

**Senate Study Bill 1083 - 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.