

REAL ESTATE PRICES DISCLOSURE SUBCOMMITTEE
OF THE
HOUSE STANDING COMMITTEE ON WAYS AND MEANS

Report to Members of the
Second Session of the Sixty-seventh General Assembly

State of Iowa
1978

FINAL REPORT
REAL ESTATE PRICES DISCLOSURE SUBCOMMITTEE
OF THE
HOUSE STANDING COMMITTEE ON WAYS AND MEANS

The five-member Real Estate Prices Disclosure Subcommittee authorized by the Legislative Council on July 14, 1977 met two days during the 1977 interim to consider three bills assigned to the Subcommittee. Members of the Subcommittee are:

Representative Neal Hines, Chairperson
Representative Rollin K. Howell
Representative William H. Harbor
Representative Linda A. Svoboda
Representative James C. West

The Subcommittee was assigned three bills for its review. These bills include:

1. Senate File 154, a bill for An Act abolishing the office of city assessor and city conference boards within six years.
2. Senate File 221, a bill for An Act relating to the examination, certification, and appointment of assessors.
3. Senate File 292, a bill for An Act provided for the disclosure of the actual sales price in real estate transfers and providing penalties for violations of this Act.

At its meeting on December 8, the Subcommittee received testimony favoring the passage of Senate File 292. Supporting the bill is the Department of Revenue and the assessors. The representatives of the Iowa Association of Realtors also appeared and expressed their opposition to the provisions of the bill requiring that information contained in the declaration of value is confidential. The Subcommittee discussed the bill and voted to refer the bill to the House Standing Committee on Ways and Means with a recommendation of "do pass". The only amendment proposed by the Subcommittee is to change the effective date of the bill from January 1, 1978 to January 1, 1979.

The Subcommittee also received testimony from the Department of Revenue and the assessors on Senate File 221. Also reviewed was an amendment worked out between the Department of Revenue and the Iowa State Association of Assessors relating to the continuing education requirements. The Subcommittee discussed the bill and the proposed amendment and voted to refer the bill to the House Standing Committee on Ways and Means, including the amendment which is attached, with a recommendation of "do pass", as amended.

The Subcommittee reviewed Senate File 154 and voted unanimously to refer the bill to the Chairperson of the House Standing Committee on Ways and Means with a recommendation that the bill be reassigned to another subcommittee for further study.

SENATE FILE 221

1 Amend Senate File 221, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 2 through 35 and
4 inserting in lieu thereof the following:

5 "Sec. 441.8. Section four hundred forty-one point
6 eight (441.8), Code 1977, is amended by striking the
7 section and inserting in lieu thereof the following:

8 441.8 TERM--FILLING VACANCY. The term of office
9 of an assessor appointed under this chapter shall
10 be for six years. Appointments for each succeeding
11 term shall be made in the same manner as the original
12 appointment except that not less than ninety days
13 before the expiration of the term of the assessor
14 the conference board shall hold a meeting to determine
15 whether or not it desires to reappoint the incumbent
16 assessor to a new term.

17 Effective January 1, 1979, the conference board
18 shall have the power to reappoint the incumbent
19 assessor only if the incumbent assessor has
20 satisfactorily completed the continuing education
21 program provided for in this section.

22 The commission established by this section shall
23 develop and administer a program of continuing
24 education which shall emphasize assessment and
25 appraisal procedures, and the assessment laws of this
26 state, and which shall include the subject matter
27 specified in section four hundred forty-one point
28 five (441.5) of the Code.

29 There is created a commission consisting of the
30 director of revenue, the deputy director of revenue
31 for property tax, the president and the first vice
32 president of the Iowa state association of assessors,
33 and one member appointed by the state board of tax
34 review.

35 The commission shall establish or designate the
36 courses to be offered as part of the continuing
37 education program, the content of said courses, and
38 the number of hours of classroom instruction for each
39 course. At least once each year the commission shall
40 meet to evaluate the continuing education program
41 and make necessary changes in the program.

42 Upon the successful completion of each course
43 contained in the program of continuing education,
44 as demonstrated by attendance at sessions of the
45 course and attaining a grade of at least seventy
46 percent on an examination administered at the
47 conclusion of the course, the assessor shall receive
48 credit equal to the number of hours of classroom
49 instruction contained in said course. An assessor
50 shall not be allowed to obtain credit for a course

1 for which the assessor has previously received credit
2 during his or her current term of office except for
3 those courses designated by the commission. The
4 examinations shall be confidential to the commission
5 and persons designated by the commission to have
6 access to said examinations.

7 Upon receiving credit equal to two hundred forty
8 hours of classroom instruction during the assessor's
9 current term of office, the commission shall certify
10 to the assessor's conference board that said assessor
11 is eligible to be reappointed to his or her present
12 position. For assessors whose present terms of office
13 expire before six years from the effective date of
14 this Act, or who are appointed to complete an unexpired
15 term, the number of credits required to be certified
16 as eligible for reappointment shall be prorated
17 according to the amount of time remaining in the
18 present term of said assessor.

19 Within each six-year period following January 1,
20 1979 or the appointment of a deputy assessor appointed
21 after the effective date of this Act, said deputy
22 assessor shall comply with the provisions of this
23 section except that upon the successful completion
24 of one hundred fifty hours of classroom instruction
25 said deputy assessor shall be certified by the
26 commission as being eligible to remain in his or her
27 present position. In the event a deputy assessor
28 fails to comply with the provisions of this section,
29 said deputy assessor shall be removed from his or
30 her present position.

31 Each conference board shall include in the budget
32 for the operation of the assessor's office funds
33 sufficient to enable the assessor and any deputy
34 assessor to obtain certification as provided in this
35 section. The conference board shall also allow the
36 assessor and any deputy assessor sufficient time off
37 from his or her regular duties to obtain certification.
38 The commission shall adopt rules pursuant to chapter
39 seventeen A (17A) of the Code to implement and
40 administer the provisions of this section.

41 If the incumbent assessor is not reappointed as
42 above provided, then not less than sixty days before
43 the expiration of the term of said assessor, a new
44 assessor shall be selected as provided in section
45 four hundred forty-one point six (441.6) of the Code.

46 In the event of the removal, resignation, death,
47 or removal from the county of the said assessor, the
48 conference board shall proceed to fill the vacancy
49 by appointing an assessor to serve the unexpired term
50 in the manner provided in section four hundred forty-

1 one point six (441.6) of the Code. Until the vacancy
2 is filled, the chief deputy shall act as assessor,
3 and in the event there be no deputy, in the case of
4 counties the auditor shall act as assessor and in
5 the case of cities having an assessor the city clerk
6 shall act as assessor."

7 2. Page 4, by striking lines 1 through 35.

8 3. Page 5, line 16, by striking the figure "1978"
9 and inserting in lieu thereof the figure "1979".

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