

Van Engelenhoven, Chair
ARNOLD
Houser

HSB 645
LOCAL GOVERNMENT

Succeeded:
SF! 02428

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL
BY CHAIRPERSON HOUSER)

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

A BILL FOR

1 An Act relating to the duties of county treasurers and providing
2 for the collection of fees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 331.902, subsection 2, Code 1999, is
2 amended to read as follows:

3 2. Each elective officer specified in subsection 1 shall
4 maintain a permanent record in the county system of each fee
5 and charge collected. The record shall show the date, amount,
6 payor, and type of service, and, when the fee is for recording
7 an instrument, the names of the parties to the instrument.
8 The record of fees collected shall be retained for one year
9 after an approved audit of the record.

10 Sec. 2. Section 384.84, subsection 3, paragraph c, Code
11 Supplement 1999, is amended to read as follows:

12 c. A lien for a city utility or enterprise service under
13 paragraph "a" shall not be certified to the county treasurer
14 for collection unless prior written notice of intent to
15 certify a lien is given to the account holder of the
16 delinquent account at least sixty days before certification.
17 If the account holder is a tenant, and if the owner or
18 landlord of the property has made a written request for
19 notice, the notice shall also be given to the owner or
20 landlord. The notice shall be sent to the appropriate persons
21 by ordinary mail not less than ten sixty days prior to
22 certification of the lien to the county treasurer.

23 Sec. 3. Section 435.24, subsection 3, Code Supplement
24 1999, is amended to read as follows:

25 3. Each mobile home park owner shall notify monthly the
26 county treasurer concerning any home arriving in or departing
27 from the park ~~without-a-tax-clearance-statement~~. The records
28 of the owner shall be open to inspection by a duly authorized
29 representative of any law enforcement agency. Any property
30 owner, manager, or tenant shall report semiannually by
31 December 1 and June 1, to the county treasurer mobile homes
32 parked upon any property owned, managed, or rented by that
33 person.

34 Sec. 4. Section 448.1, Code 1999, is amended to read as
35 follows:

1 448.1 RETURN OF CERTIFICATE OF PURCHASE -- EXECUTION OF
2 DEED.

3 Immediately after the expiration of ninety days from the
4 date of completed service of the notice provided in section
5 447.12 the county treasurer shall make out a deed for each
6 parcel sold and unredeemed, and deliver it to the purchaser
7 upon the return of the certificate of purchase and payment of
8 the deed and recording fees. The treasurer shall record the
9 deed before delivering the deed to the purchaser. The
10 treasurer shall receive twenty-five dollars for each deed made
11 by the treasurer, and the treasurer may include any number of
12 parcels purchased by one person in one deed, if authorized by
13 the treasurer.

14 The tax sale certificate holder shall return the
15 certificate of purchase and remit the appropriate deed
16 issuance fee and recording fee to the county treasurer within
17 ninety calendar days after the redemption period expires. The
18 treasurer shall cancel the certificate for any tax sale
19 certificate holder who fails to comply with this paragraph.
20 This paragraph does not apply to certificates held by a
21 county. This paragraph is applicable to all certificates of
22 purchase issued before, on, or after July 1, 1997. Holders of
23 certificates of purchase that are outstanding on July 1, 1997,
24 shall return the certificate of purchase and remit the
25 appropriate deed issuance fee to the county treasurer within
26 ninety calendar days from that date.

27 EXPLANATION

28 This bill provides the records of fees charged and
29 collected by county officers shall be retained for one year
30 after an approved audit of the records.

31 The bill also extends the time period before which a city
32 may certify utility liens for collection. Currently, a city
33 utility must wait 10 days after serving notice to the
34 delinquent account holder. The bill will delay the date of
35 certification to at least 60 days after notifying the

1 delinquent account holder.

2 The bill provides that each mobile home park owner shall
3 notify the county treasurer monthly of any mobile home
4 arriving or departing the park. Also, any property owner,
5 manager, or tenant shall report semiannually by December 1 and
6 June 1 to the county treasurer any home parked on property
7 owned, managed, or rented by that person.

8 Finally, the bill provides that the county treasurer shall
9 collect a recording fee along with the deed issuance fee from
10 the purchaser of a tax sale certificate after the expiration
11 of the redemption period and record the deed before the deed
12 is issued to the purchaser.

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*2/18/00 closed on Calendar
3/16/00 unfinished Business Calendar*

FEB 24 2000

WAYS AND MEANS

HOUSE FILE 2428
BY COMMITTEE ON
LOCAL GOVERNMENT

(SUCCESSOR TO HSB 645)

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

A BILL FOR

1 An Act relating to the duties of county treasurers and providing
2 for the collection of fees, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2428

1 Section 1. Section 331.602, subsection 1, paragraph d,
2 Code Supplement 1999, is amended to read as follows:

3 d. An instrument conveying an interest in real property,
4 not to include mortgages, releases, and assignments, shall
5 contain the statement "Address tax statement:" which shall be
6 filled out with a name and complete mailing address. Each
7 instrument conveying an interest in real property shall
8 contain this statement unless otherwise authorized by the
9 county recorder.

10 Sec. 2. Section 331.902, subsection 2, Code 1999, is
11 amended to read as follows:

12 2. Each elective officer specified in subsection 1 shall
13 maintain a permanent record in the county system of each fee
14 and charge collected. The record shall show the date, amount,
15 payor, and type of service, and, when the fee is for recording
16 an instrument, the names of the parties to the instrument.
17 The record of fees collected shall be retained for three years
18 after an approved audit of the record.

19 Sec. 3. Section 384.84, subsection 3, paragraph c, Code
20 Supplement 1999, is amended to read as follows:

21 c. A lien for a city utility or enterprise service under
22 paragraph "a" shall not be certified to the county treasurer
23 for collection unless prior written notice of intent to
24 certify a lien is given to the account holder of the
25 delinquent account at least thirty days before certification.
26 If the account holder is a tenant, and if the owner or
27 landlord of the property has made a written request for
28 notice, the notice shall also be given to the owner or
29 landlord. The notice shall be sent to the appropriate persons
30 by ordinary mail not less than ten thirty days prior to
31 certification of the lien to the county treasurer.

32 Sec. 4. Section 435.24, subsection 3, Code Supplement
33 1999, is amended to read as follows:

34 3. Each mobile home park owner shall notify monthly the
35 county treasurer concerning any home arriving in or departing

1 from the park ~~without-a-tax-clearance-statement~~. The records
2 of the owner shall be open to inspection by a duly authorized
3 representative of any law enforcement agency. Any property
4 owner, manager, or tenant shall report annually by June 1, to
5 the county treasurer mobile homes parked upon any property
6 owned, managed, or rented by that person. However, if a
7 change occurs after June 1 and before December 1, a property
8 owner, manager, or tenant shall also report the change in
9 mobile homes parked upon any property owned, managed, or
10 rented by that person by December 1.

11 Sec. 5. Section 448.1, Code 1999, is amended to read as
12 follows:

13 448.1 RETURN OF CERTIFICATE OF PURCHASE -- EXECUTION OF
14 DEED.

15 Immediately after the expiration of ninety days from the
16 date of completed service of the notice provided in section
17 447.12 the county treasurer shall make out a deed for each
18 ~~parcel sold and unredeemed, and deliver it to the purchaser~~
19 upon the return of the certificate of purchase and payment of
20 the deed and recording fees. The treasurer shall record the
21 deed before delivering the deed to the purchaser. The
22 treasurer shall receive twenty-five dollars for each deed made
23 by the treasurer, and the treasurer may include any number of
24 parcels purchased by one person in one deed, if authorized by
25 the treasurer.

26 The tax sale certificate holder shall return the
27 certificate of purchase and remit the appropriate deed
28 issuance fee and recording fee to the county treasurer within
29 ninety calendar days after the redemption period expires. The
30 treasurer shall cancel the certificate for any tax sale
31 certificate holder who fails to comply with this paragraph.
32 This paragraph does not apply to certificates held by a
33 county. This paragraph is applicable to all certificates of
34 purchase issued before, on, or after July 1, 1997. Holders of
35 certificates of purchase that are outstanding on July 1, 1997,

1 shall return the certificate of purchase and remit the
2 appropriate deed issuance fee to the county treasurer within
3 ninety calendar days from that date.

4 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
5 immediate importance, takes effect upon enactment.

6 EXPLANATION

7 This bill provides the records of fees charged and
8 collected by county officers shall be retained for three years
9 after an approved audit of the records.

10 The bill also extends the time period before which a city
11 may certify utility liens for collection. Currently, a city
12 utility must wait 10 days after serving notice to the
13 delinquent account holder. The bill will delay the date of
14 certification to at least 30 days after notifying the
15 delinquent account holder.

16 The bill provides that each mobile home park owner shall
17 notify the county treasurer monthly of any mobile home
18 arriving or departing the park. Also, any property owner,
19 manager, or tenant shall report annually by June 1 to the
20 county treasurer any home parked on property owned, managed,
21 or rented by that person. Any change that occurs after June 1
22 and before December 1 shall be reported by December 1.

23 Finally, the bill provides that the county treasurer shall
24 collect a recording fee along with the deed issuance fee from
25 the purchaser of a tax sale certificate after the expiration
26 of the redemption period and record the deed before the deed
27 is issued to the purchaser.

28 The bill takes effect upon enactment.

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