

House File 2213 - Introduced

HOUSE FILE 2213
BY HARRIS

A BILL FOR

1 An Act relating to interests in minerals owned by counties and
2 cities.

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

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1 Section 1. NEW SECTION. **331.310 Mineral rights.**

2 1. For purposes of this section:

3 a. "*Interest in minerals*" means a perpetual interest in real
4 estate that grants ownership of one or more minerals underlying
5 the real estate to a person other than the person who owns the
6 surface rights in and to the real estate. "*Interest in minerals*"
7 does not include a lease of real estate that allows the tenant to
8 remove minerals from the real estate.

9 b. "*Minerals*" means coal, gas, oil, or other gaseous, liquid,
10 or solid hydrocarbons; oil shale; gemstones; fissionable or
11 nonfissionable ore; and steam or other geothermal resources.

12 2. A county shall divest itself of any interest in minerals
13 owned or controlled by the county and shall convey such interest
14 in minerals to the surface owner of the land to which the
15 interest in minerals pertains. A conveyance under this section
16 shall be made without consideration and shall be without cost to
17 the surface owner of the land.

18 3. A county shall complete all conveyances required under
19 this section no later than five years after the effective date
20 of this Act.

21 Sec. 2. NEW SECTION. **364.26 Mineral rights.**

22 1. For purposes of this section:

23 a. "*Interest in minerals*" means a perpetual interest in real
24 estate that grants ownership of one or more minerals underlying
25 the real estate to a person other than the person who owns the
26 surface rights in and to the real estate. "*Interest in minerals*"
27 does not include a lease of real estate that allows the tenant to
28 remove minerals from the real estate.

29 b. "*Minerals*" means coal, gas, oil, or other gaseous, liquid,
30 or solid hydrocarbons; oil shale; gemstones; fissionable or
31 nonfissionable ore; and steam or other geothermal resources.

32 2. A city shall divest itself of any interest in minerals
33 owned or controlled by the county and shall convey such interest
34 in minerals to the surface owner of the land to which the
35 interest in minerals pertains. A conveyance under this section

1 shall be made without consideration and shall be without cost to
2 the surface owner of the land.

3 3. A city shall complete all conveyances required under this
4 section no later than five years after the effective date of this
5 Act.

6 EXPLANATION

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

9 This bill requires a county or city to divest any interest in
10 minerals that the county or city owns or controls. The county or
11 city shall convey any interest in minerals it owns or controls to
12 the surface owner of the land to which the interest in minerals
13 pertains.

14 Counties and cities shall complete all conveyances required
15 under the bill no later than five years after the effective date
16 of the bill.

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