

March 28, 1967
County and Township Affairs, Pass 4/19
Governmental Subdivision 3-2, Pass 5-9

House File 547
By HULLINGER
(Main)

Substituted for S.F. 666, 5-19

Passed House, Date 4-28-67 Passed Senate, Date 6-6-67
Vote: Ayes 82 Nays 0 Vote: Ayes 51 Nays 1

Passed House Approved June 22, 1967
as amended by
Senate 6-9
106-0

A BILL FOR

An Act relating to the redemption of a tax sale on property of a deceased old-age assistance recipient.

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

This is a Companion Bill; for complete text see Senate File 666.

EXPLANATION OF HOUSE FILE 547

This bill will permit an early sale of property of a deceased old-age assistance recipient.

1 Amend House File 547 as follows:

2 1. By striking from the title thereof after the word
3 "property", the following: "of a deceased old-age assistance
4 recipient".

5 2. By striking all matter after the enacting clause, by
6 re-numbering the bill, and by inserting in lieu thereof the
7 followi g:

8 Section 1. Section four hundred forty-seven point nine
9 (447.9), Code 1966, is hereby amended as follows:

10 1. By inserting after the figures "446.18" in line four
11 (4) the following: "or section four hundred forty-six point
12 thirty-eight (446.38)".

13 2. By adding at the end thereof the following: "Such
14 notice shall also be served on any city or town where such real
15 estate is situated."

16 Sec. 2. Section four hundred forty-six point thirty-eight
17 (446.38), Code 1966 is hereby amended by adding at the end there-
18 of, the following: "In such cases the requirements of section
19 four hundred forty-six point eighteen (446.18) to the effect
20 that the real estate shall have been advertised and offered for
21 sale two years or more, shall not be applicable."

22 Sec. 3. Section four hundred forty-six point thirty-seven
23 (446.37) is hereby amended as follows:

24 1. By striking from line one (1), the word, "ten (10)" and by
25 inserting in lieu thereof the word, "five (5)."

26 2. By striking from lines two (2) and three (3), the words,
27 "no action has been taken by" and by inserting in lieu thereof
28 the words, "action has not been completed during such time which
29 qualifies".

30 3. By adding at the end of said section, the following:
31 "Certificates outstanding on July 1, 1967 when this Act becomes
32 effective, five years or more from time of tax sale, on which
33 such qualifying action has not been completed, shall be so
34 cancelled, if such action is not completed before July 1, 1968."

35 Sec. 4. Section three hundred ninety-one point thirty-
36 five (391.35), Code 1966, is hereby amended by inserting after
37 the word "liens" in line nine (9) the words, "shall have equal
38 precedence with ordinary taxes and".

Filed - *Adopted as amended 6-6*
May 19, 1967

By O'MALLEY and GAUDINEER

1 Amend the O'Malley and Gaudineer amendment to House

2 547, filed May 17, 1967, as

3 1. By striking all of lines two (2) through four (4)
4 inclusive and by inserting in lieu thereof the following:
5 "1. Amend the title by striking all after the word 'Act'
6 and by inserting in lieu thereof the following:
7 'relating to the redemption or sale of encumbered property.'"
8 2. By adding the following at the end thereof after line
9 thirty-four (34):
10 "Sec. 4. Section two hundred forty-nine point nineteen
11 Code 1966, is amended by adding the following at the end there-
12 of:

13 'The real estate in such an estate shall not be sold at
14 other than public auction and not by use of sealed bids.'
15 "Sec. 5. Section five hundred sixty-nine point eight (569.8)
16 Code 1966, is amended by adding at the end thereof the following:
17 'Real property sold under this section shall be sold at
18 public auction and not by use of sealed bids, but only after
19 notice thereof has been published once in a newspaper of general
20 circulation in the county wherein the property is located,
21 stating the description of the property to be sold and the date,
22 place and time of such sale, at least ten (10) days, but not
more than fifteen (15) days prior to the date of such sale'".

Filed - Adopted 6-6
May 19, 1967

By HEABERLIN

1 Amend House File 547 as follows:
2 By striking from the title all after the word "Act" and insert-
3 ing in
4 lieu thereof the following:
5 "relating to the redemption or sale of encumbered property."
6 By striking everything after the enacting clause and inserting
7 in lieu
8 thereof the following:
9 'Section 1. Section four hundred forty-seven point nine
10 (447.9),
11 Code 1966, is hereby amended as follows:
12 1. By inserting after the figures '446.18' in line four (4)
13 the
14 following: "or section four hundred forty-six point thirty-eight
15 (446.38)".
16 2. By adding at the end thereof the following: 'Such notice
shall
also be served on any city or town where such real estate is situ-
ated.'
17 Sec. 2. Section four hundred forty-six point thirty-eight
18 (446.38),
19 Code 1966, is hereby amended by adding at the end thereof the
20 following:
21 'In such cases the requirements of section four hundred forty-six
22 point
eighteen (446.18) to the effect that the real estate shall have
been

17 advertised and offered for sale two years or more, shall not be
18 cable.' appli-

19 Sec. 3. Section four hundred forty-six point thirty-seven
(446.37)

20 is hereby amended as follows:

21 1. By striking from line one (1) the word 'ten (10)' and by
inserting
22 in lieu thereof the word 'five (5)'.

23 2. By striking from lines two (2) and three (3) the words
'no action
24 has been taken by' and by inserting in lieu thereof the words
'action
25 has not been completed during such time which qualifies'.

26 3. By adding at the end of said section the following: 'Certi-
27 ficates
outstanding on July 1, 1967 when this Act becomes effective, five
years

28 or more from time of tax sale, on which such qualifying action
has not
29 been completed, shall be so cancelled, if such action is not com-
pleted
30 before July 1, 1968.'

31 Sec. 4. Section two hundred forty-nine point nineteen (249.19),
32 Code 1966, is amended by adding the following at the end thereof:

33 'The real estate in such an estate shall not be sold at other
than
34 public auction and not by use of sealed bids.'

35 Sec. 5. Section five hundred sixty-nine point eight (569.8),
Code
36 1966, is amended by adding at the end thereof the following:

37 'Real property sold under this section shall be sold at public
38 auction and not by use of sealed bids, but only after notice
39 thereof
39 has been published once in a newspaper of general circulation in
the
40 county wherein the property is located, stating the description of
the
41 property to be sold and the date, place and time of such sale, at
42 least ten (10) days, but not more than fifteen (15) days prior to
the date

43 of such sale.'

44 Sec. 6. Section three hundred ninety-one point thirty-
45 five (391.35), Code 1966, is hereby amended by inserting after
46 the word 'liens' in line nine (9) the words 'shall have equal
47 precedence with ordinary taxes and'."

As Adopted by the Senate

House concurred 6-9