

House Study Bill 553 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
ENVIRONMENTAL PROTECTION
BILL BY CHAIRPERSON FISHER)

A BILL FOR

1 An Act relating to the submission of a groundwater hazard
2 statement.

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

1 Section 1. Section 558.69, subsection 1, unnumbered
2 paragraph 1, Code 2022, is amended to read as follows:

3 With each declaration of value submitted to the county
4 recorder under chapter 428A, except as specified in subsection
5 8A, there shall be submitted a groundwater hazard statement
6 stating all of the following:

7 Sec. 2. Section 558.69, subsection 3, Code 2022, is amended
8 by striking the subsection.

9 Sec. 3. Section 558.69, subsections 4 and 7, Code 2022, are
10 amended to read as follows:

11 4. A buyer of property shall be provided with a copy of the
12 submitted groundwater hazard statement, if required under this
13 section, by the seller.

14 7. The county recorder shall transmit the groundwater
15 hazard statements to the department of natural resources
16 ~~at times and in a manner directed by the director of the~~
17 ~~department.~~ Groundwater hazard statements may be transmitted
18 electronically to the department or may be presented to the
19 department through a browser interface provided through the
20 county land record information system. The form and timing of
21 the transmittal shall be determined by the department and the
22 county recorders.

23 Sec. 4. Section 558.69, Code 2022, is amended by adding the
24 following new subsections:

25 NEW SUBSECTION. 8A. *a.* If there are no hazardous
26 conditions present, as described in subsection 1, then a
27 groundwater hazard statement shall not be submitted. In lieu
28 of the submission of a groundwater hazard statement, any deed,
29 instrument, or writing by which any real property in this state
30 shall be granted, assigned, transferred, or otherwise conveyed
31 shall include on the first page of the deed, instrument, or
32 writing the following statement:

33 There is no known groundwater hazard and, therefore, the
34 parcel is exempt from including a groundwater hazard statement
35 pursuant to Iowa Code section 558.69.

1 declaration of value is not accompanied by a groundwater
2 hazard statement, if required, or if the exemption statement
3 is not present on the first page of the deed, instrument, or
4 writing, if required. Additionally, the bill authorizes a
5 county recorder to transmit a groundwater hazard statement to
6 DNR electronically or presented through a browser interface
7 provided by the county land record information system as
8 determined by DNR and the county recorders.