

Senate Study Bill 1108 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WILHELM)

A BILL FOR

1 An Act relating to fees collected by a county recorder or
2 the governing board of the county land record information
3 system.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.605B, subsection 2, Code 2013, is
2 amended to read as follows:

3 ~~2. A recorder or the governing board of the county land~~
4 ~~record information system shall collect only statutorily~~
5 ~~authorized fees for land records management. A recorder or~~
6 ~~the The governing board of the county land record information~~
7 ~~system shall not collect a fee for searching, viewing,~~
8 ~~accessing, or printing individual documents in the county~~
9 ~~land record information system unless specifically authorized~~
10 ~~by statute. However, a recorder or the governing board of~~
11 ~~the county land record information system may collect actual~~
12 ~~third-party fees associated with accepting and processing~~
13 ~~statutorily authorized fees, including credit card fees,~~
14 ~~treasury management fees, and other transaction fees required~~
15 ~~to enable electronic payment fees for services that provide~~
16 ~~access to land record information on a batch basis, enable~~
17 ~~electronic filing, or for providing other internet-based~~
18 ~~services. For the purposes of this subsection, the term~~
19 ~~"third-party" does not include the county land record~~
20 ~~information system, the Iowa state association of counties, or~~
21 ~~any of the association's affiliates.~~

22

EXPLANATION

23 This bill relates to fees collected by a county recorder
24 or the governing board of the county land record information
25 system.

26 Current law provides that a recorder or the governing
27 board of the county land record information system shall only
28 collect fees authorized by statute and that a fee shall not
29 be collected for viewing, accessing, or printing documents
30 in the county land record information system unless such a
31 fee is authorized by statute. Current law further provides
32 that a recorder or the governing board of the county land
33 record information system may collect certain third-party fees
34 associated with payment of recorder or county land record
35 information fees.

1 The bill provides that the governing board may collect fees
2 for services which provide access to land record information
3 on a batch basis, enable electronic filing, or for providing
4 other internet-based services. The bill removes the county
5 recorder from the grants and limitations of authority related
6 to the collection of fees contained in Code section 331.605B,
7 subsection 2. The bill strikes the authority to collect
8 certain third-party fees associated with payment of recorder or
9 county land record information fees. The bill further provides
10 that a fee shall not be collected by a governing board for
11 searching, viewing, accessing, or printing individual documents
12 in the county land record information system.