

MAR 20 2001
WAYS AND MEANS

HOUSE FILE 665
BY COMMITTEE ON LOCAL GOVERNMENT

WITHDRAWN
1-15-02

(SUCCESSOR TO HF 299)

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

A BILL FOR

1 An Act relating to the administration of county government by
2 providing for the issuance of certain lease or lease-purchase
3 contracts, the recording of certain property transfers, the
4 imposition of a real estate installment contract fee, and
5 changing the date for reporting agricultural land tax credits.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 665

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1 Section 1. Section 331.301, subsection 10, paragraph e,
2 subparagraph (1), Code 2001, is amended by adding the
3 following new paragraph:

4 NEW UNNUMBERED PARAGRAPH. However, if the principal amount
5 of a lease or lease-purchase contract pursuant to subparagraph
6 (1) is less than twenty-five thousand dollars, the board may
7 authorize the lease or lease-purchase contract without
8 following the authorization procedures of section 331.443.

9 Sec. 2. Section 426.7, Code 2001, is amended to read as
10 follows:

11 426.7 WARRANTS DRAWN BY DIRECTOR.

12 After receiving from the county auditors the certifications
13 provided for in section 426.6, and during the following fiscal
14 year, the director of revenue and finance shall draw warrants
15 on the agricultural land credits fund created in section
16 426.1, payable to the county treasurers in the amount
17 certified by the county auditors of the respective counties
18 and mail the warrants to the county auditors on ~~August-15~~ June
19 1 of each year taking into consideration the relative budget
20 and cash position of the state resources. However, if the
21 agricultural land credits fund is insufficient to pay in full
22 the total of the amounts certified to the director of revenue
23 and finance, the director shall prorate the fund to the county
24 treasurers and notify the county auditors of the pro rata
25 percentage on or before ~~August~~ June 1.

26 Sec. 3. Section 558.57, unnumbered paragraph 1, Code 2001,
27 is amended to read as follows:

28 The recorder shall not record any deed, real estate
29 installment contract, or other instrument unconditionally
30 conveying real estate until the proper entries have been made
31 upon the transfer books in the auditor's office, and
32 endorsement made upon the deed, real estate installment
33 contract, or other instrument properly dated and officially
34 signed, in substantially the following form:

35 Sec. 4. Section 558.58, subsection 1, unnumbered paragraph

1 1, Code 2001, is amended to read as follows:

2 At the time of filing a deed, real estate installment
3 contract, or other instrument mentioned in section 558.57, the
4 recorder shall collect from the person filing the deed, real
5 estate installment contract, or instrument the recording fee
6 provided by law and the auditor's transfer fee, except as
7 provided in subsection 2. The recorder shall deliver the
8 deed, real estate installment contract, or instrument to the
9 county auditor, after endorsing upon the instrument the
10 following:

11 Sec. 5. Section 598.21, subsection 1, unnumbered paragraph
12 1, Code 2001, is amended to read as follows:

13 Upon every judgment of annulment, dissolution, or separate
14 maintenance the court shall divide the property of the parties
15 and transfer the title of the property accordingly, including
16 issuance of a quitclaim deed or a change of title for tax
17 purposes and delivery of the deed or change of title to the
18 county recorder of the county in which each parcel of real
19 estate is located. The county recorder shall record each
20 quitclaim deed or change of title and shall collect the fee
21 specified in section 331.507, subsection 2, paragraph "a", and
22 the fee specified in section 331.604, subsection 1. The court
23 may protect and promote the best interests of children of the
24 parties by setting aside a portion of the property of the
25 parties in a separate fund or conservatorship for the support,
26 maintenance, education and general welfare of the minor
27 children. The court shall divide all property, except
28 inherited property or gifts received by one party, equitably
29 between the parties after considering all of the following:

30 EXPLANATION

31 This bill includes changes in the administration of a
32 county by the board of supervisors and other county officers.
33 Code section 331.301 is amended to provide that the board
34 of supervisors may authorize lease or lease-purchase contracts
35 without following procedures related to the issuance of

1 essential corporate bonds if the cost of the lease or lease-
2 purchase contract is less than \$25,000.

3 Code section 426.7 is amended to provide that the director
4 of revenue and finance shall notify the county auditors of the
5 pro rata share of the agricultural land tax credit on or
6 before June 1 instead of August 1.

7 Code sections 558.57 and 558.58 are also amended to require
8 that real estate installment contracts be entered in the
9 county auditor's transfer book which would require the
10 transfer fee of \$10 to be collected.

11 Code section 598.21 is amended to provide that when a
12 judgment of annulment, dissolution, or separate maintenance is
13 ordered, the court shall divide the property of the parties
14 and transfer the title of property accordingly, including the
15 issuance of a quitclaim deed or change of title for tax
16 purposes and delivery of the deed or change of title to the
17 appropriate county recorder so that the quitclaim deed or
18 change of title is recorded and the applicable fee is
19 collected with or without the payment of recording fees.

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