

FEB 24 2003
LOCAL GOVERNMENT

HOUSE FILE 275
BY JOCHUM

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

A BILL FOR

1 An Act relating to the payment of a special assessment without
2 interest and the notice of the interest rate and special
3 assessment installments.

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

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HE 275

1 Section 1. Section 384.60, subsection 2, Code 2003, is
2 amended to read as follows:

3 2. On or before the second publication of the notice, the
4 clerk shall send by mail to each property owner whose property
5 is subject to assessment for the improvement, as shown by the
6 records in the office of the county auditor, a copy of the
7 notice. The notice shall also include a statement in
8 substance that assessments may be paid in full or in part
9 without interest within ~~thirty~~ ninety days after the date of
10 the first notice of the final assessment schedule, and
11 thereafter all unpaid special assessments bear interest at the
12 rate specified by the council, but not exceeding that
13 permitted by chapter 74A, computed to the December 1 next
14 following the due dates of the respective installments as
15 provided in section 384.65, subsection 3, and each installment
16 will be delinquent from October 1 following its due date,
17 including those instances when the last day of September is a
18 Saturday or Sunday, and will draw additionally the same
19 delinquent interest as ordinary taxes. The notice shall
20 specify the interest rate that will apply if the assessment is
21 not paid in full within the ninety-day period and the total
22 amount of the installments plus interest that is owed after
23 the ninety-day period. The notice shall also state
24 substantially that property owners may elect to pay any
25 installment semiannually in advance. If a property is shown
26 by the records to be in the name of more than one owner at the
27 same mailing address, a single notice may be mailed to all
28 owners at that address. Failure to receive a mailed notice is
29 not a defense to the special assessment or interest due on the
30 special assessment.

31 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
32 3, shall not apply to this Act.

33 EXPLANATION

34 This bill provides that a special assessment of a city or
35 county may be paid wholly or in part without interest within

1 90 days rather than the present 30 days. The bill also
2 requires that the notice to the owner of the property state
3 the interest rate that will be charged after the 90-day period
4 and the total amount of installments plus interest owed after
5 such period.

6 The bill may include a state mandate as defined in Code
7 section 25B.3. The bill makes inapplicable Code section
8 25B.2, subsection 3, which would relieve a political
9 subdivision from complying with a state mandate if funding for
10 the cost of the state mandate is not provided or specified.
11 Therefore, political subdivisions are required to comply with
12 any state mandate included in the bill.

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