

(P. 499) 3/4/93

3/11/93 House Do Pass

House, Sub Comm. W. & Means
Inerson, Burke, Drake, Fogarty, Giles

FILED FEB 1 1993

SENATE FILE 57
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 9)

Passed Senate, Date (P. 232) 2/4/93 Passed House, Date (P. 1555) 4/22/93
Vote: Ayes 46 Nays 0 Vote: Ayes 95 Nays 4
Approved May 3, 1993

A BILL FOR

1 An Act relating to the collection and administration of property
2 taxes, special assessments, and various rates, charges, and
3 rentals and providing an effective date.

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

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1021

1 Section 1. Section 331.465, subsection 1, Code 1993, is
2 amended to read as follows:

3 1. The board may establish, impose, adjust, and provide
4 for the collection of rates to produce gross revenues at least
5 sufficient to pay the expenses of operation and maintenance of
6 the county enterprise or combined county enterprise and, if
7 revenue bonds or pledge orders are issued and outstanding
8 under this part, shall establish, impose, adjust, and provide
9 for the collection of rates to produce gross revenues at least
10 sufficient to pay the expenses of operation and maintenance of
11 the county enterprise or combined county enterprise, and to
12 leave a balance of net revenues sufficient at all times to pay
13 the principal of and interest on the revenue bonds and pledge
14 orders as they become due and to maintain a reasonable reserve
15 for the payment of the principal and interest, and a
16 sufficient portion of net revenues shall be pledged for that
17 purpose. Rates shall be established by ordinance. Rates or
18 charges for the services of a county enterprise defined in
19 section 331.461, subsection 2, paragraph "b", if not paid as
20 provided by ordinance, constitute a lien upon the premises
21 served and may be certified to the ~~auditor~~ county treasurer
22 and collected in the same manner as taxes. The treasurer may
23 charge five dollars for each lien certified as an
24 administrative expense, which amount shall be added to the
25 amount of the lien to be collected at the time of payment of
26 the assessment from the payor and credited to the county
27 general fund.

28 Sec. 2. Section 331.489, Code 1993, is amended to read as
29 follows:

30 331.489 RATES AND CHARGES RELATING TO PUBLIC IMPROVEMENTS.
31 A county which has created a district for a public improve-
32 ment and, to the extent provided in the agreement creating a
33 joint special assessment district, each county or city which
34 is a party to the agreement, may establish, impose, adjust,
35 and provide for the collection of rates and charges to produce

1 gross revenues at least sufficient to pay the expenses of
2 operation and maintenance of a public improvement, against
3 property within the district and, where appropriate,
4 establish, impose, adjust, and provide for the collection of
5 charges for connection to a public improvement. The rates and
6 charges must be established by ordinance of the governing body
7 of the county or the city imposing the rates or charges. The
8 rates and charges established as provided in this section, if
9 not paid as provided by the ordinance of the governing body,
10 are a lien upon the premises served or benefited by the public
11 improvement and may be certified to the county auditor
12 treasurer and collected in the same manner as property taxes.

13 Sec. 3. Section 358.18, unnumbered paragraph 2, Code 1993,
14 is amended to read as follows:

15 All taxes thus levied by the board shall be certified by
16 the clerk on or before March 1 to the county auditor of each
17 county wherein any of the property included within the
18 territorial limits of ~~said~~ the sanitary district is located,
19 and shall ~~by-said-auditor-or-auditors~~ be placed upon the tax
20 list for the current fiscal year; ~~and-the~~ by the auditor or
21 auditors. The county treasurer, or treasurers, of more than
22 one county, shall collect all taxes so levied in the same
23 manner as other taxes, and when delinquent they the taxes
24 shall draw the same interest ~~and-penalties~~. All taxes so
25 levied and collected shall be paid over by the officer
26 collecting the ~~same~~ taxes to the treasurer of the sanitary
27 district.

28 Sec. 4. Section 384.84, subsection 1, unnumbered paragraph
29 1, Code 1993, is amended to read as follows:

30 The governing body of a city utility, combined utility
31 system, city enterprise, or combined city enterprise may
32 establish, impose, adjust, and provide for the collection of
33 rates to produce gross revenues at least sufficient to pay the
34 expenses of operation and maintenance of the city utility,
35 combined utility system, city enterprise, or combined city

1 enterprise and, when revenue bonds or pledge orders are issued
2 and outstanding pursuant to this division, shall establish,
3 impose, adjust, and provide for the collection of rates to
4 produce gross revenues at least sufficient to pay the expenses
5 of operation and maintenance of the city utility, combined
6 utility system, city enterprise, or combined city enterprise,
7 and to leave a balance of net revenues sufficient at all times
8 to pay the principal of and interest on the revenue bonds and
9 pledge orders as they become due and to maintain a reasonable
10 reserve for the payment of principal and interest, and a
11 sufficient portion of net revenues must be pledged for that
12 purpose. Rates must be established by ordinance of the
13 council or by resolution of the trustees, published in the
14 same manner as an ordinance. All rates or charges for the
15 services of sewer systems, storm water drainage systems,
16 sewage treatment, solid waste collection, water, solid waste
17 disposal, or any of these, if not paid as provided by
18 ordinance of the council, or resolution of the trustees, are a
19 lien upon the premises served by any of these services upon
20 certification to the county treasurer that the rates or
21 charges are due. However, for residential rental properties
22 where the charges for water services are separately metered
23 and paid directly by the tenant, the rental property is exempt
24 from a lien for those delinquent charges incurred after the
25 landlord gives written notice to the utility or enterprise
26 that the tenant is liable for the charges and a deposit not
27 exceeding the usual cost of ninety days of water service is
28 paid to the utility or enterprise. Upon receipt, the utility
29 or enterprise shall acknowledge the notice and deposit. A
30 written notice shall contain the name of the tenant
31 responsible for charges, address that the tenant is to occupy,
32 and date that the occupancy begins. A change in tenant shall
33 require a new written notice and deposit. When the tenant
34 moves from the rental property, the utility or enterprise
35 shall return the deposit if the water service charges are paid

1 in full and the lien exemption shall be lifted from the rental
 2 property. The lien exemption for rental property does not
 3 apply to charges for repairs to a water service if the repair
 4 charges become delinquent. When one or more of the utility or
 5 enterprise services become delinquent, the utility or
 6 enterprise shall give delinquency notice to the landlord who
 7 has filed a request containing the name and address of the
 8 person to be notified when the tenant is notified of the
 9 delinquency. A lien imposed pursuant to this subsection shall
 10 not be less than five dollars. The utility or enterprise
 11 shall give ten days' written notice by first class mail to the
 12 property owner of record who has filed a request containing
 13 the name and address of the person to be notified before
 14 placing a lien on the owner's property. The county treasurer
 15 may charge ~~two~~ five dollars for each lien certified as an
 16 administrative expense, which amount shall be added to the
 17 amount of the lien to be collected at the time of payment of
 18 the assessment from the payor and credited to the county
 19 general fund. The lien has equal precedence with ordinary
 20 taxes, may be certified to the county treasurer and collected
 21 in the same manner as taxes, and is not divested by a judicial
 22 sale.

23 Sec. 5. Section 445.1, subsection 5, Code 1993, is amended
 24 to read as follows:

25 5. "Rate or charge" means an item, including rentals,
 26 legally certified to the county treasurer for collection as
 27 provided in sections 331.465, 331.489, 358.20, 364.11, and
 28 364.12, and 468.589 and section 384.84, subsection 1.

29 Sec. 6. Section 445.16, Code 1993, is amended to read as
 30 follows:

31 445.16 ABATEMENT OR COMPROMISE OF TAX.

32 If the county holds the tax sale certificate of purchase
 33 ~~and the county is unable to assign the certificate as provided~~
 34 ~~in section 446-31,~~ the county, through the board of
 35 supervisors, may compromise by written agreement, or abate by

1 resolution, the tax, interest, fees, or costs. In the event
2 of a compromise, the board of supervisors may enter into a
3 written agreement with the owner of the legal title or with
4 any lienholder for the payment of a stipulated sum in full
5 satisfaction of all amounts included in that agreement. In
6 addition, if a parcel is offered at regular tax sale and is
7 not sold, the county, prior to public bidder sale to the
8 county under section 446.19, may compromise by written
9 agreement, or abate by resolution, the tax, interest, fees, or
10 costs, as provided in this section.

11 A copy of the agreement or resolution shall be filed with
12 the county treasurer.

13 Sec. 7. Section 446.2, Code 1993, is amended to read as
14 follows:

15 446.2 NOTICE OF PREVIOUS SALE.

16 For each parcel sold, the county treasurer shall notify the
17 ~~titleholder-of-record~~ party in whose name the parcel was
18 taxed, according to the treasurer's records at the time of
19 sale, that the parcel was sold at tax sale. The notice of
20 sale may be included on or with the tax statement or by
21 separate mail shall be sent by regular mail within fifteen
22 days from the date of the annual tax sale or any adjourned tax
23 sale.

24 Sec. 8. Section 446.7, unnumbered paragraph 2, Code 1993,
25 is amended to read as follows:

26 Parcels against which the county holds a tax sale
27 certificate or a municipality holds a tax sale certificate
28 acquired under section 446.19, parcels of municipal and
29 political subdivisions of the state of Iowa, parcels held by a
30 city or county agency or the Iowa finance authority for use in
31 an Iowa homesteading project, or parcels of the state or its
32 agencies, shall not be offered or sold at tax sale and a tax
33 sale of those parcels is void from its inception. When taxes
34 are owing against parcels owned or claimed by a municipal or
35 political subdivision of the state of Iowa, parcels held by a

1 city or county agency or the Iowa finance authority for use in
2 an Iowa homesteading project, or parcels of the state or its
3 agencies, the treasurer shall give notice to the appropriate
4 governing body which shall then pay the total amount due. If
5 the governing body fails to pay the total amount due, the
6 board of supervisors shall abate the total amount due.

7 Sec. 9. Section 446.31, Code 1993, is amended by adding
8 the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. A certificate of purchase for a
10 parcel shall not be assigned to a person, other than a
11 municipality, who is entitled to redeem that parcel.

12 Sec. 10. Section 446.32, Code 1993, is amended to read as
13 follows:

14 446.32 PAYMENT OF SUBSEQUENT TAXES BY PURCHASER.

15 The county treasurer shall ~~also-prepare,-sign,-and-deliver~~
16 provide to the purchaser of a parcel sold at tax sale a
17 receipt for the total amount paid by the purchaser after the
18 date of purchase for a subsequent year. Taxes for a
19 subsequent year may be paid by the purchaser ~~any-time-after~~
20 ~~June-30-or-upon-delivery-of-the-new-tax-list-referred-to-in~~
21 chapter-443 beginning fourteen days following the date from
22 which an installment becomes delinquent as provided in section
23 445.37.

24 Sec. 11. Section 447.1, Code 1993, is amended to read as
25 follows:

26 447.1 REDEMPTION -- TERMS.

27 A parcel sold under this chapter and chapter 446 may be
28 redeemed at any time before the right of redemption expires,
29 by payment to the county treasurer, to be held by the
30 treasurer subject to the order of the purchaser, of the amount
31 for which the parcel was sold, including the fee for the
32 certificate of purchase, and interest of two percent per
33 month, counting each fraction of a month as an entire month,
34 from the month of sale, and the total amount paid by the
35 purchaser or the purchaser's assignee for any subsequent year,

1 with interest at the same rate added on the amount of the
2 payment for each subsequent year from the month of payment,
3 counting each fraction of a month as an entire month. The
4 amount of interest must be at least one dollar and shall be
5 rounded to the nearest whole dollar. Interest shall accrue on
6 subsequent amounts from the month of payment by the
7 certificate holder.

8 When the county or city is the certificate holder of the
9 parcel redeemed from a sale held under section 446.19, the
10 redemption amount shall be apportioned among the several funds
11 for which the taxes were levied. All interest, costs, and
12 fees shall be apportioned to the general fund of the county
13 regardless of who is the certificate holder. If a city is the
14 certificate holder of the parcel redeemed from a sale held
15 under section 446.7 or 446.28, the city shall be entitled to
16 the total amount redeemed.

17 Sec. 12. Section 447.12, Code 1993, is amended to read as
18 follows:

19 447.12 WHEN SERVICE DEEMED COMPLETE -- PRESUMPTION.

20 Service is complete only after an affidavit has been filed
21 with the county treasurer, showing the making of the service,
22 the manner of service, the time when and place where made,
23 under whose direction the service was made, and costs incurred
24 as provided in section 447.13. Costs not filed with the
25 treasurer before a redemption is complete shall not be
26 collected by the treasurer. Costs shall not be filed with the
27 treasurer prior to the filing of the affidavit. The affidavit
28 shall be made by the holder of the certificate or by the
29 holder's agent or attorney, and in either of the latter cases
30 stating that the affiant is the agent or attorney of the
31 holder of the certificate. The affidavit shall be filed by
32 the treasurer and entered in the county system and is
33 presumptive evidence of the completed service of the notice.
34 The right of redemption shall not expire until ninety days
35 after service is complete. A redemption shall not be

1 considered valid unless received by the treasurer prior to the
2 close of business on the ninetieth day from the date of
3 completed service except in the case of a public bidder
4 certificate held by the county in which case the county may
5 accept a redemption at any time prior to the issuance of the
6 tax deed. When the parcel is held by a city or county, a city
7 or county agency, or the Iowa finance authority, for use in an
8 Iowa homesteading project, whether or not the parcel is the
9 subject of a conditional conveyance granted under the project,
10 the affidavit shall be made by the treasurer of the county or
11 the county attorney, a city officer designated by resolution
12 of the council, or on behalf of the agency or authority, by
13 one of its officers as authorized in rules of the agency or
14 authority.

15 Sec. 13. Section 468.589, Code 1993, is amended to read as
16 follows:

17 468.589 RATES AND CHARGES FOR SERVICES AND CONNECTION.

18 If a county and city have entered into an agreement
19 pursuant to chapter 28E to create an urban drainage district,
20 the county or city or both may, to the extent and in the
21 manner provided in the agreement, establish, impose, adjust,
22 and provide for the collection of rates to produce gross
23 revenues at least sufficient to pay the expenses of operation
24 and maintenance of a drainage improvement against property
25 within the district and establish, impose, adjust, and provide
26 for the collection of charges for connection to a drainage
27 improvement. Rates and charges must be established by
28 ordinance of the governing body of the county or city imposing
29 the rates or charges. Rates or charges for the services of
30 and connection to the drainage improvement if not paid as
31 provided by the ordinance of the governing body, are a lien
32 upon the premises served or benefited by that improvement and
33 may be certified to the county ~~auditor~~ treasurer and collected
34 in the same manner as other taxes.

35 Sec. 14. This Act, being deemed of immediate importance,

1 takes effect upon enactment.

2 EXPLANATION

3 The bill makes numerous coordinating and corrective
4 amendments to the procedures and requirements for collection
5 of property taxes and various rates and charges and for the
6 sale and redemption of property delinquent in payment of
7 property taxes and various rates and charges. These changes
8 include specifying that the county treasurer is the person to
9 certify for collection of rates, charges, and special
10 assessments; removing reference to penalties for delinquent
11 taxes, rates, or charges since interest is assessed instead;
12 identifying to whom the notice of tax sale is to be sent and
13 how; allowing the county treasurer to charge a \$5
14 administrative fee for certifying certain liens; providing
15 that a parcel for which a city holds a tax certificate will
16 not be offered at a subsequent tax sale; codifying the general
17 rule that a person who can redeem property sold at tax sale
18 cannot obtain an assignment of a tax sale certificate;
19 prohibiting the purchaser of a tax certificate from purchasing
20 subsequent year's taxes until 14 days after those taxes become
21 delinquent; providing that where a city purchases at a tax
22 sale property which is then redeemed the moneys go to the
23 city's general fund; and by specifying that redemption is
24 valid only if it is received by the treasurer prior to the
25 close of business on the ninetieth day after service of notice
26 of the expiration of the right to redeem.

27 The bill takes effect upon enactment.

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H-3602

1 Amend Senate File 57, as passed by the Senate, as
2 follows:

3 1. Page 6, line 32, by striking the word "two"
4 and inserting the following: "two one and one-half".

5 2. Page 8, by inserting after line 34 the follow-
6 ing:

7 "Sec. ____ . APPLICABILITY. For parcels redeemed on
8 or after the effective date of section 11 of this Act,
9 interest charged on the amount owed from the month of
10 enactment of section 11 of this Act shall be at the
11 rate specified in section 11 of this Act. Interest
12 charged on the amount owed on a parcel redeemed on or
13 after the effective date of section 11 of this Act for
14 months prior to the month of the effective date of
15 section 11 of this Act shall be at the rate in effect
16 prior to the effective date of section 11 of this
17 Act."

By SCHRADER of Marion
DODERER of Johnson

WITHDRAWN
4-22-93
BAKER of Polk
KREIMAN of Davis

H-3602 FILED MARCH 31, 1993

H-3906

1 Amend Senate File 57, as passed by the Senate, as
2 follows:

3 1. Page 2, by inserting after line 12 the
4 following:

5 "Sec. 2A. Section 331.552, subsection 23, Code
6 1993, is amended to read as follows:

7 23. Collect a fee of ten dollars or three percent
8 of the total amount paid, whichever is the greater,
9 for issuing a tax sale certificate or and a fee of ten
10 dollars for issuing a certificate of redemption from
11 tax sale."

12 2. Page 6, line 32, by striking the word "two"
13 and inserting the following: "two one and one-half".

14 3. Page 8, by inserting after line 34 the
15 following:

16 "Sec. ____ . APPLICABILITY. Section 2A of this Act
17 and the reduction in the interest rate as provided in
18 section 11 of this Act apply to tax sales held on or
19 after the effective date of sections 2A and 11 of this
20 Act."

By SCHRADER of Marion
DODERER of Johnson

BAKER of Polk
KREIMAN of Davis

H-3906 FILED APRIL 13, 1993

*Lost
4/22/93
(p. 1554)*

SENATE FILE 57

AN ACT

RELATING TO THE COLLECTION AND ADMINISTRATION OF PROPERTY TAXES, SPECIAL ASSESSMENTS, AND VARIOUS RATES, CHARGES, AND RENTALS AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 331.465, subsection 1, Code 1993, is amended to read as follows:

1. The board may establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the county enterprise or combined county enterprise and, if revenue bonds or pledge orders are issued and outstanding under this part, shall establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the county enterprise or combined county enterprise, and to leave a balance of net revenues sufficient at all times to pay the principal of and interest on the revenue bonds and pledge orders as they become due and to maintain a reasonable reserve for the payment of the principal and interest, and a sufficient portion of net revenues shall be pledged for that purpose. Rates shall be established by ordinance. Rates or charges for the services of a county enterprise defined in section 331.461, subsection 2, paragraph "b", if not paid as provided by ordinance, constitute a lien upon the premises served and may be certified to the auditor county treasurer and collected in the same manner as taxes. The treasurer may charge five dollars for each lien certified as an administrative expense, which amount shall be added to the amount of the lien to be collected at the time of payment of the assessment from the payor and credited to the county

general fund.

Sec. 2. Section 331.489, Code 1993, is amended to read as follows:

331.489 RATES AND CHARGES RELATING TO PUBLIC IMPROVEMENTS.

A county which has created a district for a public improvement and, to the extent provided in the agreement creating a joint special assessment district, each county or city which is a party to the agreement, may establish, impose, adjust, and provide for the collection of rates and charges to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of a public improvement, against property within the district and, where appropriate, establish, impose, adjust, and provide for the collection of charges for connection to a public improvement. The rates and charges must be established by ordinance of the governing body of the county or the city imposing the rates or charges. The rates and charges established as provided in this section, if not paid as provided by the ordinance of the governing body, are a lien upon the premises served or benefited by the public improvement and may be certified to the county auditor treasurer and collected in the same manner as property taxes.

Sec. 3. Section 358.18, unnumbered paragraph 2, Code 1993, is amended to read as follows:

All taxes thus levied by the board shall be certified by the clerk on or before March 1 to the county auditor of each county wherein any of the property included within the territorial limits of said the sanitary district is located, and shall by-said-auditor-or-auditors be placed upon the tax list for the current fiscal year, and-the by the auditor or auditors. The county treasurer, or treasurers, of more than one county, shall collect all taxes so levied in the same manner as other taxes, and when delinquent they the taxes shall draw the same interest and penalties. All taxes so levied and collected shall be paid over by the officer collecting the same taxes to the treasurer of the sanitary

district.

Sec. 4. Section 384.84, subsection 1, unnumbered paragraph 1, Code 1993, is amended to read as follows:

The governing body of a city utility, combined utility system, city enterprise, or combined city enterprise may establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the city utility, combined utility system, city enterprise, or combined city enterprise and, when revenue bonds or pledge orders are issued and outstanding pursuant to this division, shall establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the city utility, combined utility system, city enterprise, or combined city enterprise, and to leave a balance of net revenues sufficient at all times to pay the principal of and interest on the revenue bonds and pledge orders as they become due and to maintain a reasonable reserve for the payment of principal and interest, and a sufficient portion of net revenues must be pledged for that purpose. Rates must be established by ordinance of the council or by resolution of the trustees, published in the same manner as an ordinance. All rates or charges for the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, water, solid waste disposal, or any of these, if not paid as provided by ordinance of the council, or resolution of the trustees, are a lien upon the premises served by any of these services upon certification to the county treasurer that the rates or charges are due. However, for residential rental properties where the charges for water services are separately metered and paid directly by the tenant, the rental property is exempt from a lien for those delinquent charges incurred after the landlord gives written notice to the utility or enterprise that the tenant is liable for the charges and a deposit not

exceeding the usual cost of ninety days of water service is paid to the utility or enterprise. Upon receipt, the utility or enterprise shall acknowledge the notice and deposit. A written notice shall contain the name of the tenant responsible for charges, address that the tenant is to occupy, and date that the occupancy begins. A change in tenant shall require a new written notice and deposit. When the tenant moves from the rental property, the utility or enterprise shall return the deposit if the water service charges are paid in full and the lien exemption shall be lifted from the rental property. The lien exemption for rental property does not apply to charges for repairs to a water service if the repair charges become delinquent. When one or more of the utility or enterprise services become delinquent, the utility or enterprise shall give delinquency notice to the landlord who has filed a request containing the name and address of the person to be notified when the tenant is notified of the delinquency. A lien imposed pursuant to this subsection shall not be less than five dollars. The utility or enterprise shall give ten days' written notice by first class mail to the property owner of record who has filed a request containing the name and address of the person to be notified before placing a lien on the owner's property. The county treasurer may charge two five dollars for each lien certified as an administrative expense, which amount shall be added to the amount of the lien to be collected at the time of payment of the assessment from the payor and credited to the county general fund. The lien has equal precedence with ordinary taxes, may be certified to the county treasurer and collected in the same manner as taxes, and is not divested by a judicial sale.

Sec. 5. Section 445.1, subsection 5, Code 1993, is amended to read as follows:

5. "Rate or charge" means an item, including rentals, legally certified to the county treasurer for collection as

provided in sections 331.465, 331.489, 358.20, 364.11, and 364.12, and 468.589 and section 384.84, subsection 1.

Sec. 6. Section 445.16, Code 1993, is amended to read as follows:

445.16 ABATEMENT OR COMPROMISE OF TAX.

If the county holds the tax sale certificate of purchase ~~and the county is unable to assign the certificate as provided in section 446.31~~, the county, through the board of supervisors, may compromise by written agreement, or abate by resolution, the tax, interest, fees, or costs. In the event of a compromise, the board of supervisors may enter into a written agreement with the owner of the legal title or with any lienholder for the payment of a stipulated sum in full satisfaction of all amounts included in that agreement. In addition, if a parcel is offered at regular tax sale and is not sold, the county, prior to public bidder sale to the county under section 446.19, may compromise by written agreement, or abate by resolution, the tax, interest, fees, or costs, as provided in this section.

A copy of the agreement or resolution shall be filed with the county treasurer.

Sec. 7. Section 446.2, Code 1993, is amended to read as follows:

446.2 NOTICE OF PREVIOUS SALE.

For each parcel sold, the county treasurer shall notify the ~~titleholder of record party in whose name the parcel was taxed, according to the treasurer's records at the time of sale~~, that the parcel was sold at tax sale. The notice of sale ~~may be included on or with the tax statement or by separate mail~~ shall be sent by regular mail within fifteen days from the date of the annual tax sale or any adjourned tax sale.

Sec. 8. Section 446.7, unnumbered paragraph 2, Code 1993, is amended to read as follows:

Parcels against which the county holds a tax sale certificate or a municipality holds a tax sale certificate acquired under section 446.19, parcels of municipal and political subdivisions of the state of Iowa, parcels held by a city or county agency or the Iowa finance authority for use in an Iowa homesteading project, or parcels of the state or its agencies, shall not be offered or sold at tax sale and a tax sale of those parcels is void from its inception. When taxes are owing against parcels owned or claimed by a municipal or political subdivision of the state of Iowa, parcels held by a city or county agency or the Iowa finance authority for use in an Iowa homesteading project, or parcels of the state or its agencies, the treasurer shall give notice to the appropriate governing body which shall then pay the total amount due. If the governing body fails to pay the total amount due, the board of supervisors shall abate the total amount due.

Sec. 9. Section 446.31, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A certificate of purchase for a parcel shall not be assigned to a person, other than a municipality, who is entitled to redeem that parcel.

Sec. 10. Section 446.32, Code 1993, is amended to read as follows:

446.32 PAYMENT OF SUBSEQUENT TAXES BY PURCHASER.

The county treasurer shall ~~also prepare, sign, and deliver~~ provide to the purchaser of a parcel sold at tax sale a receipt for the total amount paid by the purchaser after the date of purchase for a subsequent year. Taxes for a subsequent year may be paid by the purchaser ~~any time after June 30 or upon delivery of the new tax list referred to in chapter 443~~ beginning fourteen days following the date from which an installment becomes delinquent as provided in section 445.37.

Sec. 11. Section 447.1, Code 1993, is amended to read as follows:

447.1 REDEMPTION -- TERMS.

A parcel sold under this chapter and chapter 446 may be redeemed at any time before the right of redemption expires, by payment to the county treasurer, to be held by the treasurer subject to the order of the purchaser, of the amount for which the parcel was sold, including the fee for the certificate of purchase, and interest of two percent per month, counting each fraction of a month as an entire month, from the month of sale, and the total amount paid by the purchaser or the purchaser's assignee for any subsequent year, with interest at the same rate added on the amount of the payment for each subsequent year from the month of payment, counting each fraction of a month as an entire month. The amount of interest must be at least one dollar and shall be rounded to the nearest whole dollar. Interest shall accrue on subsequent amounts from the month of payment by the certificate holder.

When the county or city is the certificate holder of the parcel redeemed from a sale held under section 446.19, the redemption amount shall be apportioned among the several funds for which the taxes were levied. All interest, costs, and fees shall be apportioned to the general fund of the county regardless of who is the certificate holder. If a city is the certificate holder of the parcel redeemed from a sale held under section 446.7 or 446.28, the city shall be entitled to the total amount redeemed.

Sec. 12. Section 447.12, Code 1993, is amended to read as follows:

447.12 WHEN SERVICE DEEMED COMPLETE -- PRESUMPTION.

Service is complete only after an affidavit has been filed with the county treasurer, showing the making of the service, the manner of service, the time when and place where made, under whose direction the service was made, and costs incurred as provided in section 447.13. Costs not filed with the treasurer before a redemption is complete shall not be collected by the treasurer. Costs shall not be filed with the

treasurer prior to the filing of the affidavit. The affidavit shall be made by the holder of the certificate or by the holder's agent or attorney, and in either of the latter cases stating that the affiant is the agent or attorney of the holder of the certificate. The affidavit shall be filed by the treasurer and entered in the county system and is presumptive evidence of the completed service of the notice. The right of redemption shall not expire until ninety days after service is complete. A redemption shall not be considered valid unless received by the treasurer prior to the close of business on the ninetieth day from the date of completed service except in the case of a public bidder certificate held by the county in which case the county may accept a redemption at any time prior to the issuance of the tax deed. When the parcel is held by a city or county, a city or county agency, or the Iowa finance authority, for use in an Iowa homesteading project, whether or not the parcel is the subject of a conditional conveyance granted under the project, the affidavit shall be made by the treasurer of the county or the county attorney, a city officer designated by resolution of the council, or on behalf of the agency or authority, by one of its officers as authorized in rules of the agency or authority.

Sec. 13. Section 468.589, Code 1993, is amended to read as follows:

468.589 RATES AND CHARGES FOR SERVICES AND CONNECTION.

If a county and city have entered into an agreement pursuant to chapter 28E to create an urban drainage district, the county or city or both may, to the extent and in the manner provided in the agreement, establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of a drainage improvement against property within the district and establish, impose, adjust, and provide for the collection of charges for connection to a drainage

improvement. Rates and charges must be established by ordinance of the governing body of the county or city imposing the rates or charges. Rates or charges for the services of and connection to the drainage improvement if not paid as provided by the ordinance of the governing body, are a lien upon the premises served or benefited by that improvement and may be certified to the county auditor treasurer and collected in the same manner as other taxes.

Sec. 14. This Act, being deemed of immediate importance, takes effect upon enactment.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 57, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 3, 1993

TERRY E. BRANSTAD
Governor

SF 57