

House Study Bill 72 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WAGNER)

A BILL FOR

1 An Act setting a maximum fee for the publication of certain
2 legal notices in a newspaper.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 618.11, Code 2011, is amended to read as
2 follows:

3 **618.11 Fees for publication.**

4 The compensation, ~~when not otherwise fixed,~~ for the
5 publication in a newspaper of any notice, order, citation,
6 or other publication required or allowed by law shall be
7 at a rate of ~~thirty-four cents~~ not to exceed twenty-five
8 dollars for ~~one each~~ insertion and ~~twenty-three cents for each~~
9 ~~subsequent insertion for each line of eight point type two~~
10 ~~inches in length, or its equivalent. Beginning June 1, 2001,~~
11 ~~and each June 1 thereafter, the director of the department~~
12 ~~of administrative services shall calculate a new rate for~~
13 ~~the following fiscal year as prescribed in this section, and~~
14 ~~shall publish this rate as a notice in the Iowa administrative~~
15 ~~bulletin prior to the first day of the following calendar~~
16 ~~month. The new rate shall be effective on the first day of the~~
17 ~~calendar month following its publication. The rate shall be~~
18 ~~calculated by applying the percentage change in the consumer~~
19 ~~price index for all urban consumers for the last available~~
20 ~~twelve-month period published in the federal register by the~~
21 ~~federal department of labor, bureau of labor statistics, to the~~
22 ~~existing rate as an increase or decrease in the rate rounded~~
23 ~~to the nearest one-tenth of a cent. The calculation and~~
24 ~~publication of the rate by the director of the department of~~
25 ~~administrative services shall be exempt from the provisions of~~
26 ~~chapters 17A and 25B.~~

27 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
28 3, shall not apply to this Act.

29 EXPLANATION

30 This bill sets a maximum fee for the publication of certain
31 legal notices within a newspaper.

32 The bill sets a maximum fee of \$25 for each insertion
33 for newspaper publication of any notice, citation, or other
34 publication required or allowed by law.

35 Current law requires that when the fee for certain

1 publications are not otherwise fixed, that the fee will be
2 set at 34 cents for each line of one insertion and 23 cents
3 for each line of each additional insertion. Current law also
4 requires that each June, beginning in 2001, the director of
5 the department of administrative services calculate a new rate
6 for the following fiscal year. Current law requires that the
7 director publish this new rate within the Iowa administrative
8 bulletin before the first day of the next calendar month, and
9 the new rate is effective the first day of the calendar month
10 following publication. Current law provides the method for
11 calculating this rate, and the process is exempt from the
12 requirements of chapters 17A and 25B of the Code.

13 The bill may include a state mandate as defined in Code
14 section 25B.3. The bill makes inapplicable Code section 25B.2,
15 subsection 3, which would relieve a political subdivision from
16 complying with a state mandate if funding for the cost of
17 the state mandate is not provided or specified. Therefore,
18 political subdivisions are required to comply with any state
19 mandate included in the bill.