

House File 193 - Introduced

HOUSE FILE 193
BY STONE

A BILL FOR

1 An Act concerning county recorder fees.

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

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1 Section 1. Section 331.604, subsection 1, Code 2025, is
2 amended to read as follows:

3 1. Except as otherwise provided by state law, subsection 4,
4 or section 331.605, the recorder shall collect a fee of ~~five~~ ten
5 dollars for each page or fraction of a page of an instrument
6 ~~which~~ that is filed or recorded in the recorder's office. If
7 a page or fraction of a page contains more than one transaction,
8 the recorder shall collect the fee for each transaction.

9 Sec. 2. Section 331.604, subsection 2, Code 2025, is amended
10 by striking the subsection.

11 Sec. 3. Section 331.604, subsection 3, paragraphs b, c, and
12 d, Code 2025, are amended by striking the paragraphs.

13 Sec. 4. Section 331.606B, subsection 7, paragraph a, Code
14 2025, is amended by striking the paragraph.

15 Sec. 5. TRANSITION. Any moneys remaining in a county's
16 county recorder's records management fund as of the effective
17 date of this Act shall be used by the county recorder for the
18 purposes outlined in section 331.602. On the effective date
19 of this Act, the county treasurer of each county shall transfer
20 any unencumbered and unobligated moneys in the county's county
21 recorder's electronic transaction fund to the treasurer of state
22 for deposit in the local government electronic transaction fund
23 created in section 331.604, Code 2025. Any moneys remaining
24 in the local government electronic transaction fund after the
25 effective date of this Act are appropriated to the treasurer of
26 state for the payment of claims approved by the governing board
27 of the county land record information system pursuant to section
28 331.604, Code 2025.

29 **EXPLANATION**

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

32 Under current law, in addition to the \$5 county recorders
33 collect for each page of a document or instrument filed in the
34 county recorder's office, \$1 is collected for the recorder's
35 records management fund, and \$1 is collected for the county

1 recorder's electronic transaction fund, which is transferred
2 monthly by the county treasurer to the local government
3 electronic transaction fund. This bill amends current law by
4 changing the fee to a flat fee of \$10 for each page filed or
5 recorded in the recorder's office.

6 The bill eliminates the county recorder's records management
7 funds. Under current law, a county recorder's records management
8 fund is used by the recorder of each county exclusively
9 for the purpose of preserving and maintaining public records
10 including producing and maintaining public records that meet
11 archival standards, and enhancing the technological storage,
12 retrieval, and transmission capabilities related to archival
13 quality records. Additionally, the fees in this fund are used to
14 preserve and maintain public records, assist counties in reducing
15 record preservation costs, encourage and foster maximum access
16 to public records maintained by county recorders at locations
17 throughout the state, and establish plans for anticipated and
18 possible future needs, including the handling and preservation of
19 vital statistics.

20 The bill eliminates county recorder's electronic transaction
21 funds and the local government electronic transaction fund.
22 Under current law, the county treasurer pays on a monthly
23 basis the fees deposited into the county recorder's electronic
24 transaction fund to the treasurer of state for deposit into the
25 local government electronic transaction fund. Moneys credited
26 to the local government electronic transaction fund are used
27 by the treasurer of state for the following purposes: payment
28 of claims approved by the governing board of the county land
29 record information system; planning and implementing electronic
30 recording and electronic transactions in each county; developing
31 county and statewide internet sites to provide electronic access
32 to records and information; and paying the ongoing costs of
33 integrating and maintaining the statewide internet site.

34 The bill eliminates a recorder's ability to collect an
35 additional recording fee of \$10 per document to accept

1 nonconforming documents.

2 The bill provides a transition provision stating that any
3 moneys remaining in the county recorder's records management fund
4 as of the effective date of the bill shall be used by the county
5 recorder for the purposes outlined in Code section 331.602,
6 and any moneys remaining in the local government electronic
7 transaction fund after the effective date of the bill shall be
8 used by the treasurer of state for the payment of claims approved
9 by the governing board of the county land record information
10 system.

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