House Amendment 1528

1 1   Amend the amendment, H=1437, to Senate File 415, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, by inserting after line 2 the
1 5 following:
1 6   <#___. Page 1, by inserting before line 1 the
1 7 following:
1 8   <Sec. ___. NEW SECTION. 384.3A PROPERTY RIGHTS
1 9 DEFENSE ACCOUNT.
1 10   1. A city may establish a property rights defense
1 11 account within the city's general fund. If a property
1 12 rights defense account is established under this
1 13 section, moneys which remain unclaimed under section
1 14 100, subsection 10, paragraph "d", of this Act, may be
1 15 deposited in the account. Interest or earnings on
1 16 moneys in the property rights defense account shall be
1 17 credited to the account. Moneys in the property
1 18 rights defense account are not subject to transfer,
1 19 appropriation, or reversion to any other account or
1 20 fund, or any other use except as provided in this
1 21 section.
1 22   2. Moneys in the account shall be used for the
1 23 reimbursement of reasonable attorney fees and
1 24 reasonable costs incurred by a property owner as the
1 25 result of proceedings initiated under this Act,
1 26 chapters 6A and 6B, and section 657A.10A.
1 27   3. Property owners shall apply to the city council
1 28 on a form proscribed by the city council. If
1 29 sufficient funds exist in the account, the city
1 30 council shall reimburse each property owner who
1 31 applies for all reasonable attorney fees and
1 32 reasonable costs incurred. If insufficient funds
1 33 exist in the account to reimburse a property owner for
1 34 all reasonable attorney fees and reasonable costs
1 35 incurred, the city council shall reimburse the
1 36 property owner for the fees and costs in an amount
1 37 equal to the remaining balance in account.>
1 38 #___. Page 1, line 1, by striking the word and
1 39 figure <Section 1> and inserting the following: <Sec.
1 40 100>.>
1 41 #2. Page 1, by inserting after line 26 the
1 42 following:
1 43   <#___. Page 4, line 13, by inserting after the
1 44 words <in the> the following: <city's property rights
1 45 defense account or in the>.
1 46 #___. Title page, line 2, by inserting after the
1 47 word <years> the following: <and authorizing cities
1 48 to establish a property rights defense account>.>
1 49 #3. By renumbering as necessary.
1 50
2 1
2 2 _____
2 3 GRASSLEY of Butler
2 4 SF 415.708 83
2 5 md/sc/23753