

**House File 2531 - Introduced**

HOUSE FILE 2531  
BY COMMITTEE ON NATURAL  
RESOURCES

(SUCCESSOR TO HF 2213)

**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:

unofficial

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

2 1. For purposes of this section:

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

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

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

20 3. A county shall complete all conveyances required under  
21 this section no later than five years after the effective date  
22 of this Act. Conveyances pursuant to section 458A.20 shall  
23 be completed within one hundred fifty days of service of the  
24 required notice. Any interest in minerals acquired by the  
25 county after the effective date of this Act shall be conveyed as  
26 required under this section within ninety days.

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

28 1. For purposes of this section:

29 a. "*Interest in minerals*" means an interest in real estate  
30 that grants ownership of one or more minerals underlying the real  
31 estate to a person other than the person who owns the surface  
32 rights in and to the real estate. "*Interest in minerals*" does  
33 not include an active lease in real estate that allows the tenant  
34 to remove minerals from the real estate.

35 b. "*Minerals*" means coal, naturally occurring gases, oil,

1 or other gaseous, liquid, or solid hydrocarbons; oil shale;  
2 gemstones; metals; fissionable or nonfissionable ore; and steam  
3 or other geothermal resources.

4 2. A city shall divest itself of any interest in minerals  
5 owned or controlled by the city and shall convey such interest in  
6 minerals to the surface owner of the land to which the interest  
7 in minerals pertains except where the city is the surface owner  
8 of the land. A conveyance under this section shall be made  
9 without consideration and shall be without cost to the surface  
10 owner of the land.

11 3. A city shall complete all conveyances required under this  
12 section no later than five years after the effective date of this  
13 Act. Any interest in minerals acquired by the city after the  
14 effective date of this Act shall be conveyed as required under  
15 this section within ninety days.

16 Sec. 3. Section 446.7, Code 2026, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 3. The county shall not offer for sale  
19 mineral rights or an interest in minerals, as defined in section  
20 331.310. If the taxes on any mineral rights or interests not  
21 owned by the owner of the land are delinquent, the county shall  
22 proceed in accordance with section 458A.20.

23 Sec. 4. Section 458A.20, Code 2026, is amended to read as  
24 follows:

25 **458A.20 Tax sale — redemption by owner.**

26 1. When If the taxes on any mineral rights or interests  
27 not owned by the owner of the land are sold at tax sale, and  
28 when delinquent, the county treasurer shall send a statement  
29 of delinquent taxes and a notice that the mineral rights or  
30 interests will be conveyed to the owner of the land unless the  
31 owner of those mineral rights or interests does not redeem under  
32 the provisions of chapter 447 pays the total amount of the  
33 delinquent taxes, interest, and costs to the county treasurer  
34 within ninety days after the tax sale, the owner of the land  
35 shall thereafter have the same right of redemption as the owner

1 ~~of the mineral rights or interests has, and redemption by the~~  
2 notice is served. The county treasurer shall serve the notice  
3 by sending it by regular first class mail to the person's last  
4 known address and to the address of the person's registered agent  
5 listed with the secretary of state, if applicable.

6 2. When the owner of those mineral rights or interests does  
7 not pay the total amount due by the deadline, the county shall  
8 convey the mineral rights or interests pursuant to section  
9 331.310 to the owner of the land. Such conveyance shall  
10 terminate any right of redemption of the owner of the mineral  
11 rights or interests.

12 3. a. The county may collect the total amount due by  
13 converting the amount due to a personal judgment pursuant to  
14 sections 445.3 and 446.20, notwithstanding the absence of a tax  
15 sale or tax sale certificate.

16 b. If the treasurer determines that it is impractical to  
17 pursue collection of the total amount due through the tax sale  
18 and the personal judgment remedies, the treasurer shall make a  
19 written recommendation to the board of supervisors to abate the  
20 amount due. The board of supervisors shall abate, by resolution,  
21 the amount due and direct the treasurer to strike the amount due  
22 from the county system.

23 Sec. 5. Section 557C.1, Code 2026, is amended to read as  
24 follows:

25 **557C.1 Lapse of mineral interests in coal — prevention.**

26 A mineral interest in coal shall be extinguished is abandoned  
27 if it has not been active in accordance with section 557C.3  
28 for a period of twenty years after its creation, transfer, or  
29 preservation, unless a statement of claim is filed in accordance  
30 with section 557C.3, and the ownership shall revert to the person  
31 who was then the owner of the interest from which the mineral  
32 interest in coal was created, transferred, or preserved 557C.4.  
33 Title to an abandoned mineral interest vests in the owner of  
34 the surface estate in the land in, or under which the mineral  
35 interest is located on the date of abandonment. Upon the filing

1 of a statement of claim within the specified period, the mineral  
2 interest shall be deemed to have been preserved for an additional  
3 period of twenty years, or a shorter period as may be specified  
4 in the instrument creating the interest.

5 Sec. 6. Section 557C.2, subsection 2, Code 2026, is amended  
6 to read as follows:

7 2. "~~Mineral interest in coal~~" means an interest created by  
8 an instrument ~~which~~ that creates or transfers, either by grant,  
9 assignment, reservation, or otherwise, an interest of any kind  
10 in coal, ~~as described in chapter 207~~ oil and gas, naturally  
11 occurring gases including but not limited to geologic hydrogen,  
12 hydrocarbons, metals, or other minerals, without limitation on  
13 the manner of extraction or mining ~~the coal~~.

14 Sec. 7. NEW SECTION. 557C.2A Active mineral interests.

15 A mineral interest is active when any one of the following  
16 conditions exists:

17 1. Minerals are produced or explored by or with the express  
18 permission of the record owner of the mineral interest.

19 2. Operations are conducted for extraction, withdrawal,  
20 injection, storage, or disposal of water, gas, or other fluid  
21 substances to produce or enhance the production of minerals by or  
22 with the express permission of the record holder of the mineral  
23 interest.

24 3. For sold minerals, there is a production from a well or  
25 a common vein or seam with the express permission of the record  
26 owner of the mineral interest.

27 4. Any valid conveyance, lease, mortgage, assignment, private  
28 distribution, termination of joint tenancy interest affidavit,  
29 termination of life estate affidavit, or any judgment or decree  
30 that makes specific references to the record owner's mineral  
31 interest is recorded within the last twenty years in the  
32 recorder's office for the county in which the mineral interest  
33 is located.

34 5. The mineral interest is subject to an agreement or order  
35 to pool or unitize.

1 6. A statement of claim is filed in accordance with section  
2 557C.4.

3 Sec. 8. Section 557C.3, Code 2026, is amended to read as  
4 follows:

5 **557C.3 Statement of claim — filing requirement.**

6 The statement of claim provided in section 557C.1 shall be  
7 filed by the owner of the mineral interest ~~in coal~~ prior to the  
8 end of the twenty-year period set forth in section 557C.1 or by  
9 July 1, 1994, whichever is later. The statement of claim shall  
10 contain the name and address of the owner of the mineral interest  
11 ~~in coal~~, and a description of the real estate on, or under, which  
12 the mineral interest ~~in coal~~ is located. The statement of claim  
13 shall be filed in the office of the recorder in the county in  
14 which the real estate is located.

15 Sec. 9. Section 557C.4, Code 2026, is amended to read as  
16 follows:

17 **557C.4 Statement of claim — recorder's duty.**

18 Upon the filing of the statement of claim provided for in  
19 section 557C.3 in the recorder's office for the county where the  
20 real estate on, or under, which the mineral interest ~~in coal~~  
21 exists, is located, the recorder shall record the statement of  
22 claim and index the entries required to be made pursuant to  
23 section 557C.3 and any applicable entries specified in sections  
24 558.49 and 558.52.

25 Sec. 10. Section 557C.5, Code 2026, is amended to read as  
26 follows:

27 **557C.5 Reservation in other conveyance.**

28 A reservation of a mineral interest ~~in coal~~ or an exception  
29 of a mineral interest ~~in coal~~, contained in a conveyance of the  
30 interest out of which it is carved, by a nonowner of the mineral  
31 interest ~~in coal~~ shall not be deemed to satisfy the requirements  
32 of this chapter or as a revival of a mineral interest ~~in coal~~  
33 otherwise extinguished under this chapter.

34 Sec. 11. Section 557C.6, Code 2026, is amended to read as  
35 follows:



1 treasurer finds that it is impractical to collect the amount due  
2 through tax sale and personal judgment, the treasurer shall make  
3 a written recommendation to the board of supervisors to abate  
4 the total amount due. The board of supervisors shall abate, by  
5 resolution, the amount due and direct the treasurer to strike the  
6 amount due from the county system.

7 Under current law, a mineral interest in coal is automatically  
8 extinguished 20 years after its creation, transfer, or  
9 preservation and the ownership is reverted back to the owner  
10 of the land, unless a statement of claim is filed. The bill  
11 provides that any mineral interest is abandoned if it has  
12 not been active for a period of 20 years after its creation,  
13 transfer, or preservation, unless a statement of claim is filed.  
14 The bill specifies that a mineral interest is active when one of  
15 several certain conditions exist. Title to the abandoned mineral  
16 interest vests in the owner of the surface estate in the land in,  
17 or under, which the mineral interest is located on the date of  
18 abandonment.

19 The bill provides that the statement of claim shall not be  
20 required of an owner if the mineral interest was separately taxed  
21 for real estate tax purposes, the tax was paid, the mineral  
22 interest has not been subject to a tax sale, and the mineral  
23 interest has not been conveyed to the owner of the surface  
24 estate.