

House File 13

HOUSE FILE _____
BY REASONER

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 record fees and
2 providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1035YH 82
5 eg/cf/24

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1 1 Section 1. Section 144.46, Code 2007, is amended to read
1 2 as follows:
1 3 144.46 FEE FOR COPY OF RECORD == OR SEARCH.
1 4 1. ~~The Based upon the average administrative cost of~~
1 5 ~~providing vital records services, the department by rule shall~~
1 6 ~~establish set fees based on the average administrative cost~~
1 7 ~~which shall to be charged and collected by the state registrar~~
1 8 ~~or the county registrar.~~

1 9 a. ~~The state registrar and the county registrar shall~~
1 10 ~~collect fees for each certified copy or short form~~
1 11 ~~certification of certificates or records, or.~~
1 12 b. ~~The state registrar shall collect fees for a search of~~
1 13 ~~the files or records when no copy is made, or when no record~~
1 14 ~~is found on file.~~
1 15 2. Fees collected by the state registrar and by the county
1 16 registrar on behalf of the state under this section shall be
1 17 deposited in the general fund of the state. Fees collected by
1 18 the county registrar pursuant to section 331.605, subsection
1 19 6, shall be deposited in the county general fund. A fee shall
1 20 not be collected from a political subdivision or agency of
1 21 this state.

1 22 Sec. 2. Section 331.605, subsections 6 and 7, Code 2007,
1 23 are amended to read as follows:

1 24 6. A county fee ~~of four dollars in an amount equal to~~
1 25 ~~forty percent of the fee collected by the county registrar~~
1 26 ~~pursuant to section 144.46 for a certified copy of a birth~~
1 27 ~~record, death record, or marriage certificate.~~

1 28 7. For filing an application for the license to marry,
1 29 ~~thirty-five dollars, which includes payment for one certified~~
1 30 ~~copy of the original certificate of marriage, . From this~~
1 31 ~~amount, the county shall retain a fee pursuant to subsection 6~~
1 32 ~~for a certified copy of a marriage certificate to be issued~~
1 33 ~~following filing of the original certificate of marriage, four~~
1 34 ~~dollars of which shall be retained by the county pursuant to~~
1 35 ~~subsection 6. For issuing an application for an order of the~~

2 1 district court authorizing the validation of a license to
2 2 marry before the expiration of three days from the date of
2 3 issuance of the license, five dollars. The district court
2 4 shall authorize the early validation of a marriage license
2 5 without the payment of any fees imposed in this subsection
2 6 upon showing that the applicant is unable to 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 relates to the fees collected by county recorders
2 11 for certain vital records services. The department of public
2 12 health is required by rule to establish fees to be collected
2 13 by the state registrar and the county registrars on behalf of
2 14 the state. The bill requires only the state registrar, and
2 15 not the county recorders, to collect fees for record searches
2 16 if no record is found or no copy is made.

2 17 The county recorder currently collects a county fee for
2 18 certified copies of a birth record, death record, or marriage
2 19 certificate which are deposited to the county general fund.

2 20 The bill increases the amount of the fee that the county

2 21 recorder can retain from \$4 for each record or certificate to
2 22 40 percent of the fee collected by the county recorder
2 23 pursuant to the rules adopted by department of public health
2 24 for certified copies.
2 25 The bill takes effect upon enactment.
2 26 LSB 1035YH 82
2 27 eg:rj/cf/24