

FEB 21 1996

Place On Calendar

HOUSE FILE 2292
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 623)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to filing fees charged by county recorders and
2 eliminating a surcharge fee.

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

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HF 2292

1 Section 1. Section 462A.78, subsection 1, Code Supplement
2 1995, is amended to read as follows:

3 1. a. The county recorder shall charge a five ten dollar
4 fee to issue a certificate of title, a transfer of title, a
5 duplicate, or a corrected certificate of title.

6 ~~b. In addition to the fee required under paragraph "a",~~
7 ~~and sections 462A.82 and 462A.84, a surcharge of five dollars~~
8 ~~shall be required.~~

9 Sec. 2. Section 462A.78, subsection 5, Code Supplement
10 1995, is amended to read as follows:

11 5. The funds collected under subsection 1, ~~paragraph "a",~~
12 shall be placed in the general fund of the county and used for
13 the expenses of the county conservation board if one exists in
14 that county. ~~Of each surcharge collected as required under~~
15 ~~subsection 1, paragraph "b", the county recorder shall remit~~
16 ~~five dollars to the department of revenue and finance for~~
17 ~~deposit in the general fund of the state.~~

18 Sec. 3. Section 462A.84, subsection 1, paragraph b, Code
19 1995, is amended to read as follows:

20 b. The application fee for a security interest is five ten
21 dollars. The fees shall be credited to the county general
22 fund.

23 Sec. 4. Section 554.9401, subsection 6, Code Supplement
24 1995, is amended by striking the subsection.

25

EXPLANATION

26 The bill increases fees from \$5 to \$10 for certificates of
27 title, transfers of title, and duplicates and for applications
28 for security interests in titles. However, the bill also
29 strikes a surcharge fee of \$5 which was charged for the
30 certificates of title and various title transactions in
31 addition to the \$5 filing fee charged by the county recorder
32 for the benefit of the county general fund. The surcharge fee
33 was deposited in the general fund of the state. The bill also
34 strikes a requirement that the county recorder remit \$5 of the
35 fee for certain uniform commercial code filings.

**HOUSE FILE 2292
FISCAL NOTE**

A fiscal note for House File 2292 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2292 increases fees for certain certificates of titles, transfers of titles, and security interests in titles received from the county recorder. At the same time, the Bill eliminates a surcharge fee on certain certificates of titles and various title transactions by the county recorder.

Part of the surcharge fees are currently collected by each county recorder and remitted to the State General Fund. This Bill would permit the county recorder to keep an equal amount, by increasing the fees and eliminating the surcharge fee.

During FY 1995, the county recorders remitted a total of \$205,252, from the Uniform Commercial Code surcharges collected at the county level (\$129,643), boat titles (\$57,154), and boat liens (\$18,455) which was deposited in the General Fund of the State.

FISCAL IMPACT

Assuming that the fees are the same each fiscal year, the State General Fund will receive \$205,252 less in FY 1997 and each succeeding fiscal year with the enactment of House File 2292. (LSB 4287hv, SLL)

FILED FEBRUARY 27, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 2292

H-5531

1 Amend the amendment, H-5286, to House File 2292 as
2 follows:

3 1. Page 1, line 12, by striking the word "All"
4 and inserting the following: "Except for records
5 otherwise required by law to be confidential, all".

By RANTS of Woodbury

H-5531 FILED MARCH 25, 1996

HOUSE FILE 2292

H-5530

1 Amend the amendment, H-5301, to House File 2292 as
2 follows:

3 1. Page 1, line 12, by striking the word "All"
4 and inserting the following: "Except for records
5 otherwise required by law to be confidential, all".

By RANTS of Woodbury

H-5530 FILED MARCH 25, 1996

HOUSE FILE 2292

H-5286

- 1 Amend House File 2292 as follows:
2 1. Page 1, by inserting after line 24 the
3 following:
4 "Sec. ____ . 1995 Iowa Acts, chapter 124, section
5 24, is amended to read as follows:
6 SEC. 24. TRANSFER OF RECORDS. All records in the
7 custody of the clerk of the district court which
8 relate to vital statistics duties being transferred to
9 the county recorder or a successor county officer
10 shall be transferred to the county recorder or a
11 successor county officer on the effective date of this
12 Act. All vital statistics records in the custody of
13 the county recorder or a successor officer shall be
14 reasonably accessible to the public as provided by
15 rules adopted pursuant to chapter 144 and shall remain
16 in the county of origin."
17 2. Title page, line 1, by inserting after the
18 word "to" the following: "keeping vital statistics
19 records,".
20 3. By renumbering as necessary.

By RANTS of Woodbury

H-5286 FILED MARCH 11, 1996

HOUSE FILE 2292

H-5301

- 1 Amend House File 2292 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. 1995 Iowa Acts, chapter 124, section
5 24, is amended to read as follows:
6 SEC. 24. TRANSFER OF RECORDS. All records in the
7 custody of the clerk of the district court which
8 relate to vital statistics duties being transferred to
9 the county recorder or a successor county officer
10 shall be transferred to the county recorder or a
11 successor county officer on the effective date of this
12 Act. All vital statistics records in the custody of
13 the county recorder or a successor officer shall be
14 reasonably accessible to the public as provided by
15 rules adopted pursuant to chapter 144 and shall remain
16 in the county of origin."
17 2. Title page, by striking lines 1 and 2 and
18 inserting the following: "An Act relating to vital
19 statistics records under the custody of the county
20 recorder."

By RANTS of Woodbury

H-5301 FILED MARCH 11, 1996

Withdrawn 3/13/96 (p. 676)

HSB 623

LOCAL GOVERNMENT

Succeeded By

SF (HF) 2292

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON

LOCAL GOVERNMENT BILL BY

CHAIRPERSON VANDE HOEF)

*Hillemma, chr.
Carroll
Larkin*

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

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2 1995, is amended to read as follows:

3 1. ~~a-~~ The county recorder shall charge a ~~five~~ ten dollar
4 fee to issue a certificate of title, a transfer of title, a
5 duplicate, or a corrected certificate of title.

6 ~~b---In-addition-to-the-fee-required-under-paragraph-"a",~~
7 ~~and-sections-462A-82-and-462A-84,-a-surcharge-of-five-dollars~~
8 ~~shall-be-required-~~

9 Sec. 2. Section 462A.78, subsection 5, Code Supplement
10 1995, is amended to read as follows:

11 5. The funds collected under subsection 1, ~~paragraph-"a",~~
12 shall be placed in the general fund of the county and used for
13 the expenses of the county conservation board if one exists in
14 that county. ~~Of-each-surcharge-collected-as-required-under~~
15 ~~subsection-1,-paragraph-"b",-the-county-recorder-shall-remit~~
16 ~~five-dollars-to-the-department-of-revenue-and-finance-for~~
17 ~~deposit-in-the-general-fund-of-the-state-~~

18 Sec. 3. Section 462A.84, subsection 1, paragraph b, Code
19 1995, is amended to read as follows:

20 b. The application fee for a security interest is ~~five~~ ten
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