

APR 19 2005  
WAYS & MEANS CALENDAR

HOUSE FILE 865  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 292)

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

**A BILL FOR**

1 An Act relating to elected county officers' associations and to  
2 the county recorders' county land record information system  
3 project and providing an effective date.

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

HF 865

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

1 Section 1. NEW SECTION. 12B.6 CERTAIN PUBLIC FUNDS OF  
2 POLITICAL SUBDIVISIONS.

3 All funds received, expended, or held by an association of  
4 elected county officers before, on, or after the effective  
5 date of this Act, to implement a state-authorized program, are  
6 subject to audit by the auditor of state at the request of the  
7 government oversight committees or the legislative council.  
8 All such funds received or held on and after July 1, 2005,  
9 shall be deposited in a fund in the office of the treasurer of  
10 state.

11 Sec. 2. Section 331.605C, subsection 4, Code 2005, is  
12 amended to read as follows:

13 4. The local government electronic transaction fund is  
14 established in the office of the treasurer of state under the  
15 control of the treasurer of state. Moneys deposited into the  
16 fund are not subject to section 8.33. Notwithstanding section  
17 12C.7, interest or earnings on moneys in the local government  
18 electronic transaction fund shall be credited to the fund.  
19 Moneys in the local government electronic transaction fund are  
20 not subject to transfer, appropriation, or reversion to any  
21 other fund, or any other use except as provided in this  
22 subsection. On a monthly basis, the county treasurer shall  
23 pay each fee collected pursuant to subsection 2 to the  
24 treasurer of state for deposit into the local government  
25 electronic transaction fund. Moneys credited to the local  
26 government electronic transaction fund are appropriated to the  
27 treasurer of state to be used for the purpose of paying the  
28 ongoing costs of integrating and maintaining the statewide  
29 internet website developed and implemented under subsection 1.

30 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES REVIEW.

31 1. The information technology enterprise in the department  
32 of administrative services shall commence a review and  
33 assessment of the implementation of the county land record  
34 information system created pursuant to section 331.605C and a  
35 data security audit. The review and assessment shall include

1 but not be limited to a review of the functional and system  
2 requirements, design documentation, software code developed to  
3 support the business requirements, operational procedures,  
4 financial flows including a financial forecast, requests for  
5 proposals, and all contracts. The data security audit shall  
6 be completed separately, but in conjunction with the system  
7 review and assessment.

8 2. The information technology enterprise shall be paid for  
9 the costs of the assessment and audit based on the  
10 enterprise's published rates. Payments shall be made from  
11 funds collected pursuant to section 331.605C, subsection 2,  
12 and deposited with the treasurer of state.

13 3. The information technology enterprise shall provide at  
14 minimum two updates to the government oversight committees  
15 regarding the progress of the review and assessment on or  
16 before December 1, 2005. The government oversight committees  
17 may request additional updates.

18 4. The information technology enterprise shall provide a  
19 final report regarding the activities completed pursuant to  
20 this section, including any recommendations, by no later than  
21 December 30, 2005.

22 5. The department of administrative services shall  
23 facilitate dialogue to integrate the county land record  
24 information system created pursuant to section 331.605C with  
25 electronic government internet applications of county  
26 treasurers, county recorders, county auditors, and county  
27 assessors. The department shall file an integration plan with  
28 the general assembly on or before November 1, 2005. The plan  
29 shall include integration concepts of the county treasurers,  
30 county recorders, county auditors, and county assessors.

31 Sec. 4. COUNTY LAND RECORD INFORMATION SYSTEM --  
32 ADDITIONAL PROVISIONS.

33 1. The board of supervisors of each county, on behalf of  
34 each county recorder, shall execute a chapter 28E agreement  
35 with the Iowa county recorders association for the

1 implementation of the county land record information system.  
2 Such agreement shall require the Iowa county recorders  
3 association to execute contracts necessary for implementation  
4 of the county land record information system. The department  
5 of administrative services shall prescribe a uniform chapter  
6 28E agreement to be used by the counties, allowing for  
7 variances as to each county. The Iowa county recorders  
8 association shall submit to the general assembly on or before  
9 November 1, 2005, a long-range business plan for implementing  
10 and maintaining the county land record information system,  
11 including a plan for integrating the system with electronic  
12 government and internet applications of other governmental  
13 entities.

14 2. The auditor of state shall conduct an audit of the fees  
15 collected pursuant to section 331.605C for the purpose of  
16 determining the amount of fees collected and the uses for  
17 which such fees have been and are being expended. Audit  
18 results shall be filed with the general assembly on or before  
19 November 1, 2005. The cost of the audit, not to exceed five  
20 thousand dollars, shall be paid from the local government  
21 electronic transaction fund in the office of the treasurer of  
22 state.

23 3. County recorders shall collect only statutorily  
24 authorized fees for land records management. County recorders  
25 shall not collect fees for viewing, accessing, or printing  
26 electronic land management documents until authorized by the  
27 general assembly.

28 4. The Iowa state association of counties shall provide  
29 information to the government oversight committees and the  
30 department of administrative services on or before July 1,  
31 2005, defining all types of land management records,  
32 identifying each county or state office that holds such  
33 records, and specifying the fees associated with each of the  
34 different types of records.

35 5. The fees collected, including those previously

1 collected and deposited locally, pursuant to section 331.605C,  
2 shall be transferred to the treasurer of state for deposit  
3 into the local government electronic transaction fund.

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

6 EXPLANATION

7 This bill relates to elected county officers' associations  
8 and the county land record information system (CLRIS) project.

9 The bill requires that funds held by an association of  
10 elected county officers to implement a state-authorized  
11 program are subject to audit and such funds received or held  
12 on July 1, 2005, shall be deposited with the treasurer of  
13 state.

14 The bill requires that the department of administrative  
15 services facilitate dialogue to integrate the CLRIS project  
16 with electronic government internet applications of county  
17 treasurers, county recorders, county auditors, and county  
18 assessors. The department shall file an integration plan with  
19 the general assembly on or before November 1, 2005. The plan  
20 shall include integration concepts of the county treasurers,  
21 county recorders, county auditors, and county assessors.

22 The bill also requires that the board of supervisors of  
23 each county, on behalf of each county recorder, execute a Code  
24 chapter 28E agreement with the Iowa county recorders  
25 association for the implementation of CLRIS. Such agreement  
26 shall require the Iowa county recorders association to execute  
27 contracts necessary for implementation of CLRIS. The  
28 association is required to file a long-range business plan  
29 with the general assembly by November 1, 2005.

30 The bill requires that the auditor of state conduct an  
31 audit of the fees collected and expended for the CLRIS  
32 project. The results of the audit shall be filed with the  
33 general assembly by November 1, 2005.

34 The cost of the audit, not to exceed \$5,000, shall be paid  
35 from the local government electronic transaction fund. The

1 county recorders shall collect only statutorily authorized  
2 fees for land records management. The bill prohibits county  
3 recorders from collecting other electronic land management  
4 fees until authorized by the general assembly.

5 The bill provides that the \$1 fee collected pursuant to  
6 Code section 331.605C, subsection 2, is for the purpose of  
7 paying the ongoing costs of integrating and maintaining CLRIS.

8 The bill requires the Iowa state association of counties to  
9 provide information on land management records to the  
10 government oversight committees and the department of  
11 administrative services on or before July 1, 2005.

12 The bill requires that the information technology  
13 enterprise in the department of administrative services  
14 commence a review and an assessment of the implementation of  
15 CLRIS and a data security audit. The enterprise shall be paid  
16 for the costs of the assessment and audit. On or before  
17 December 1, 2005, the enterprise shall provide updates on the  
18 assessment and audit to the government oversight committees.  
19 The enterprise shall provide a final report by December 30,  
20 2005.

21 The bill takes effect upon enactment.

22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Kurtenbach, chair  
Huser  
Tymeson

HSB 292  
WAYS AND MEANS

SUC  
SF/



HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON VAN FOSSEN)

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

**A BILL FOR**

1 An Act relating to the county recorders' county land record  
2 information system project and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

1 Section 1. Section 331.605C, subsections 3 and 4, Code  
2 2005, are amended to read as follows:

3 ~~3.--The-county-treasurer, on behalf of the recorder, shall~~  
4 ~~establish and maintain a county recorder's electronic~~  
5 ~~transaction fund into which all moneys collected pursuant to~~  
6 ~~subsections 1 and 2 shall be deposited.--Interest earned on~~  
7 ~~moneys deposited in this fund shall be computed based on the~~  
8 ~~average monthly balance in the fund and shall be credited to~~  
9 ~~the county recorder's electronic transaction fund.~~

10 4. The local government electronic transaction fund is  
11 established in the office of the treasurer of state under the  
12 control of the treasurer of state. Moneys deposited into the  
13 fund are not subject to section 8.33. Notwithstanding section  
14 12C.7, interest or earnings on moneys in the local government  
15 electronic transaction fund shall be credited to the fund.  
16 Moneys in the local government electronic transaction fund are  
17 not subject to transfer, appropriation, or reversion to any  
18 other fund, or any other use except as provided in this  
19 subsection. On a monthly basis, the county treasurer recorder  
20 shall pay each fee collected pursuant to subsection 2 to the  
21 treasurer of state for deposit into the local government  
22 electronic transaction fund. Moneys credited to the local  
23 government electronic transaction fund are appropriated to the  
24 treasurer of state to be used for the purpose of paying the  
25 ongoing costs of integrating and maintaining the statewide  
26 internet website developed and implemented under subsection 1.

27 Sec. 2. COUNTY LAND RECORD INFORMATION SYSTEM.

28 1. The department of administrative services shall  
29 supervise the integration of the county land record  
30 information system created pursuant to section 331.605C, with  
31 electronic government and internet applications of other  
32 governmental entities. However, prior to performing any  
33 integration services for the system, the department shall  
34 review the system and file an integration plan with the  
35 general assembly on or before November 1, 2005.



1     2. The board of supervisors of each county, on behalf of  
2 each county recorder, shall execute a chapter 28E agreement  
3 with the Iowa county recorders association for the  
4 implementation of the county land record information system.  
5 The department of administrative services shall prescribe a  
6 uniform chapter 28E agreement to be used by the counties,  
7 allowing for variances as to each county. The Iowa county  
8 recorders association shall submit to the general assembly on  
9 or before November 1, 2005, a long-range business plan for  
10 implementing and maintaining the county land record  
11 information system, including a plan for integrating the  
12 system with electronic government and internet applications of  
13 other governmental entities.

14     3. The auditor of state shall conduct an audit of the fees  
15 collected pursuant to section 331.605C for the purpose of  
16 determining the amount of fees collected and the uses for  
17 which such fees have been and are being expended. Audit  
18 results shall be filed with the general assembly on or before  
19 November 1, 2005.

20     4. The development, implementation, integration, and all  
21 other activities, including operation of the county land  
22 record information system, shall cease for one year from the  
23 effective date of this Act. County recorders shall continue  
24 to collect any statutorily authorized fee during the year.  
25 County recorders shall not collect a fee for viewing  
26 electronic documents during the year.

27     5. An employee of a county recorder shall not receive  
28 additional compensation for working on the county land record  
29 information system.

30     6. The fees collected, including those previously  
31 collected and deposited locally, pursuant to section 331.605C,  
32 shall be transferred to the treasurer of state for deposit  
33 into the local government electronic transaction fund.

34     Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
35 immediate importance, takes effect upon enactment.

EXPLANATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

This bill relates to the county land record information system (CLRIS) project.

The bill requires that the department of administrative services oversee the integration of the CLRIS project with other state and local electronic government developments. Prior to performing any integration services for CLRIS, the department is required to file an integration plan with the general assembly by November 1, 2005.

The bill also requires that the board of supervisors of each county, on behalf of each county recorder, execute a Code chapter 28E agreement with the Iowa county recorders association for the implementation of CLRIS. The association is required to file a long-range business plan with the general assembly by November 1, 2005.

The bill requires that the auditor of state conduct an audit of the fees collected and expended for the CLRIS project. The results of the audit shall be filed with the general assembly by November 1, 2005.

The bill provides that all activities of the CLRIS project shall cease for one year from the effective date of the bill. However, county recorders shall collect the fees authorized pursuant to Code section 331.605C. The bill prohibits the imposition of fees by county recorders for viewing electronic documents.

County recorders shall deposit the fees collected under Code section 331.605C with the treasurer of state. The \$1 fee collected pursuant to Code section 331.605C, subsection 2, is for the purpose of paying the ongoing costs of integrating and maintaining CLRIS.

The bill takes effect upon enactment.