

Senate Study Bill 3090 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SMITH)

A BILL FOR

1 An Act prohibiting cities and counties from imposing
2 time-of-sale requirements on transactions involving real
3 property.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.301, subsection 6, Code 2018, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* A county shall not adopt an ordinance,
4 motion, resolution, or amendment, or use any other means, that
5 restricts an owner of real property from refinancing existing
6 debt on, selling, or otherwise transferring title to the
7 property by requiring the owner to take or show compliance with
8 any action with respect to the property or pay any fee before,
9 during, or after refinancing existing debt on, selling, or
10 otherwise transferring title to the property.

11 Sec. 2. Section 364.3, subsection 3, Code 2018, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. *d.* A city shall not adopt an ordinance,
14 motion, resolution, or amendment, or use any other means, that
15 restricts an owner of real property from refinancing existing
16 debt on, selling, or otherwise transferring title to the
17 property by requiring the owner to take or show compliance with
18 any action with respect to the property or pay any fee before,
19 during, or after refinancing existing debt on, selling, or
20 transferring title to the property.

21 EXPLANATION

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

24 This bill prohibits cities and counties from restricting
25 a person's ability to refinance, sell, or transfer title
26 to property. Under the bill, a city or county cannot, by
27 ordinance, motion, resolution, amendment, or other means,
28 restrict the ability of an owner to refinance, sell, or
29 otherwise transfer title to property by requiring an owner
30 to take or show compliance with any action with respect to
31 a property or pay any fee before, at the time of, or within
32 a certain period of time after refinancing, selling, or
33 transferring title to the property.