

STATE GOVERNMENT  
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SENATE FILE 2232

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Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing authority to participating agencies to establish  
2 pilot projects for the refund of processing fees associated  
3 with certain licenses, permits, and filings, and providing an  
4 effective date.

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

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SF 2232  
STATE GOVERNMENT

1 Section 1. PILOT PROJECT FOR REFUND OF PROCESSING FEES.

2 1. As used in this section:

3 a. "Customer" means a person paying a processing fee as  
4 part of an application for the issuance of a license or permit  
5 or for the filing of a document by a participating agency as  
6 provided in paragraph "c".

7 b. "Participating agency" means the state department of  
8 transportation, the department of natural resources, or the  
9 office of secretary of state that elects to participate in the  
10 pilot project as provided in subsection 2.

11 c. "Processing fee" means a fee that is required to be  
12 paid to a participating agency as follows:

13 (1) The state department of transportation for issuing a  
14 renewal or duplicate of a nonoperator's identification card or  
15 a driver's license pursuant to chapter 321.

16 (2) The department of natural resources for issuing a  
17 stormwater discharge permit pursuant to section 455B.103A.

18 (3) The office of secretary of state for filing a document  
19 for which a fee is required pursuant to section 490.122,  
20 subsection 1, paragraphs "a" and "s", and section 504A.85,  
21 subsections 1 and 9.

22 2. A participating agency may establish a pilot project  
23 for the refund of all or a portion of processing fees paid by  
24 customers. The following shall apply to a participating  
25 agency:

26 a. The participating agency shall refund all or a portion  
27 of a processing fee to a customer if the participating agency  
28 fails to issue a license or permit or file a document for  
29 which the customer paid a processing fee in a manner and  
30 within a period of time customary for issuing similar licenses  
31 or permits or filing similar documents.

32 b. The participating agency is not required to refund any  
33 amount of a processing fee if the failure to issue a license  
34 or permit or file a document is primarily caused by the  
35 customer, including the customer's failure to comply with

1 legal requirements, furnish a completed application or  
2 document, or cooperate with the participating agency as  
3 required by the participating agency.

4 3. Each participating agency shall adopt rules pursuant to  
5 chapter 17A necessary in order to administer this section.

6 4. The decision of a participating agency not to issue a  
7 refund is a final agency action and is not subject to a  
8 contested case proceeding or further agency review pursuant to  
9 chapter 17A.

10 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
11 immediate importance, takes effect upon enactment.

12 EXPLANATION

13 This bill establishes a pilot project involving the refund  
14 of moneys paid to the state department of transportation for  
15 issuing driver's licenses or nonoperator's identification  
16 card, the department of natural resources for issuing  
17 stormwater discharge permits, and the office of secretary of  
18 state for filing corporate documents. The bill provides that  
19 a member of the public ("customer") who pays a fee to a  
20 participating agency for the issuance of a driver's license or  
21 nonoperator's identification card, a stormwater discharge  
22 permit, or the filing of corporate documents may be refunded  
23 all or a portion of the fee if the participating agency fails  
24 to issue the license or permit or file the document in a  
25 manner and within a period of time customary for issuing  
26 similar licenses or permits or filing similar documents.

27 The bill provides that a participating agency is not  
28 required to refund any amount of the fee, if the failure to  
29 issue a license or permit or file a document is primarily  
30 caused by the customer.

31 The bill provides that the decision of a participating  
32 agency to issue a refund is a final agency action and is not  
33 subject to a contested case proceeding pursuant to Code  
34 chapter 17A.

35 The bill takes effect upon enactment.