

S-5116

1 Amend House File 2556, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 PUBLIC REAL PROPERTY AND LEASE CONTRACTS

6 Section 1. NEW SECTION. 7E.5B Real property lease or  
7 purchase — notice.

8 In addition to any other provision of law, any purchase or  
9 lease of real property, other than on a temporary basis, when  
10 necessary in order to implement the programs of an authority or  
11 protect the investments of an authority, shall require prior  
12 written notice from the authority to the legislative services  
13 agency. The legislative services agency shall submit the  
14 notification to the government oversight standing committees  
15 of the general assembly. The notification shall include the  
16 information as described in section 8A.321, subsection 16.

17 Sec. 2. Section 8A.321, Code 2020, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 16. At least thirty days prior to entering  
20 into a contract for a lease or renewal of a lease pursuant  
21 to subsection 6 or a contract for the acquisition of real  
22 property pursuant to subsection 9 in which any part or the  
23 total amount of the contract is at least fifty thousand  
24 dollars, notify the legislative services agency concerning the  
25 contract. The legislative services agency shall submit the  
26 notification to the general assembly's standing committees on  
27 government oversight. The notification is required regardless  
28 of the source of payment for the lease, renewal of lease, or  
29 acquisition of real property. The notification shall include  
30 all of the following information:

31 a. A description of the buildings and office space subject  
32 to the lease or renewal of lease or a description of the real  
33 property to be acquired.

34 b. The proposed terms of the contract.

35 c. The cost of the contract, including principal and

1 interest costs. If the actual cost of a contract is not known  
2 at least thirty days prior to entering into the contract, the  
3 director shall estimate the principal and interest costs for  
4 the contract.

5 *d.* An identification of the means and source of payment of  
6 the contract.

7 *e.* An analysis of consequences of delaying or abandoning the  
8 commencement of the contract.

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## DIVISION II

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### SALE OF PUBLIC REAL PROPERTY

11 Sec. 3. Section 8A.321, subsection 8, Code 2020, is amended  
12 to read as follows:

13 8. With the authorization of a constitutional majority  
14 of each house of the general assembly and approval by the  
15 governor, dispose of real property belonging to the state and  
16 its state agencies upon terms, conditions, and consideration  
17 as the director may recommend. Disposition of real property  
18 under this subsection shall be made under a procedure whereby  
19 the real property shall be sold to the highest responsive,  
20 responsible bidder, unless the executive council, by at least  
21 a two-thirds vote, agrees to accept a different bidder for  
22 good cause, or agrees to proceed in a different manner. If  
23 real property subject to sale under **this subsection** has been  
24 purchased or acquired from appropriated funds, the proceeds  
25 of the sale shall be deposited with the treasurer of state  
26 and credited to the general fund of the state or other fund  
27 from which appropriated. There is appropriated from that same  
28 fund, with the prior approval of the executive council and in  
29 cooperation with the director, a sum equal to the proceeds  
30 so deposited and credited to the state agency to which the  
31 disposed real property belonged or by which it was used, for  
32 purposes of the state agency.

33 Sec. 4. Section 297.22, subsection 1, paragraph a, Code  
34 2020, is amended to read as follows:

35 *a.* The board of directors of a school district may sell,

1 lease, or dispose of, in whole or in part, a schoolhouse,  
2 school site, or other property belonging to the district. The  
3 board shall sell real property to the highest responsive,  
4 responsible bidder unless the board, by at least a two-thirds  
5 vote, agrees to accept a different bidder for good cause,  
6 or agrees to proceed in a different manner. If the real  
7 property contains less than two acres, is located outside of a  
8 city, is not adjacent to a city, and was previously used as a  
9 schoolhouse site, the procedure contained in sections 297.15  
10 through 297.20 shall be followed in lieu of [this section](#).

11 Sec. 5. Section 331.361, subsection 2, Code 2020, is amended  
12 by adding the following new paragraph:

13 NEW PARAGRAPH. *0a.* The board shall dispose of real property  
14 under a procedure whereby real property shall be sold to the  
15 highest responsive, responsible bidder unless the board, by at  
16 least a two-thirds vote, agrees to accept a different bidder  
17 for good cause, or agrees to proceed in a different manner.

18 Sec. 6. Section 359.52, subsection 1, Code 2020, is amended  
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *0a.* The board of trustees shall dispose of  
21 real property under a procedure whereby real property shall  
22 be sold to the highest responsive, responsible bidder unless  
23 the board, by at least a two-thirds vote, agrees to accept a  
24 different bidder for good cause, or agrees to proceed in a  
25 different manner.

26 Sec. 7. Section 364.7, Code 2020, is amended by adding the  
27 following new subsection:

28 NEW SUBSECTION. 01. The council shall dispose of real  
29 property under a procedure whereby real property shall be  
30 sold to the highest responsive, responsible bidder unless the  
31 council, by at least a two-thirds vote, agrees to accept a  
32 different bidder for good cause, or agrees to proceed in a  
33 different manner.

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DIVISION III  
OFFICIAL PUBLICATIONS

1     Sec. 8. Section 349.2, Code 2020, is amended to read as  
2 follows:

3     **349.2 Source of selection.**

4     ~~Such selection~~ Selection of newspapers in which official  
5 proceedings shall be published shall be from newspapers  
6 published, and having the largest number of bona fide yearly  
7 subscribers, within the county. When counties are divided into  
8 two divisions for district court purposes, each division shall  
9 be regarded as a county. In the event there is no newspaper  
10 published within the county, selection shall be as provided in  
11 section 349.6.

12     Sec. 9. Section 349.6, Code 2020, is amended by adding the  
13 following new subsection:

14     NEW SUBSECTION. 3. However, if there is no newspaper  
15 published within the county, the newspaper to be selected shall  
16 be determined as provided in this subsection. If one newspaper  
17 is to be selected, the board shall select a newspaper located  
18 within twenty-five miles of the border of the county that meets  
19 the requirements of section 618.5. If two newspapers are to be  
20 selected and the two newspapers with the largest number of bona  
21 fide yearly subscribers within the county are both located more  
22 than twenty-five miles from the border of the county, then the  
23 board may substitute one of the two newspapers with a newspaper  
24 that is located within twenty-five miles from the border of the  
25 county that meets the requirements of section 618.5. The board  
26 shall, in the presence of the contestants, determine the other  
27 official newspaper by lot between the previously determined two  
28 newspapers.

29     Sec. 10. Section 618.14, Code 2020, is amended to read as  
30 follows:

31     **618.14 Publication of matters of public importance.**

32     1. The governing body of any municipality or other political  
33 subdivision of the state may publish, as straight matter or  
34 display, any matter of general public importance, in one or  
35 more newspapers, as defined in [section 618.3](#) published in and

1 having general circulation in such municipality or political  
2 subdivision, at the legal or appropriate commercial rate,  
3 according to the character of the matter published.

4 2. In the event there is no such newspaper published in  
5 such municipality or political subdivision or in the event  
6 publication in more than one such newspaper is desired,  
7 publication may be made in any such newspaper having general  
8 circulation in such municipality or political subdivision.  
9 However, if no newspaper having general circulation within  
10 a municipality or political subdivision is located within  
11 twenty-five miles from the border of the municipality or  
12 political subdivision, the applicable governing body may waive  
13 the requirements in section 618.3 and designate a newspaper  
14 that is located in the applicable municipality or political  
15 subdivision or is located within twenty-five miles from the  
16 border of the applicable municipality or political subdivision  
17 that meets the requirements of section 618.5.>

18 2. Title page, by striking lines 1 through 3 and inserting  
19 <An Act concerning governmental real property and official  
20 publications.>

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COMMITTEE ON STATE GOVERNMENT  
ROBY SMITH, CHAIRPERSON