

House File 2043 - Introduced

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BY HAGER

A BILL FOR

1 An Act relating to the availability for lease or purchase of
2 state-owned real property that is vacant for specified
3 periods of time.

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

1 Section 1. Section 7A.30, Code 2018, is amended to read as
2 follows:

3 **7A.30 Inventory of state property.**

4 1. Each state board, commission, department, and division
5 of state government and each institution under the control
6 of the department of human services, the Iowa department of
7 corrections and the state board of regents and each division
8 of the state department of transportation are responsible for
9 keeping a written, detailed, up-to-date inventory of all real
10 and personal property belonging to the state and under their
11 charge, control, and management. Each such agency of state
12 government shall maintain a separate inventory of all real
13 property vacant for any period of time, with all real property
14 vacant for a period of five or more years so designated. Each
15 such agency shall provide this inventory annually to the
16 director of the department of administrative services. The
17 inventories shall be in the form prescribed by the director of
18 the department of administrative services.

19 2. ~~Inventories maintained in the files of each~~ Each such
20 agency of state government shall ~~be~~ maintain the inventories
21 in a file open to public inspection and available for the
22 information of the executive council and the director ~~of the~~
23 ~~department of administrative services.~~

24 Sec. 2. Section 8A.321, subsection 8, Code 2018, is amended
25 to read as follows:

26 8. Annually review the inventory of vacant real property
27 belonging to the state maintained pursuant to section 7A.30.
28 With the authorization of a constitutional majority of each
29 house of the general assembly and approval by the governor,
30 the director may dispose of real property belonging to the
31 state and its state agencies upon terms, conditions, and
32 consideration as the director may recommend. Disposition of
33 real property vacant for less than five years may include
34 leasing for a period not to exceed five years at which time the
35 lessee may be given a purchase option upon terms, conditions,

1 and consideration as recommended by the director.

2 a. If real property subject to sale under this subsection
3 has been purchased or acquired from appropriated funds, the
4 proceeds of the sale shall be deposited with the treasurer of
5 state and credited to the general fund of the state or other
6 fund from which appropriated. There is appropriated from that
7 same fund, with the prior approval of the executive council and
8 in cooperation with the director, a sum equal to the proceeds
9 so deposited and credited to the state agency to which the
10 disposed real property belonged or by which it was used, for
11 purposes of the state agency.

12 b. If real property subject to lease under this subsection
13 has been purchased or acquired from appropriated funds,
14 the lease payments from the lessee, minus all overhead and
15 maintenance expenses paid by the state agency to which the
16 leased property belongs, shall be deposited with the treasurer
17 of state and credited to the general fund of the state or other
18 fund from which appropriated. There is appropriated from that
19 same fund, with the prior approval of the executive council and
20 in cooperation with the director, a sum equal to the amount of
21 moneys so deposited and credited to the state agency to which
22 the leased real property belongs.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill requires each state board, commission, department,
27 division of state government, and each institution under the
28 department of human services, the department of corrections and
29 the state board of regents, and each division of the department
30 of transportation, to identify all vacant state-owned real
31 property and submit an annual inventory to the director of
32 the department of administrative services. The inventory is
33 required to distinguish between real property vacant for less
34 than five years and property vacant for five or more years.
35 The bill requires annual review by the director and requires

1 the lease or sale of state-owned property vacant for less than
2 five years, and the sale of property vacant for five or more
3 years. The bill provides that a state-owned property vacant
4 for less than five years can be leased for up to five years
5 before it must be sold.

6 Current law provides if real property that was purchased
7 with appropriated funds is sold, the proceeds are deposited
8 with the treasurer of state and credited to the general fund or
9 the fund from where appropriated. There is appropriated from
10 that same fund, a sum equal to the deposited proceeds which
11 is credited to the state agency that owned the real property.
12 The bill allows this same handling of funds to be used for any
13 profits derived from the leasing of a state-owned property.