

House Study Bill 143 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
ADMINISTRATIVE SERVICES
BILL)

A BILL FOR

1 An Act relating to the disposition of real property belonging
2 to the state by the director of the department of
3 administrative services.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.321, subsection 8, Code 2023, is
2 amended to read as follows:

3 8. a. With the authorization of a constitutional majority
4 of each house of the general assembly and approval by the
5 governor, dispose of real property belonging to the state
6 ~~and its state agencies~~ on the capitol complex upon terms,
7 conditions, and consideration as the director may recommend.
8 ~~If real property subject to sale under this subsection has~~
9 ~~been purchased or acquired from appropriated funds, the~~ The
10 proceeds of the sale of real property under this paragraph
11 shall be deposited with the treasurer of state and credited
12 to the general fund of the state or other fund from which
13 appropriated.

14 b. Except as provided in paragraph "a", the director may
15 dispose of real property belonging to the state and its state
16 agencies upon terms, conditions, and consideration as the
17 director may determine with the approval of the executive
18 council pursuant to section 7D.29 or pursuant to other
19 authority granted by law. However, if the real property is
20 under the jurisdiction or control of an agency of this state
21 which has the express statutory power to dispose of the real
22 property, the agency must approve the director's proposed plan
23 of disposition of that real property prior to the director's
24 submission of the proposed plan of disposition to the executive
25 council. The approval by a state agency with the express
26 statutory power to dispose of the real property shall be in
27 the same method and manner as the sale or disposition of the
28 real property by the state agency. If real property subject to
29 sale has been purchased or acquired from appropriated funds,
30 the proceeds of the sale shall be deposited with the treasurer
31 of state and credited to the general fund of the state or other
32 fund from which appropriated. There is appropriated from that
33 same fund, with the prior approval of the executive council and
34 in cooperation with the director, a sum equal to the proceeds
35 so deposited and credited to the state agency to which the

1 disposed real property belonged or by which it was used, for
2 purposes of the state agency.

3 EXPLANATION

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

6 This bill concerns the disposition of real property
7 belonging to the state and its agencies by the department
8 of administrative services (DAS). The bill provides that
9 the current requirement of receiving authorization of a
10 constitutional majority of each house of the general assembly
11 and approval by the governor prior to disposition of real
12 property is limited to the disposition of real property on
13 the capitol complex. For all other real property, the bill
14 provides that the DAS director may dispose of the property
15 on terms the director may determine with the approval of
16 the executive council or by other authority granted by law.
17 The bill provides that if the real property is under the
18 jurisdiction or control of a state agency which has the
19 express statutory power to dispose of the real property, the
20 state agency must approve the DAS director's proposed plan
21 of disposition of that real property. Current provisions
22 governing the disposition of proceeds from the sale of real
23 property apply to the disposition of real property as provided
24 by the bill.