

reprinted

FEB 22 1989

LOCAL GOVERNMENT

HOUSE FILE

384

AMENDMENT TO CHAPTER 377 (1984)

BY PONCY

Passed House, Date 3-15-89 (S 802) Passed Senate, Date _____
Vote: Ayes 92 Nays 2 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to sheriffs' sales by permitting written sealed
2 bids to be received, and providing procedures for written
3 sealed bids.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 384

1 Section 1. Section 626.80, Code 1989, is amended to read
2 as follows:

3 626.80 TIME AND MANNER.

3224- The sale must be at public auction, between nine o'clock in
5 the forenoon and four o'clock in the afternoon, and the hour
6 of the commencement of the sale must be fixed in the notice.
7 The sheriff shall receive and give a receipt for any written
8 bids submitted prior to the public auction. The sheriff may
9 require the written bid to be accompanied by payment of any
10 fees required to be paid at the public auction by the
11 purchaser, to be returned if the person submitting the written
12 bid is not the purchaser. The sheriff shall keep any written
13 bids confidential until the commencement of the public
14 auction, at which time the sheriff shall announce and receive
15 the written bids as though made in person.

16 EXPLANATION

17 This bill permits the receipt of written bids for sheriffs'
18 sales and provides procedures to be followed by the sheriff in
19 administering written bids.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 384

H-3314

1 Amend the amendment, H-3302, to House File 384 as
2 follows:

3 1. Page 1, by striking lines 2 through 13, and
4 inserting the following:

5 " . By striking page 1, lines 7 through 15, and
6 inserting the following:

7 "The sheriff shall receive and give a receipt for a
8 sealed written bid submitted prior to the public
9 auction. The sheriff may require all sealed written
10 bids to be accompanied by payment of any fees required
11 to be paid at the public auction by the purchaser, to
12 be returned if the person submitting the sealed
13 written bid is not the purchaser. The sheriff shall
14 keep all written bids sealed until the commencement of
15 the public auction, at which time the sheriff shall
16 open and announce the written bids as though made in
17 person."

By KREMER of Buchanan
FULLER of Hardin

H-3314 FILED MARCH 8, 1989

Adopted 3/15/89 (p. 802)

HOUSE FILE 384

H-3302

1 Amend House File 384 as follows:

3314-2 1. Page 1, line 7, by inserting after the word
3 "any" the following: "sealed".

4 2. Page 1, line 9, by inserting after the word
5 "the" the following: "sealed".

6 3. Page 1, line 11, by inserting before the word
7 "written" the following: "sealed".

8 4. Page 1, by striking lines 12 through 15 and
9 inserting the following: "bid is not the purchaser.
10 The sheriff shall keep any written bids sealed until
11 the commencement of the public auction, at which time
12 the sheriff shall open and announce the written bids
13 as though made in person."

By COMMITTEE ON LOCAL GOVERNMENT
FOGARTY of Palo Alto, Chairperson

H-3302 FILED MARCH 7, 1989

*Adopted as amended by 3314
3/15 (p. 802)*

Sen. Wade Stout.
Do pass 3-28-89 (p. 1049)

HOUSE FILE 384
BY PONCY

(As Amended and Passed by the House March 15, 1989)

Passed House, Date 3-15-89 (p. 802) Passed Senate, Date 4-10-89 (p. 1573)
Vote: Ayes 92 Nays 2 Vote: Ayes 46 Nays 0
Approved 5-4-89 (p. 2495)

A BILL FOR

1 An Act relating to sheriffs' sales by permitting written sealed
2 bids to be received, and providing procedures for written
3 sealed bids.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

House Amendments _____

1 Section 1. Section 626.80, Code 1989, is amended to read
2 as follows:

3 626.80 TIME AND MANNER.

4 The sale must be at public auction, between nine o'clock in
5 the forenoon and four o'clock in the afternoon, and the hour
6 of the commencement of the sale must be fixed in the notice.

7 The sheriff shall receive and give a receipt for a sealed
8 written bid submitted prior to the public auction. The
9 sheriff may require all sealed written bids to be accompanied
10 by payment of any fees required to be paid at the public
11 auction by the purchaser, to be returned if the person
12 submitting the sealed written bid is not the purchaser. The
13 sheriff shall keep all written bids sealed until the
14 commencement of the public auction, at which time the sheriff
15 shall open and announce the written bids as though made in
16 person.

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

commencement of the public auction, at which time the sheriff shall open and announce the written bids as though made in person.

HOUSE FILE 384

AN ACT

RELATING TO SHERIFFS' SALES BY PERMITTING WRITTEN SEALED BIDS TO BE RECEIVED, AND PROVIDING PROCEDURES FOR WRITTEN SEALED BIDS.

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

Section 1. Section 626.80, Code 1989, is amended to read as follows:

626.80 TIME AND MANNER.

The sale must be at public auction, between nine o'clock in the forenoon and four o'clock in the afternoon, and the hour of the commencement of the sale must be fixed in the notice.

The sheriff shall receive and give a receipt for a sealed written bid submitted prior to the public auction. The sheriff may require all sealed written bids to be accompanied by payment of any fees required to be paid at the public auction by the purchaser, to be returned if the person submitting the sealed written bid is not the purchaser. The sheriff shall keep all written bids sealed until the

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 384, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 4, 1989

TERRY E. BRANSTAD
Governor

HF 384

FEB 22 1989

STATE GOVERNMENT

HOUSE FILE 385

BY HERMANN

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the records of nonprofit corporations and
2 associations licensed by the state to conduct certain
3 regulated racing or gaming activities.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 385

1 Section 1. NEW SECTION. 22.10A RECORDS OF CERTAIN
2 NONPROFIT LICENSEES DEEMED PUBLIC RECORDS.

3 The records of a nonprofit corporation or association which
4 obtains a racing or gaming license from the state commission
5 created by section 99D.5 shall be deemed public records for
6 purposes of sections 22.1 through 22.10, and the nonprofit
7 corporation or association shall provide access to the records
8 to the same extent and in the same manner as if the nonprofit
9 corporation or association were a government body as defined
10 in section 22.1.

11 EXPLANATION

12 This bill requires that a nonprofit corporation or
13 association which obtains a racing or gaming license from the
14 state commission created by section 99D.5 (now known as the
15 state racing commission) must make its records public to the
16 same extent and in the same manner as if the nonprofit
17 corporation or association were a government body.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35