



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 29, 2005

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 253, an Act relating to governmental ethics and the duties of the Iowa Ethics and Campaign Disclosure Board.

House File 313, an Act relating to the establishment of an industrial processing exemption study committee and including an effective date.

House File 398, an Act adding an exemption for colleges and universities established by city ordinance to the requirements relating to the registration of postsecondary schools.

House File 423, an Act relating to participation in secondary school interscholastic sports at the varsity and inferior levels.

House File 532, an Act relating to the administrative functions of the Department of Cultural Affairs, including the Board of Trustees of the State Historical Society of Iowa and the State Records Commission.

House File 645, an Act relating to the regulation of lotteries, including the definition of a lottery, permissible lotteries by commercial organizations, and the prosecution of violators.

House File 700, an Act relating to the Iowa Soybean Association, by providing for its board of directors, market development, and providing for an assessment.

House File 737, an Act relating to the registration and licensing of mortgage bankers and brokers, providing for fees, and providing an effective date.



House File 745, an Act relating to the criminal offense of theft of leased or rented personal property and making penalties applicable.

House File 746, an Act providing procedures for a rural water district to transfer its right to provide water or wastewater service and for dissolution of the district.

House File 754, an Act relating to a homestead exemption waiver notice contained in a written contract affecting agricultural land.

House File 777, an Act relating to testing a person for contagious or infectious disease if the person assaults a person by exchanging or attempting to exchange bodily fluids, and providing a penalty.

House File 781, an Act relating to the establishment of a direct care worker task force.

House File 789, an Act relating to programs and functions under the purview of the Iowa Department of Public Health.

House File 839, an Act providing for the establishment of a technology governance board within the Department of Administrative Service, and making an appropriation.

The above House Files are hereby approved this date.

Sincerely,



Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House



HOUSE FILE 754

AN ACT

RELATING TO A HOMESTEAD EXEMPTION WAIVER NOTICE CONTAINED IN
A WRITTEN CONTRACT AFFECTING AGRICULTURAL LAND.

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

Section 1. Section 561.22, Code 2005, is amended to read
as follows:

561.22 NOTICE OF HOMESTEAD EXEMPTION WAIVER REQUIREMENT.


1. a. ¶ Except as otherwise provided in subsection 2, if
a homestead exemption waiver is contained in a written
contract affecting agricultural land as defined in section
9H.1, or dwellings, buildings, or other appurtenances located
on the land, the contract must contain a statement in
substantially the following form, in boldface type of a
minimum size of ten points, and be signed and dated by the
person waiving the exemption at the time of the execution of
the contract: "I understand that homestead property is in
many cases protected from the claims of creditors and exempt
from judicial sale; and that by signing this contract, I
voluntarily give up my right to this protection for this
property with respect to claims based upon this contract."

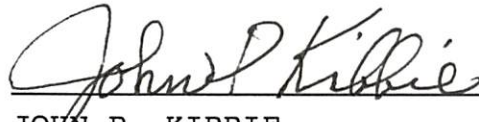
b. A principal or deputy state, county, or city officer
shall not be required to waive the officer's homestead
exemption in order to be bonded as required pursuant to
chapter 64.

2. This section shall not apply to a written contract
affecting agricultural land of less than forty acres.


Sec. 2. HOMESTEAD EXEMPTION WAIVER -- APPLICABILITY. If a
holder of legal or equitable title to real estate affecting

agricultural land, or dwellings, buildings, or other appurtenances located on the land, conveyed less than forty acres of such real estate by written contract prior to July 1, 2005, and such written contract was not executed in compliance with the requirements of section 561.22, Code 2005, the holder is deemed to have waived the right to have the holder's homestead exempt from judicial sale unless suit is brought within one year from July 1, 2005, by the holder or the holder's representative to determine the effect of the written contract upon the real estate or any interest in the real estate.


CHRISTOPHER C. RANTS
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 754, Eighty-first General Assembly.


MARGARET THOMSON
Chief Clerk of the House

Approved September 29, 2005


THOMAS J. VILSACK
Governor