

March 17, 1961.

Passed on File.

House File 633

By COMMITTEE ON JUDICIARY 2.

Passed House, Date.....4-6-61..... Passed Senate, Date.....4-27-61

Vote: Ayes.....95..... Nays.....1..... Vote: Ayes.....48..... Nays.....0.....

Approved.....5-1-61.....

A BILL FOR

An Act to legalize all instruments, deeds or releases affecting real estate which are now filed or recorded, and which were signed by the secretary of the state board of social welfare or the state department of social welfare.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. Every deed, release or other instrument in writing
- 2 purporting to transfer any interest in land held or claimed by
- 3 either the state department of social welfare or the state board
- 4 of social welfare of the state of Iowa, which is signed for
- 5 either or both said bodies by the secretary of either, and
- 6 which are now filed or of record as of February 1, 1961, in
- 7 the office of the auditor or recorder or clerk of the district
- 8 court of any county in Iowa, and any writing thus signed, filed
- 9 or recorded which purports to release any old-age assistance
- 10 lien on any real estate in Iowa is hereby legalized and shall
- 11 be good and valid in law and in equity as fully as if the
- 12 record expressly showed that same in all respects complied with
- 13 and was fully authorized as provided in any statute pertaining
- 14 to such instrument, anything in the laws of Iowa to the
- 15 contrary notwithstanding.

EXPLANATION OF HOUSE FILE 633

This legalizing act would save a great deal of difficulty which has arisen from informality in the documents affecting old age assistance liens and properties which are involved in them. These instruments are filed all over the state. Often chapter 249 technically requires them to rest on proceedings by the board or the existence of technical facts. These things never appear of record in the counties involved. The people dealing with the board are usually of small means without counsel. They rely on the secretary of the board to have seen to these technicalities, and give them what they ought to have. Later it is expensive to supply a record of all these technicalities. Of course the board never actually intends to repudiate these documents or claim the property. The legalizing act will not affect any actual interest they claim or do the state any harm.

