9.1 Duties — records.**

The secretary of state shall keep the secretary of state's office at the seat of government, and perform all duties required by law; the secretary shall have charge of and keep all the Acts and resolutions of the territorial legislature and of the general assembly of the state, the enrolled copies of the Constitutions of the state, and all bonds, books, records, maps, registers, and papers which are now or may hereafter be deposited to be kept in the secretary of state's office, including all books, records, papers, and property pertaining to the state land office.

[C51, §43; R60, §59; C73, §61; C97, §66; C24, 27, 31, 35, 39, §85; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §9.1]

Designated as state commissioner of elections, §47.1  
Duties relating to filing of federal liens; see §331.609

**9.2 Records relating to cities.**

The secretary of state shall receive and preserve in the secretary's office all papers transmitted to the secretary in relation to city development, including incorporation, discontinuance, or boundary adjustment; and shall keep an alphabetical list of cities in a book provided for that purpose, in which shall be entered the name of the city, the county in which situated, and the date of incorporation, discontinuance, or boundary adjustment.

[R60, §1046; C73, §65; C97, §67; C24, 27, 31, 35, 39, §86; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §9.2]

**9.2A Records relating to condemnation.**

The secretary of state shall receive and preserve in the secretary's office all papers transmitted to the secretary in relation to condemnation and shall keep an alphabetical list of acquiring agencies in a book provided for that purpose, in which shall be entered the name of the acquiring agency, the county in which the real property is located, and the date the condemnation application was filed.

[99 Acts, ch 171, §25, 42](#)

**9.3 Commissions.**

All commissions issued by the governor shall be countersigned by the secretary, who shall register each commission in a book to be kept for that purpose, specifying the office, name of officer, date of commission, and tenure of office, and forthwith forward to the directors of the departments of management and of administrative services copies of the registration.

[C51, §44; R60, §60; C73, §62; C97, §68; S13, §68; C24, 27, 31, 35, 39, §87; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §9.3]

[88 Acts, ch 1134, §8; 2003 Acts, ch 145, §127](#)

**9.4 Fees.**

The secretary of state shall collect all fees directed by law to be collected by the secretary of state, including the following:

1. For certificate, with seal attached, three dollars.

2. For a copy of any law or record, upon the request of any person, a fee to be determined by the secretary of state by rule adopted pursuant to [chapter 17A](#).

[C51, §2524; R60, §4133; C73, §3756; C97, §85; C24, 27, 31, 35, 39, §88; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §9.4; [81 Acts, ch 21, §1](#)]

[93 Acts, ch 143, §1](#)

#### **9.4A Technology modernization fund.**

1. A technology modernization fund is created in the state treasury under the control of the secretary of state. Moneys in the fund are appropriated to the secretary of state for purposes of modernizing technology used by the secretary of state to fulfill the duties of office.

2. On and after July 1, 2017, any increased fee amount collected by the secretary of state shall be credited to the technology modernization fund. From each fee collected, the amount credited to the fund equals the difference between the fee amount collected and the amount assessed for the same fee on June 30, 2017.

3. Each fiscal year, not more than two million dollars shall be credited to the fund.

4. This section is repealed July 1, 2022.

[2017 Acts, ch 170, §23](#)

#### **9.5 Salary.**

The salary of the secretary of state shall be as fixed by the general assembly.

[C31, 35, §88-c1; C39, §88.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §9.5]

**9.6 Iowa official register.** Repealed by 2003 Acts, ch 35, §47 – 49. See §2A.5.

#### **9.7 Access to corporation records.**

The secretary of state shall offer to county recorders electronic access to corporation records. The secretary of state shall adopt rules providing for the electronic access and for the dissemination of the information by the county recorders.

[91 Acts, ch 211, §1](#)

#### **9.8 Address confidentiality program revolving fund.**

1. An address confidentiality program revolving fund is created in the state treasury. The fund shall consist of moneys collected by the clerk of the district court for deposit in the fund pursuant to [section 602.8108, subsection 7](#), and transfers of interest, earnings, and moneys from other funds as provided by law. The moneys in the fund are subject to appropriation to the office of the secretary of state by the general assembly. The office of the secretary of state shall administer the fund. The office of the secretary of state shall provide an annual report to the department of management and the legislative services agency on expenditures from the fund in a format as determined by the department of management in consultation with the legislative services agency.

2. To meet cash flow needs for the address confidentiality program established in [chapter 9E](#), the office of secretary of state may temporarily use funds from the general fund of the state to pay expenses in excess of moneys available in the revolving fund for purposes of the program if those additional expenditures can be fully reimbursed with moneys collected pursuant to [section 602.8108, subsection 7](#), and the office of the secretary of state reimburses the general fund of the state and ensures that all moneys are repaid in full by the close of the fiscal year. Because any general fund moneys used shall be fully reimbursed, such temporary use of funds from the general fund of the state shall not constitute an appropriation for purposes of calculating the state general fund expenditure limitation pursuant to [section 8.54](#).

3. [Section 8.33](#) does not apply to any moneys transferred, credited, or appropriated to the revolving fund.

[2015 Acts, ch 96, §1](#); [2015 Acts, ch 141, §34, 35, 67, 68](#)

Referred to in [§602.8108](#)