

FILED FEB 22 1996

SENATE FILE 2280
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 2188)

Passed Senate, Date 3/27/96 (P.1076) Passed House, Date _____
Vote: Ayes 48 Nays 0 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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S.F. 2280

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.

**SENATE FILE 2280
FISCAL NOTE**

A fiscal note for **Senate File 2280** 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.

Senate File 2280 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 Senate File 2280. (LSB 4287sv, SLL)

FILED FEBRUARY 27, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

Sorensen
Halvorson
Rittner

SSB. 2188
Local Government
Succeeded By
(SF) HF 2280

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON SORENSEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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