

# House Study Bill 150

## Bill Text

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1 1 Section 1. Section [428A.5](#), Code 1999, is amended to read  
1 2 as follows:

1 3 428A.5 EVIDENCE OF PAYMENT.

1 4 The amount of tax imposed by this chapter shall be paid to  
1 5 the county recorder of the county in which the real property  
1 6 is located and the amount received and the initials of the  
1 7 county recorder shall appear on the face of the document or  
1 8 instrument. However, in the case of multiple parcels located  
1 9 in different counties, the tax may be paid to one county  
1 10 recorder. This recorder shall allocate the tax to each county  
1 11 based upon the value of the sold parcel located in the county.  
1 12 This allocated amount shall be paid to the county recorder of  
1 13 the appropriate county. The department of revenue and finance  
1 14 shall provide each county recorder with a device to be used by  
1 15 the recorder to evidence this information on the document or  
1 16 instrument.

1 17 EXPLANATION

1 18 The real estate transfer tax is collected at the time deeds  
1 19 are recorded. The proceeds are divided 82.75 percent to the  
1 20 state and 17.25 percent to the county. Under present law,  
1 21 when multiple parcels of land from different counties are sold  
1 22 and the tax is paid on the entire amount in one county, that  
1 23 county receives the whole 17.25 percent. The bill requires  
1 24 the tax be paid to each recorder in the county where the  
1 25 parcel is located, or in lieu of that, the tax may be paid to  
1 26 one recorder. In that case, the recorder must allocate the  
1 27 tax to each parcel based upon the value of the parcel. The  
1 28 recorder must pay the allocated amounts to the other  
1 29 recorders. This will permit each county to retain 17.25  
1 30 percent of the allocated amounts.

1 31 LSB 1757HC 78

1 32 mg/cf/24