

House Study Bill 77

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON LOCAL
GOVERNMENT BILL BY CHAIRPERSON
VAN ENGELENHOVEN)

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

A BILL FOR

1 An Act relating to county recorders and vital statistics record
2 fees, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1567YC 81
5 eg/cf/24

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1 1 Section 1. Section 144.46, Code 2005, is amended to read
1 2 as follows:
1 3 144.46 FEE FOR COPY OF RECORD == OR SEARCH.
1 4 1. The department by rule shall establish fees based on
1 5 the average administrative cost ~~which shall be collected by~~
1 6 ~~the state registrar or the county registrar for each:~~
1 7 a. ~~Each~~ certified copy or short form certification of
1 8 certificates or records, ~~or for a. These fees shall be~~
1 9 ~~collected by the state registrar and the county registrar.~~
1 10 b. A search of the files or records ~~when no copy is made,~~
1 11 ~~or when no if a record is not found on file or if a copy is~~
1 12 ~~not made. These fees shall be collected by the state~~
1 13 ~~registrar.~~
1 14 2. Fees collected by the state registrar and by the county
1 15 registrar on behalf of the state under this section shall be
1 16 deposited in the general fund of the state. Fees collected by
1 17 the county registrar pursuant to section 331.605, subsection
1 18 6, shall be deposited in the county general fund. A fee shall
1 19 not be collected from a political subdivision or agency of
1 20 this state.
1 21 Sec. 2. Section 331.605, subsections 6 and 7, Code 2005,
1 22 are amended to read as follows:
1 23 6. A county fee ~~of four dollars in an amount equal to~~
1 24 ~~forty percent of the fee collected by the county registrar~~
1 25 ~~pursuant to section 144.46 for a certified copy of a birth~~
1 26 ~~record, death record, or marriage certificate.~~
1 27 7. For filing an application for the license to marry,
1 28 ~~thirty-five dollars, which includes payment for one certified~~
1 29 ~~copy of the original certificate of marriage,. Out of this~~
1 30 ~~amount, the county shall retain its fee, pursuant to~~
1 31 ~~subsection 6, for a certified copy of a marriage certificate~~
1 32 ~~to be issued following filing of the original certificate of~~
1 33 ~~marriage, four dollars of which shall be retained by the~~
1 34 ~~county pursuant to subsection 6. For issuing an application~~
1 35 ~~for an order of the district court authorizing the validation~~
2 1 ~~of a license to marry before the expiration of three days from~~
2 2 ~~the date of issuance of the license, five dollars. The~~
2 3 ~~district court shall authorize the early validation of a~~
2 4 ~~marriage license without the payment of any fees imposed in~~
2 5 ~~this subsection upon showing that the applicant is unable to~~
2 6 ~~pay the fees.~~
2 7 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
2 8 immediate importance, takes effect upon enactment.
2 9

EXPLANATION

2 10 This bill amends vital statistics provisions as related to
2 11 county recorders. The bill provides that county recorders no
2 12 longer have to collect fees for record searches if no record
2 13 is found or no copy is made. The bill allows the county
2 14 recorder to retain an additional amount of the fee collected
2 15 for certified copies of records. The amount retained is 40
2 16 percent of the fee established by the Iowa department of
2 17 public health for certified copies.
2 18

2 19 The bill takes effect upon enactment.
2 20 LSB 1567YC 81
2 21 eg:rj/cf/24.1