

# Senate Study Bill 3188

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON QUIRMBACH)

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

## A BILL FOR

1 An Act relating to the office of the county recorder by making  
2 changes to fees charged by the county recorder, information  
3 required to be endorsed on certain recorded documents and  
4 instruments, and standards for indexes maintained by the  
5 county recorder.

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

7 TLSB 5763SC 82

8 md/sc/5

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1 1 Section 1. Section 10A.108, subsections 4 through 6, Code  
2 2007, are amended to read as follows:

1 3 4. The county recorder of each county shall prepare and  
1 4 maintain in the recorder's office an index of liens of debts  
1 5 established based upon benefits or provider payments  
1 6 inappropriately obtained from and owed the department of human  
1 7 services, ~~which provides containing the applicable entries~~  
1 8 ~~specified in sections 558.49 and 558.52, and providing~~

1 9 appropriate columns for all of the following data, under the  
1 10 names of debtors, arranged alphabetically:

1 11 a. The name of the debtor.

1 12 b. "State of Iowa, Department of Human Services" as  
1 13 claimant.

1 14 c. The time that the notice of the lien was ~~received~~  
1 15 ~~recorded~~.

1 16 d. The date of notice.

1 17 e. The amount of the lien currently due.

1 18 f. The date of the assessment.

1 19 g. The date of satisfaction of the debt.

1 20 h. Any extension of the time period for application of the  
1 21 lien and the date that the notice for extension was filed.

1 22 5. The recorder shall endorse on each notice of lien the  
1 23 day and time ~~received~~ ~~recorded~~ ~~and the document reference~~  
1 24 ~~number~~, and shall preserve the notice. The recorder shall

1 25 index the notice and shall record the lien in the manner

1 26 provided for recording real estate mortgages. The lien ~~shall~~  
1 27 ~~be is~~ effective from the time of the indexing.

1 28 6. The department shall pay, from moneys appropriated to  
1 29 the department for this purpose, ~~a recording fee fees~~ as  
1 30 provided in section 331.604, for the recording of the lien, or  
1 31 for satisfaction of the lien.

1 32 Sec. 2. Section 96.14, subsection 3, unnumbered paragraph  
1 33 1, Code Supplement 2007, is amended to read as follows:

1 34 The county recorder of each county shall prepare and keep

1 35 in the recorder's office an index ~~to show containing the~~  
2 1 ~~applicable entries specified in sections 558.49 and 558.52 and~~

2 2 ~~showing~~ the following data, under the names of employers,  
2 3 arranged alphabetically:

2 4 Sec. 3. Section 96.14, subsection 3, paragraph c, Code  
2 5 Supplement 2007, is amended to read as follows:

2 6 c. Time notice of lien was ~~received~~ ~~recorded~~.

2 7 Sec. 4. Section 96.14, subsection 3, unnumbered paragraphs  
2 8 4 and 5, Code Supplement 2007, are amended to read as follows:

2 9 The recorder shall endorse on each notice of lien the day,  
2 10 hour, and minute when ~~received~~ ~~recorded~~ ~~and the document~~  
2 11 ~~reference number~~, and shall index the notice in the index, and

2 12 shall record the lien in the manner provided for recording  
2 13 real estate mortgages, ~~and the~~. The lien ~~shall be is~~

2 14 effective from the time of the indexing of the lien.

2 15 The department shall pay ~~a recording fee fees~~ as provided

2 16 in section 331.604, for the recording of the lien, or for its  
2 17 satisfaction.

2 18 Sec. 5. Section 124C.4, subsection 3, Code 2007, is  
2 19 amended to read as follows:

2 20 3. Each notice of lien shall be endorsed with the day,  
2 21 hour, and minute when the notice was ~~received~~ recorded and the  
2 22 document reference number, and the notice shall be preserved,  
2 23 indexed, and recorded in the manner provided for recording  
2 24 real estate mortgages. The lien ~~shall be~~ is effective from  
2 25 the time of its indexing. The department shall pay a  
2 26 recording ~~fee~~ fees as provided by section 331.604 for the  
2 27 recording of the lien or for its satisfaction.

2 28 Sec. 6. Section 331.602, subsections 8 and 37, Code 2007,  
2 29 are amended to read as follows:

2 30 8. Endorse on each notice of an unemployment contribution  
2 31 lien the day, hour, and minute that the lien is ~~received from~~  
2 32 ~~the department of workforce development~~ recorded and the  
2 33 document reference number, index the notice of lien, and  
2 34 record the lien as provided in section 96.14, subsection 3.

2 35 37. Carry out duties relating to the indexing of name  
3 1 changes, and the recorder shall charge a ~~fee~~ fees for indexing  
3 2 as provided in section 331.604.

3 3 Sec. 7. Section 331.604, Code 2007, is amended to read as  
3 4 follows:

3 5 331.604 ~~GENERAL RECORDING AND FILING~~ FEE FEES.

3 6 1. Except as otherwise provided by state law, subsection 2  
3 7 4, or section 331.605, the recorder shall collect a fee of  
3 8 five dollars for each page or fraction of a page of an  
3 9 instrument which is filed or recorded in the recorder's  
3 10 office. If a page or fraction of a page contains more than  
3 11 one transaction, the recorder shall collect the fee for each  
3 12 transaction.

3 13 2. a. The recorder shall also collect a fee of one dollar  
3 14 for each recorded transaction for which a fee is paid pursuant  
3 15 to subsection 1 to be used exclusively for the purpose of  
3 16 preserving and maintaining public records. The treasurer, on  
3 17 behalf of the recorder, shall establish and maintain a county  
3 18 recorder's records management fund into which all moneys  
3 19 collected pursuant to this subsection shall be deposited.  
3 20 Interest earned on moneys deposited in the fund shall be  
3 21 credited to the county recorder's records management fund.  
3 22 The recorder shall use the moneys deposited in the fund to  
3 23 produce and maintain public records that meet archival  
3 24 standards, and to enhance the technological storage,  
3 25 retrieval, and transmission capabilities related to archival  
3 26 quality records. The recorder may cooperate with other  
3 27 entities, boards, and agencies to establish methods of records  
3 28 management, and participate in other joint ventures which  
3 29 further the purposes of this subsection.

3 30 b. Fees collected pursuant to this subsection shall be  
3 31 used to accomplish the following purposes:

3 32 (1) Preserve and maintain public records.

3 33 (2) Assist counties in reducing record preservation costs.

3 34 (3) Encourage and foster maximum access to public records  
3 35 maintained by county recorders at locations throughout the

4 1 state.

4 2 (4) Establish plans for anticipated and possible future  
4 3 needs, including the handling and preservation of vital  
4 4 statistics.

4 5 3. a. The county recorder shall also collect a fee of one  
4 6 dollar for each recorded transaction, regardless of the number  
4 7 of pages, for which a fee is paid pursuant to subsection 1 to  
4 8 be used for the purpose set forth in paragraph "c".

4 9 b. The county treasurer, on behalf of the recorder, shall  
4 10 establish and maintain a county recorder's electronic  
4 11 transaction fund into which all moneys collected pursuant to  
4 12 paragraph "a" shall be deposited. Interest earned on moneys  
4 13 deposited in this fund shall be computed based on the average  
4 14 monthly balance in the fund and shall be credited to the  
4 15 county recorder's electronic transaction fund.

4 16 c. The local government electronic transaction fund is  
4 17 established in the office of the treasurer of state under the  
4 18 control of the treasurer of state. Moneys deposited into the  
4 19 fund are not subject to section 8.33. Notwithstanding section  
4 20 12C.7, interest or earnings on moneys in the local government  
4 21 electronic transaction fund shall be credited to the fund.  
4 22 Moneys in the local government electronic transaction fund are  
4 23 not subject to transfer, appropriation, or reversion to any  
4 24 other fund, or any other use except as provided in this  
4 25 paragraph "c". On a monthly basis, the county treasurer shall  
4 26 pay each fee collected pursuant to paragraph "a" to the

4 27 treasurer of state for deposit into the local government  
4 28 electronic transaction fund. Moneys credited to the local  
4 29 government electronic transaction fund are appropriated to the  
4 30 treasurer of state to be used for the purpose of planning and  
4 31 implementing electronic recording and electronic transactions  
4 32 in each county and developing county and statewide internet  
4 33 web sites to provide electronic access to records and  
4 34 information and to pay the ongoing costs of integrating and  
4 35 maintaining the statewide internet web site.

5 1 d. The recorder shall make available any information  
5 2 required by the county auditor or auditor of state concerning  
5 3 the fees collected under this subsection for the purposes of  
5 4 determining the amount of fees collected and the uses for  
5 5 which such fees are expended.

5 6 2- 4. A county shall not be required to pay a fee to the  
5 7 recorder for filing or recording instruments.

5 8 Sec. 8. Section 331.605B, subsection 1, Code 2007, is  
5 9 amended to read as follows:

5 10 1. The recorder shall make available any information  
5 11 required by the county or state auditor concerning the fees  
5 12 collected under section ~~331.605A~~ 331.604, subsection 2, for  
5 13 the purposes of determining the amount of fees collected and  
5 14 the uses for which such fees are expended.

5 15 Sec. 9. Section 331.606B, subsection 2, unnumbered  
5 16 paragraph 1, Code 2007, is amended to read as follows:

5 17 For any document or instrument of conveyance, the name of  
5 18 the property taxpayer and the taxpayer's complete mailing  
5 19 address is required on the first page of the document below  
5 20 the three-inch margin. Each document or instrument, other

5 21 than a plat or survey or a drawing related to a plat or  
5 22 survey, that is presented for recording shall contain the  
5 23 following information on the first page below the three-inch  
5 24 margin:

5 25 Sec. 10. Section 331.606B, subsection 2, paragraph b, Code  
5 26 2007, is amended by striking the paragraph.

5 27 Sec. 11. Section 331.606B, subsection 6, Code 2007, is  
5 28 amended to read as follows:

5 29 6. a. On and after July 1, 2005, a document or instrument  
5 30 that does not conform to the format standards specified in  
5 31 subsections 1 through 3 shall not be ~~recorded~~ accepted for  
5 32 recording except upon payment of an additional recording fee  
5 33 of ten dollars per document or instrument. The requirement  
5 34 applies only to documents or instruments dated on or after  
5 35 July 1, 2005, and does not apply to those documents or  
6 1 instruments specifically exempted in subsection 4.

6 2 b. On and after July 1, 2008, a document or instrument  
6 3 that does not conform to the format standards specified in  
6 4 subsection 1, paragraphs "c" and "e", shall not be accepted  
6 5 for recording. This paragraph applies only to documents or  
6 6 instruments dated on or after July 1, 2008, and does not apply  
6 7 to those documents or instruments specifically exempted in  
6 8 subsection 4.

6 9 Sec. 12. Section 331.607, subsection 5, Code 2007, is  
6 10 amended by striking the subsection and inserting in lieu  
6 11 thereof the following:

6 12 5. An index for records of private drainage systems as  
6 13 provided in section 468.623.

6 14 Sec. 13. Section 331.609, subsection 4, Code 2007, is  
6 15 amended to read as follows:

6 16 4. The ~~fee~~ fees for filing or recording, and indexing each  
6 17 notice of lien or certificate or notice affecting the lien  
6 18 shall be as provided in section 331.604. The officer shall  
6 19 bill the internal revenue service or any other appropriate  
6 20 federal agency on a monthly basis for fees for documents filed  
6 21 or recorded by it.

6 22 Sec. 14. Section 359A.10, Code 2007, is amended to read as  
6 23 follows:

6 24 359A.10 ENTRY AND RECORD OF ORDERS.

6 25 Such orders, decisions, notices, and returns shall be  
6 26 entered of record at length by the township clerk, and a copy  
6 27 thereof certified by the township clerk to the county  
6 28 recorder, who shall record the same in the recorder's office  
6 29 in a book kept for that purpose, and index such record in the  
6 30 name of each adjoining owner as grantor to the other. The  
6 31 county recorder shall collect fees specified in section  
6 32 331.604.

6 33 Sec. 15. Section 359A.12, Code 2007, is amended to read as  
6 34 follows:

6 35 359A.12 DIVISION BY AGREEMENT == RECORD.

7 1 The several owners may, in writing, agree upon the portion  
7 2 of partition fences between their lands which shall be erected

7 3 and maintained by each, which writing shall describe the lands  
7 4 and the parts of the fences so assigned, be signed and  
7 5 acknowledged by them, and filed and recorded in the office of  
7 6 the recorder of deeds of the county or counties in which they  
7 7 are situated. The county recorder shall collect fees  
7 8 specified in section 331.604.

7 9 Sec. 16. Section 422.26, subsections 4 and 5, Code 2007,  
7 10 are amended to read as follows:

7 11 4. The county recorder of each county shall keep in the  
7 12 recorder's office an index ~~and record to show~~ containing the  
7 13 applicable entries in sections 558.49 and 558.52 and showing  
7 14 the following data, under the names of taxpayers, arranged  
7 15 alphabetically:

- 7 16 a. The name of the taxpayer.
- 7 17 b. The name "State of Iowa" as claimant.
- 7 18 c. Time notice of lien was ~~received~~ recorded.
- 7 19 d. Date of notice.
- 7 20 e. Amount of lien then due.
- 7 21 f. Date of assessment.
- 7 22 g. When satisfied.

7 23 The recorder shall endorse on each notice of lien the day,  
7 24 hour, and minute when ~~received and recorded and the document~~  
7 25 reference number, shall preserve the same, and shall index the  
7 26 notice in the index and shall record the lien in the manner  
7 27 provided for recording real estate mortgages, ~~and the.~~ The  
7 28 lien shall be is effective from the time of the indexing of  
7 29 the lien.

7 30 5. The department shall pay ~~a~~ recording fee fees as  
7 31 provided in section 331.604, for the recording of the lien, or  
7 32 for its satisfaction.

7 33 Sec. 17. Section 424.11, unnumbered paragraphs 4 and 5,  
7 34 Code 2007, are amended to read as follows:

7 35 The recorder shall endorse on each notice of lien the day,  
8 1 hour, and minute when ~~received recorded and the document~~

8 2 reference number, and shall preserve the notice, and. The  
8 3 recorder shall also immediately index the notice and record  
8 4 the lien in the manner provided for recording real estate  
8 5 mortgages, ~~and the.~~ The lien shall be effective from the time  
8 6 of its indexing.

8 7 The department shall pay ~~a~~ recording fee fees as provided  
8 8 in section 331.604, for the recording of the lien, or for its  
8 9 satisfaction.

8 10 Sec. 18. Section 437A.11, unnumbered paragraph 2, Code  
8 11 2007, is amended to read as follows:

8 12 The county recorder of each county shall ~~prepare and keep~~  
8 13 ~~in the recorder's office an index~~ each lien showing the  
8 14 applicable entries specified in sections 558.49 and 558.52 and  
8 15 record to show showing, under the names of taxpayers arranged  
8 16 alphabetically, all of the following:

8 17 Sec. 19. Section 437A.11, subsection 3, Code 2007, is  
8 18 amended to read as follows:

8 19 3. Time the notice of lien was ~~received~~ recorded.

8 20 Sec. 20. Section 437A.11, unnumbered paragraphs 3 through  
8 21 5, Code 2007, are amended to read as follows:

8 22 The recorder shall endorse on each notice of lien the day,  
8 23 hour, and minute when ~~received and preserve such notice, and~~  
8 24 recorded and the document reference number, shall preserve  
8 25 such notice, shall index the notice in the index, and shall

8 26 promptly record the lien in the manner provided for recording  
8 27 real estate mortgages. The lien is effective from the time of  
8 28 the indexing of the lien.

8 29 The county treasurer or chief financial officer of the city  
8 30 shall pay ~~a~~ recording fee fees as provided in section 331.604,  
8 31 for the recording of the lien, or for its satisfaction.

8 32 Upon the payment of the replacement tax as to which a  
8 33 county treasurer or chief financial officer of a city has  
8 34 filed notice with a county recorder, the county treasurer or  
8 35 chief financial officer of the city shall promptly file with  
9 1 the recorder a satisfaction of the replacement tax. The  
9 2 recorder shall ~~enter the satisfaction on the record the notice~~  
9 3 ~~on file in the recorder's office and indicate that fact on the~~  
9 4 ~~index of satisfaction showing the applicable entries specified~~  
9 5 ~~in sections 558.49 and 558.52.~~

9 6 Sec. 21. Section 437A.22, unnumbered paragraph 3, Code  
9 7 2007, is amended to read as follows:

9 8 The county recorder of each county shall ~~prepare and keep~~  
9 9 ~~in the recorder's office an index~~ each lien showing the  
9 10 applicable entries specified in sections 558.49 and 558.52 and  
9 11 record to show showing, under the names of taxpayers arranged  
9 12 alphabetically, all of the following:

9 13 Sec. 22. Section 437A.22, subsection 3, Code 2007, is

9 14 amended to read as follows:

9 15 3. Time the notice of lien was ~~received~~ recorded.

9 16 Sec. 23. Section 437A.22, unnumbered paragraphs 4 and 5,  
9 17 Code 2007, are amended to read as follows:

9 18 The recorder shall endorse on each notice of lien the day,  
9 19 hour, and minute when ~~received and recorded and the document~~  
9 20 reference, shall preserve such notice, and shall promptly  
9 21 record the lien in the manner provided for recording real  
9 22 estate mortgages. The lien is effective from the time of the  
9 23 indexing of the lien.

9 24 The director, from moneys appropriated to the department of  
9 25 revenue for this purpose, shall pay ~~a~~ recording ~~fee~~ fees as  
9 26 provided in section 331.604 for the recording of the lien, or  
9 27 for its satisfaction.

9 28 Sec. 24. Section 468.623, Code 2007, is amended to read as  
9 29 follows:

9 30 468.623 PRIVATE DRAINAGE SYSTEM == RECORD.

9 31 1. Any person who has provided a system of drainage on  
9 32 land owned by the person may have the same made a matter of  
9 33 record in the office of the county recorder of the county in  
9 34 which the drainage system is located, provided any drainage  
9 35 system constructed after July 1, 1969, shall be made a matter  
10 1 of record, as is hereinafter provided and shall contain the  
10 2 applicable entries specified in sections 558.49 and 558.52.

10 3 2. Records under subsection 1 may be used to give the  
10 4 owner's name, description of tracts of land drained, stating  
10 5 the time when the drainage system was established, the kind,  
10 6 quality, and brand of tile used, the name and place of the  
10 7 manufacturing plant, the name of contractors who laid the  
10 8 tile, the name of the engineer in charge of the survey and  
10 9 installation, the cost of tile, delivery, installation, and  
10 10 engineering expense, depths, grades, outlets, connections,  
10 11 contracts for agreements with adjoining landowners as to  
10 12 connections, and any other matters or information that may be  
10 13 considered of value, and such information may be furnished by  
10 14 the landowner or the engineer having charge of the  
10 15 installation and certified to under oath.

10 16 Sec. 25. Section 468.626, Code 2007, is amended to read as  
10 17 follows:

10 18 468.626 ORIGINAL PLAT FILED.

10 19 In lieu of making the record as herein provided, any  
10 20 landowner may file with the county recorder the original plat  
10 21 used in the establishment of ~~said the~~ drainage system, or a  
10 22 copy ~~thereof~~ of the plat, which shall be certified by the  
10 23 engineer having made the same. If practicable, a plat filed  
10 24 under this section shall be made a matter of record and shall  
10 25 contain the applicable entries specified in sections 558.49  
10 26 and 558.52.

10 27 Sec. 26. Section 468.628, Code 2007, is amended to read as  
10 28 follows:

10 29 468.628 FEES FOR RECORD AND COPIES RECORDING.

10 30 ~~The county~~ When information is filed with the county  
10 31 recorder pursuant to section 468.623 or 468.626, the recorder  
10 32 shall be entitled to collect recording fees for the filing and  
10 33 information heretofore provided for, and for the making of  
10 34 copies of such records the same as is provided for other work  
10 35 of a similar nature in the amounts specified in section  
11 1 331.604.

11 2 Sec. 27. Section 547.3, Code 2007, is amended to read as  
11 3 follows:

11 4 547.3 FEE FOR RECORDING.

11 5 The county recorder shall ~~charge and receive a fee collect~~  
11 6 fees in the amount specified in section 331.604 for each  
11 7 verified statement recorded under this chapter. The recorder  
11 8 may return the original instrument to the sender or dispose of  
11 9 the instrument if the sender does not wish to have the  
11 10 instrument returned. An instrument filed in the recorder's  
11 11 office before July 1, 1990, may be returned to the sender or  
11 12 disposed of if the sender does not wish to have the instrument  
11 13 returned and if there is an official copy of the instrument in  
11 14 the recorder's office.

11 15 Sec. 28. Section 557.24, Code 2007, is amended to read as  
11 16 follows:

11 17 557.24 FEE.

11 18 A person having the name of the person's farm recorded as  
11 19 provided in section 557.22 shall first pay to the county  
11 20 recorder ~~a fee in the amount~~ the fees specified in section  
11 21 331.604, which ~~fee~~ shall be paid to the county treasurer as  
11 22 other fees are paid to the county treasurer by the recorder.

11 23 Sec. 29. Section 557.26, Code 2007, is amended to read as  
11 24 follows:

11 25 557.26 CANCELLATION == FEE.  
11 26 If the owner of a registered farm desires to cancel the  
11 27 registered name of the farm, the owner shall acknowledge  
11 28 cancellation of the name by execution of an instrument in  
11 29 writing referring to the farm name, and shall record the  
11 30 instrument. For the latter service the county recorder shall  
11 31 ~~charge a fee in collect the amount fees~~ specified in section  
11 32 331.604, which shall be paid to the county treasurer as other  
11 33 fees are paid to the county treasurer by the recorder.  
11 34 Sec. 30. Section 558.55, Code Supplement 2007, is amended  
11 35 to read as follows:

12 1 558.55 FILING AND INDEXING == CONSTRUCTIVE NOTICE.  
12 2 The recorder must endorse upon every instrument properly  
12 3 filed for ~~record recording~~ in the recorder's office, the day,  
12 4 hour, and minute ~~of the filing when recorded and the document~~  
12 5 ~~reference number~~, and enter in the index the entries required  
12 6 to be entered pursuant to sections 558.49 and 558.52, ~~and the~~  
12 7 ~~filing. The recording~~ and indexing shall constitute  
12 8 constructive notice to all persons of the rights of the  
12 9 grantees conferred by the instruments.

12 10 Sec. 31. Section 558.66, unnumbered paragraph 1, Code  
12 11 2007, is amended to read as follows:

12 12 Upon receipt of a certificate issued by the clerk of the  
12 13 district court or clerk of the supreme court indicating that  
12 14 the title to real estate has been finally established in any  
12 15 named person by judgment or decree or by will or by affidavit  
12 16 of or on behalf of a surviving spouse that has been recorded  
12 17 by the recorder, the auditor shall enter the information in  
12 18 the certificate upon the transfer books, upon payment of a fee  
12 19 in the amount specified in section 331.507, subsection 2,  
12 20 paragraph "a". In the case of the affidavit filed with the  
12 21 recorder, the fee set forth in section 331.507, subsection 2,  
12 22 paragraph "a", and the ~~fee fees~~ set forth in section 331.604,  
12 23 shall be collected by the recorder and paid to the treasurer  
12 24 as provided in section 331.902, subsection 3.

12 25 Sec. 32. Section 598.21, subsection 2, Code Supplement  
12 26 2007, is amended to read as follows:

12 27 2. DUTIES OF COUNTY RECORDER. The county recorder shall  
12 28 record each quitclaim deed or change of title and shall  
12 29 collect the fee specified in section 331.507, subsection 2,  
12 30 paragraph "a", and the ~~fee fees~~ specified in section 331.604,  
12 31 ~~subsection 1.~~

12 32 Sec. 33. Section 633.481, Code 2007, is amended to read as  
12 33 follows:

12 34 633.481 CERTIFICATE TO COUNTY RECORDER FOR TAX PURPOSES  
12 35 WITHOUT ADMINISTRATION.

13 1 When an inventory or report is filed under section 450.22,  
13 2 without administration of the estate of the decedent, the heir  
13 3 or heir's attorney shall prepare and deliver to the county  
13 4 recorder of the county in which the real estate is situated a  
13 5 certificate pertaining to each parcel of real estate described  
13 6 in the inventory or report. Any fees for certificates or  
13 7 recording fees required by this section or section 633.480  
13 8 shall be assessed as costs of administration. The ~~fee fees~~  
13 9 for recording and indexing the instrument shall be as provided  
13 10 in section 331.604. The county recorder shall deliver the  
13 11 certificates to the county auditor as provided in section  
13 12 558.58.

13 13 Sec. 34. Section 674.14, Code 2007, is amended to read as  
13 14 follows:

13 15 674.14 INDEXING IN REAL PROPERTY RECORD.

13 16 The county recorder and county auditor of each county in  
13 17 which the petitioner owns real property shall ~~charge collect~~  
13 18 fees in the amounts specified in sections 331.604 and 331.507,  
13 19 subsection 2, paragraph "b", for indexing a change of name for  
13 20 each parcel of real estate.

13 21 Sec. 35. Sections 331.605A, 331.605C, 468.624, and  
13 22 468.625, Code 2007, are repealed.

13 23 EXPLANATION

13 24 This bill makes changes relating to the office of county  
13 25 recorder.

13 26 The bill makes changes relating to certain documents filed  
13 27 with the county recorder and specifies that the county  
13 28 recorder must endorse upon each document or instrument, in  
13 29 addition to other information, the document reference number.

13 30 The bill incorporates the document management fee in Code  
13 31 section 331.605A and the electronic transaction fee in Code  
13 32 section 331.605C into the other existing recording and filing  
13 33 fee provisions under Code section 331.604.

13 34 The bill requires certain indexes under the control of the  
13 35 county recorder to include applicable entries required to be

14 1 made for conveyances of property. The bill repeals Code  
14 2 sections 468.624 and 468.625 pertaining to private drainage  
14 3 system plat books and record books and directs those records  
14 4 to be maintained in accordance with the index requirements of  
14 5 other indexes maintained by the county recorder.  
14 6 The bill allows a county recorder to refuse to record a  
14 7 document or instrument that does not conform to the format  
14 8 standards pertaining to legibility, signatures, and the  
14 9 printing of names on the document or instrument.  
14 10 The bill also allows a county recorder to collect recording  
14 11 fees for orders, decisions, and notices made by a fence viewer  
14 12 and written agreements between adjoining landowners.  
14 13 LSB 5763SC 82  
14 14 md/sc/5