

**House File 633 - Introduced**

HOUSE FILE 633  
BY LATHAM

**A BILL FOR**

1 An Act concerning county recorder policies and procedures  
2 including the imposition of fees and the establishment of  
3 funds, and including transition and effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 331.601A, Code 2025, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 01. "*Additional parcel identifier*" means a  
4 capitalized letter or a string of numbers separated by a hyphen  
5 used to identify a proposed separate piece of real estate  
6 represented on a plat or survey or drawing related to a plat or  
7 survey.

8 NEW SUBSECTION. 3A. "*Electronic services system*" means the  
9 organization formed under chapter 28E between the counties to  
10 create and implement a statewide electronic county land record  
11 management system as required by 2005 Iowa Acts, ch. 179, §101,  
12 as amended by 2021 Iowa Acts, ch. 126, §2, and this Act.

13 "*Electronic services system*" also means the statewide electronic  
14 system implemented to accept, manage, and make available records  
15 filed with a county recorder.

16 NEW SUBSECTION. 7A. "*Parcel identification number*" means the  
17 unique identification number designated to each piece of real  
18 estate referenced in the book of plats kept by the auditor in  
19 section 558.63.

20 Sec. 2. Section 331.601A, subsections 3 and 7, Code 2025, are  
21 amended to read as follows:

22 3. "*Electronic document*" means a document or instrument  
23 that is received, processed, disseminated, or maintained in an  
24 electronic format. The submission of an electronic document  
25 through the ~~county land record information~~ electronic services  
26 system electronic submission service shall be equivalent to  
27 delivery of a document through the United States postal service  
28 or by personal delivery at designated offices in each county.  
29 Persons who submit electronic documents for recording are  
30 responsible for ensuring that the electronic documents comply  
31 with all requirements for recording.

32 7. "*Page*" means a writing, printing, or drawing, other than  
33 a plat or survey or a drawing related to a plat or survey,  
34 occurring on one side only and covering all or part of such  
35 side, and not larger than eight and one-half inches in width

1 and fourteen inches in length. "Page" also includes a plat  
2 of survey, as defined in section 355.1, subsection 9, or a  
3 drawing related to a plat of survey occurring on one side only  
4 and covering all or part of such side, with a width of not  
5 larger than twenty-four inches and a length of not larger than  
6 thirty-six inches.

7 Sec. 3. Section 331.603, subsection 5, paragraph a, Code  
8 2025, is amended to read as follows:

9 a. ~~The governing board of the county land record information~~  
10 ~~system shall not enter into an agreement to provide access to~~  
11 ~~electronic documents or records on a batch basis.~~ The county  
12 recorder may collect reasonable fees for access to electronic  
13 documents and records pursuant to an agreement. The fees shall  
14 not exceed the actual cost of providing access to the electronic  
15 documents and records. "Actual cost" means only those expenses  
16 directly attributable to providing access to electronic documents  
17 and records. "Actual cost" shall not include costs such as  
18 employment benefits, depreciation, maintenance, electricity, or  
19 insurance associated with the administration of the office of the  
20 county recorder ~~or the county land record information system.~~

21 Sec. 4. Section 331.604, Code 2025, is amended by striking  
22 the section and inserting in lieu thereof the following:

23 **331.604 Recording and filing fees.**

24 1. a. Except as otherwise provided by state law, including  
25 paragraph "b" of this subsection or section 331.605, the recorder  
26 shall collect a fee of ten dollars for each page or fraction of a  
27 page of an instrument that is physically filed or recorded in the  
28 recorder's office. The maximum recording fee for documents with  
29 fifty or more pages is five hundred dollars.

30 b. A county shall not be required to pay a fee to the  
31 recorder for filing or recording instruments. However, a county  
32 treasurer is required to pay recording fees pursuant to sections  
33 437A.11 and 437B.7.

34 2. The treasurer, on behalf of the recorder, shall establish  
35 and maintain a recorder's technology advancement fund into which

1 all moneys collected pursuant to subsection 3 shall be deposited.  
2 Interest earned on moneys deposited in the fund shall be credited  
3 to the recorder's technology advancement fund. The recorder may  
4 collaborate with other entities, boards, and agencies to further  
5 the purposes of subsection 3.

6 3. From the total fee paid for the recording of a document  
7 or instrument pursuant to subsection 1, two dollars shall be  
8 transferred to the recorder's technology advancement fund.

9 Moneys in the recorder's technology advancement fund must be used  
10 for the following purposes:

11 a. Maintaining and improving equipment, software, and  
12 systems.

13 b. Preserving and maintaining archived physical and  
14 electronic documents and instruments.

15 c. Converting physical documents to electronic documents and,  
16 if it is possible to index the documents during the conversion  
17 to meet the requirements outlined in sections 331.606 and 558.49,  
18 indexing the documents.

19 d. Education and training for advancing technology.

20 4. The treasurer, on behalf of the recorder, shall establish  
21 and maintain a recorder's electronic services system fund into  
22 which all moneys collected pursuant to subsection 5 shall be  
23 deposited. Interest earned on moneys deposited in the fund shall  
24 be credited to the recorder's electronic services system fund.

25 5. a. From the total fee paid for the recording of a  
26 document or instrument pursuant to subsection 1, three dollars  
27 shall be transferred to the recorder's electronic services system  
28 fund. The recorder's electronic services system fund must be  
29 used for the purposes outlined in section 331.605B, subsection 1.

30 b. By the first day of each month, the treasurer shall  
31 transfer the moneys deposited into the recorder's electronic  
32 services system fund to an account in a financial institution  
33 designated by the electronic services system.

34 6. The recorder or the electronic services system shall make  
35 available any information required by the county auditor or

1 auditor of state concerning the moneys collected from fees under  
2 this section and the uses for which such fees are expended.

3 Sec. 5. Section 331.605B, Code 2025, is amended by striking  
4 the section and inserting in lieu thereof the following:

5 **331.605B Electronic services system — fees collected —**  
6 **liability.**

7 1. The governing board of the electronic services system  
8 shall create and implement a statewide electronic county land  
9 record management system for the following purposes:

10 a. Enable electronic filing to record documents.

11 b. Provide electronic access to recorded documents to the  
12 public.

13 c. Receive electronic payments to process electronic  
14 documents for recording.

15 d. Implement security and redaction systems to protect  
16 personally identifiable information.

17 e. Integrate with other appropriate real property filing or  
18 management systems.

19 f. Establish standards for processing, recording, indexing,  
20 accessing, and archiving documents for electronic county land  
21 record management systems.

22 g. Develop a notification system to inform a user when  
23 electronic filings or records are associated with the user's  
24 name, identified property, or other recorded filing information.

25 2. The electronic services system may collect a fee of  
26 not more than three dollars per recorded document to receive  
27 and process electronic documents for recording. An additional  
28 service charge may be added for credit or debit card payments.  
29 The moneys collected from fees to receive and process electronic  
30 documents for recording shall be used for the purposes specified  
31 in subsection 1. The electronic services system shall collect  
32 only statutorily authorized fees for land records management  
33 and shall not collect a fee for viewing, accessing, or  
34 printing documents in the statewide electronic county land record  
35 management system unless specifically authorized by statute. The

1 electronic services system shall not provide access to electronic  
2 filings or records on a batch basis.

3 3. Each county shall participate in the electronic services  
4 system and shall comply with the policies and procedures  
5 established by the governing board of the electronic services  
6 system. The board of supervisors of each county, on behalf of  
7 each county recorder, may vote to amend the chapter 28E agreement  
8 with other counties to provide for the ongoing implementation of  
9 the electronic services system as required by 2005 Iowa Acts,  
10 ch. 179, §101, as amended by 2021 Iowa Acts, ch. 126, §2, and  
11 this Act.

12 4. The electronic services system is a unit of local  
13 government for purposes of chapter 670. However, a person  
14 who has contracted with the governing board of the electronic  
15 services system to carry out the duties of the board is not an  
16 employee for purposes of chapter 670.

17 Sec. 6. Section 331.606, subsections 1 and 2, Code 2025, are  
18 amended to read as follows:

19 1. a. In addition to the information required in section  
20 331.606B, subsection 2, section 558.49, and other requirements  
21 specified by law, the recorder shall note in the electronic  
22 county land record management system the date of filing of each  
23 instrument, the number and character, type, or title of the  
24 instrument, and the name of each grantor and grantee named in the  
25 instrument. In numbering the When assigning reference numbers to  
26 documents or instruments, the recorder may start with the number  
27 one immediately following the date of annual settlement with the  
28 board and continue to number them consecutively until the next  
29 annual settlement with the board or the recorder may shall start  
30 with number one on the first working day of the calendar year  
31 and continue to number the instruments consecutively until the  
32 last working day of the calendar year. Reference numbers shall  
33 include only numbers, contain no more than eight digits, and the  
34 county two-digit number and four-digit year must precede each  
35 reference number. The recorder may also assign a book or page

1 number to the reference number.

2 b. Associated and antecedent recording references shall be  
3 indexed with the recorded document.

4 c. A parcel identification number shall be referenced if  
5 known and shall not be modified unless the modification is  
6 necessary to correct an error.

7 d. A legal description and parsed location information shall  
8 be indexed if known. For platted land, the indexed information  
9 shall include the lot, block, subdivision name, city or township,  
10 and county. For unplatted land, the indexed information shall  
11 include the section, township, range, and quarter section.  
12 Indexing quarters of a quarter section is recommended but not  
13 required.

14 e. Any additional parcel identifier shall be indexed as an  
15 additional parcel identifier in the electronic services system.

16 2. The recorder shall also note in the index the exact ~~time~~  
17 hour, minute, and second of the filing recording of each document  
18 or instrument.

19 Sec. 7. Section 331.606A, subsections 3 and 4, Code 2025, are  
20 amended to read as follows:

21 3. *Redaction from electronic documents.* Personally  
22 identifiable information that is contained in electronic  
23 documents that are displayed for public access on an internet  
24 site, or ~~which~~ that are transferred to any person, shall be  
25 redacted prior to displaying or transferring the documents.  
26 Each recorder that displays electronic documents and the ~~county~~  
27 ~~land record information~~ electronic services system that displays  
28 electronic documents on behalf of a county shall implement  
29 a system for redacting personally identifiable information.  
30 The recorder and the governing board of the ~~county land~~  
31 ~~record information~~ electronic services system shall establish  
32 a procedure by which individuals may request that personally  
33 identifiable information contained in an electronic document  
34 displayed on an internet site be redacted, at no fee to the  
35 requesting individual. ~~The requirements of this subsection shall~~

1 ~~be fully implemented not later than December 31, 2011.~~

2 4. *Dissemination of documents.* Persons who have contracted  
3 with a county recorder or the governing board of the county  
4 ~~land record information~~ electronic services system to redact  
5 personally identifiable information from electronic documents  
6 pursuant to subsection 3 shall not sell, transfer, or otherwise  
7 disseminate the electronic documents in an unaltered or redacted  
8 form, except as provided for in the contract.

9 Sec. 8. Section 331.606A, subsection 7, Code 2025, is amended  
10 by striking the subsection and inserting in lieu thereof the  
11 following:

12 7. *Redaction of names.* Upon request by a peace officer, as  
13 defined in section 801.4, civilian employee of a law enforcement  
14 agency, or state or federal judicial officer or state or federal  
15 prosecutor, the county assessor or the county assessor's staff,  
16 or the county recorder or the county recorder's staff, shall  
17 redact the requestor's name contained in electronic documents  
18 that are displayed for public access through an internet site.  
19 Upon request by a former peace officer, as defined in section  
20 801.4, or a former civilian employee of a law enforcement agency,  
21 the county assessor or the county assessor's staff, or the  
22 county recorder or the county recorder's staff, may redact,  
23 upon the presentation of evidence that a compelling safety  
24 interest is served by doing so, the requestor's name contained in  
25 electronic documents that are displayed for public access through  
26 an internet site. This subsection does not apply to a requestor  
27 holding or seeking public office. The county assessor and the  
28 county recorder shall implement a process without charging a fee  
29 to facilitate requests pursuant to this subsection.

30 Sec. 9. Section 331.606B, subsection 1, Code 2025, is amended  
31 to read as follows:

32 1. ~~Except as otherwise provided in subsection 7, the county~~  
33 ~~recorder shall refuse any document or instrument presented~~  
34 ~~for recording~~ To ensure that recorded documents are legible  
35 and contain all required information in order to facilitate a

1 permanent record that can be properly archived and indexed, a  
2 recorder may decline to record a document or instrument that does  
3 not meet the following requirements:

4 a. Each document or instrument shall consist of one or more  
5 individual pages ~~not permanently bound or~~ in a continuous form.  
6 The For purposes of this paragraph, "continuous form" means  
7 individual one-sided pages. A physical document or instrument  
8 presented for filing shall not have any attachment be permanently  
9 bound, stapled, taped, or otherwise affixed to any page except  
10 as necessary to comply with statutory requirements and must  
11 contain text or graphics on only one side. However, the The  
12 individual pages of a document or instrument may be stapled  
13 clipped together for presentation for recording. A document or  
14 instrument containing a label that is firmly attached with a bar  
15 code or return address may be accepted for recording.

16 b. All ~~preprinted~~ text shall must be legible and the font at  
17 least eight ten point in size and no more than twenty characters  
18 and spaces per inch, except that the font may be eight point in  
19 size if the document is a plat or survey. All other text typed  
20 or computer generated, including but not limited to all names  
21 of parties to an agreement, shall be at least ten point in size  
22 and no more than sixteen characters and spaces per inch. If a  
23 document or instrument, other than a plat or survey or a drawing  
24 related to a plat or survey, presented for recording contains  
25 type smaller than eight point type for the preprinted text and  
26 ten point type for all other text, the document or instrument  
27 shall be accompanied by an exact typewritten or printed copy that  
28 meets the requirements of this section.

29 c. Each document shall be of sufficient legibility to produce  
30 a clear reproduction. ~~If a~~ A document or instrument, other than  
31 a plat or survey or a drawing related to a plat or survey, that  
32 is not fully or partially sufficiently legible to produce a clear  
33 reproduction, the document or instrument shall be accompanied by  
34 an exact typewritten or printed copy that meets the type size  
35 requirements of paragraph "b" and shall a legible copy of the

1 full or partial page, which will be recorded contemporaneously as  
2 additional pages of the document or instrument.

3 ~~d. Each A physical document or instrument, other than a plat~~  
4 ~~or survey or a drawing related to a plat or survey, shall must~~  
5 be on standard white paper of not less than twenty-pound weight  
6 without watermarks or other visible ~~inclusions~~ markings. All  
7 ~~text within the document or instrument shall be of sufficient~~  
8 ~~color and clarity to ensure that the text is readable when~~  
9 ~~reproduced from the record.~~

10 e. All signatures on a document or instrument shall be in  
11 black or dark blue ink and ~~of sufficient color and clarity to~~  
12 ~~ensure that the signatures are readable~~ discernible when the  
13 document or instrument is reproduced from the record. The  
14 corresponding name shall must be typed, printed, or stamped  
15 beneath the original signature. The ~~typing or printing of a name~~  
16 ~~or the application of an embossed or inked stamp shall not cover~~  
17 ~~or otherwise~~ materially interfere with any part of the document  
18 or instrument except ~~where~~ when provided by law. Failure to  
19 ~~print or type~~ signatures as provided in this paragraph does not  
20 invalidate the document or instrument.

21 f. The first page of each document or instrument, other than  
22 a plat or survey or a drawing related to a plat or survey, shall  
23 have a top margin of at least ~~three inches of vertical space from~~  
24 ~~left to right which shall be reserved~~ one-half of one inch. If  
25 the document or instrument does not include a cover page, then  
26 there must be a blank rectangular space with the dimensions of  
27 three and three-fourths inches in width and two and one-half  
28 inches in height adjacent to the margin on the first page and  
29 designated for the recorder's use. All other margins on the  
30 document or instrument shall be a minimum of three-fourths of  
31 one inch. Nonessential information including but not limited to  
32 form numbers, page numbers, or customer notations may be placed  
33 in a margin except the top margin. The recorder shall not incur  
34 any liability for not showing a seal or information that extends  
35 beyond the margin of the permanent archival record.

1 g. ~~Each~~ A document or instrument presented for recording  
2 ~~shall meet the requirements of section 331.606A, subsection 2~~  
3 ~~not include personally identifiable information unless redacted~~  
4 ~~in accordance with section 331.606A, subsection 3.~~

5 Sec. 10. Section 331.606B, subsection 2, unnumbered paragraph  
6 1, Code 2025, is amended to read as follows:

7 Each document or instrument, other than a plat or survey or  
8 a drawing related to a plat or survey, that is presented for  
9 recording shall contain the following information on the first  
10 page ~~below the three-inch margin~~ or on a cover page:

11 Sec. 11. Section 331.606B, subsection 2, paragraphs a, d, and  
12 i, Code 2025, are amended to read as follows:

13 a. The name, address, and either the telephone number or  
14 email address of the individual who prepared the document, or the  
15 contact information for an individual familiar with the document  
16 or instrument who is able to address questions from the recorder.

17 d. The title or type of the document or instrument.

18 i. ~~A document or instrument number for statutory requirements~~  
19 Associated and antecedent recording references, if applicable.

20 Sec. 12. Section 331.606B, subsection 3, Code 2025, is  
21 amended to read as follows:

22 3. A cover page meeting the requirements of section 331.606B,  
23 subsection 1, may be included with the document or instrument  
24 and will be recorded contemporaneously as an additional page of  
25 the document or instrument. If insufficient space exists on  
26 the first page or the cover page for all of the information  
27 described in subsection 2, the person presenting the document  
28 for recording must identify on the first page or the cover page  
29 a page reference of for the document or instrument where the  
30 required information is located shall be noted on the first page  
31 can be located.

32 Sec. 13. Section 331.606B, subsection 4, Code 2025, is  
33 amended by striking the subsection and inserting in lieu thereof  
34 the following:

35 4. A recording of a document or instrument evidencing a

1 transaction for the conveyance or assignment of property,  
2 transactions related to the property's financing, or a release  
3 of a legal or financial obligation on the property applies  
4 solely to the parties identified and participating in the  
5 recorded transaction and not any other party concerning any other  
6 transaction.

7 Sec. 14. Section 331.606B, subsection 6, Code 2025, is  
8 amended to read as follows:

9 6. A physical document or instrument ~~rejected~~ declined for  
10 recording by a recorder shall be returned to the preparer  
11 or presenter accompanied by ~~an explanation of the reason~~  
12 for rejection declining the document or instrument and any  
13 information necessary to correct the defect. A person who files  
14 an electronic document or instrument declined for recording by  
15 a recorder shall be notified by the recorder that the document  
16 or instrument has been declined, the reason the document or  
17 instrument has been declined, and any information necessary to  
18 correct the defect. If the recording fee for an electronic  
19 document or instrument was calculated and processed incorrectly,  
20 the person who filed the document or instrument shall be notified  
21 of the error and the reason for the fee adjustment by the  
22 recorder.

23 Sec. 15. Section 331.606B, subsection 7, Code 2025, is  
24 amended by striking the subsection.

25 Sec. 16. **NEW SECTION. 331.612 Recording of surveys.**

26 1. Notwithstanding section 331.606B, the following document  
27 or document formatting standards shall apply to surveys submitted  
28 by licensed professional land surveyors for recording:

29 a. All text must be legible and the font at least eight point  
30 in size.

31 b. All text font, signatures, and drawings must have  
32 sufficient weight, contrast, and darkness to produce a clear  
33 reproduction.

34 c. A survey presented to a recorder or submitted  
35 electronically through the electronic services system must be on

1 standard white paper with a width of not larger than twenty-four  
2 inches and a length of not larger than thirty-six inches without  
3 watermarks or other visible markings. A larger survey document  
4 that is scanned or digitized must be legible and maintain the  
5 original scale of the document in order to be accepted.

6 d. The survey must contain an index legend as outlined in  
7 subsection 2.

8 e. A survey must provide a cover page or a blank rectangular  
9 space on the first page with the dimensions of three and  
10 three-fourths inches in width and two and one-half inches in  
11 height designated for the recorder's use.

12 2. A survey must contain an index legend consisting of a  
13 compact table or a grid with lines that provides the following  
14 information:

15 a. County name.

16 b. A legal description and parsed location information.  
17 For platted land, the indexed information shall include the  
18 lot, block, subdivision name, city or township, and county.  
19 For unplatted land, the indexed information shall include the  
20 section, township, range, and quarter section. Indexing quarters  
21 of a quarter section is recommended but not required.

22 c. The parcel identification number and additional parcel  
23 identifier, if applicable.

24 d. Proprietor's name.

25 e. Requester's name.

26 f. Associated reference numbers for previously recorded  
27 surveys.

28 g. The surveyor's name, address, and phone number or email  
29 address.

30 h. Information necessary for the county recorder to return  
31 the survey document.

32 i. If the survey document is a monument preservation  
33 certificate, the name of the government entity requesting the  
34 certification in accordance with section 355.6A.

35 Sec. 17. Section 354.18, subsection 2, Code 2025, is amended

1 to read as follows:

2 2. The recorder shall examine each plat of survey and  
3 subdivision plat to determine whether the plat is clearly legible  
4 and whether the approval by the applicable governing body and  
5 the other attachments required by this chapter are presented with  
6 the plat. The recorder shall also keep a reproducible physical  
7 or electronic copy of the plat from which legible copies can  
8 be made. ~~The~~ When a physical plat is presented for recording,  
9 the recorder may specify the material and the size of the plat,  
10 accepted for recording as long as the document is not less than  
11 eight and one-half inches in width by eleven inches, ~~that will~~  
12 ~~be accepted for recording in order to comply with this section~~  
13 in height. The recorder must accept a plat or subdivision plat  
14 meeting the requirements of section 355.7, 355.7A, or 355.8,  
15 respectively, submitted electronically through the electronic  
16 services system. The recorder shall not record a subdivision  
17 plat that violates this chapter.

18 Sec. 18. Section 355.6A, subsection 4, paragraphs a and b,  
19 Code 2025, are amended to read as follows:

20 a. The monument preservation certificate shall be filed with  
21 the county recorder ~~pursuant to section 331.606B, subsection 5,~~  
22 no later than thirty days after the certificate is signed by the  
23 surveyor.

24 b. The county recorder shall index the monument preservation  
25 certificate according to the township, range, section number,  
26 and quarter section ~~on~~ in which the monument is located ~~within~~.  
27 If the monument is located within an official plat, the county  
28 recorder shall also index the certificate alphabetically by the  
29 official plat name.

30 Sec. 19. Section 355.6A, subsection 4, paragraph c, Code  
31 2025, is amended by striking the paragraph.

32 Sec. 20. Section 355.12, Code 2025, is amended to read as  
33 follows:

34 **355.12 Indexing of survey documents by recorder.**

35 The recorder shall index survey documents and United States

1 public land corner certificates submitted in accordance with  
2 section 331.612, subsection 2, paragraph "b", by township, range,  
3 and section number. If the survey is in a recorded subdivision,  
4 the recorder shall also index the document alphabetically by  
5 subdivision name.

6 Sec. 21. Section 670.2, subsection 2, Code 2025, is amended  
7 to read as follows:

8 2. For the purposes of this chapter, "employee" includes a  
9 person who performs services for a municipality whether or not  
10 the person is compensated for the services, unless the services  
11 are performed only as an incident to the person's attendance at  
12 a municipality function. "Employee" does not include contractors  
13 employed by the governing board of the electronic services system  
14 to provide services in accordance with section 331.605B.

15 Sec. 22. 2005 Iowa Acts, chapter 179, section 101, subsection  
16 1, as amended by 2021 Iowa Acts, chapter 126, section 2, is  
17 amended to read as follows:

18 1. The board of supervisors of each county, on behalf of each  
19 county recorder, shall execute a chapter 28E agreement with the  
20 other counties for the implementation of the ~~county land record~~  
21 information electronic services system to create and implement a  
22 statewide electronic county land record management system.

23 Sec. 23. TRANSITION. Any moneys remaining in each county's  
24 county recorder's records management fund, as described in  
25 section 331.604, subsection 2, paragraph "a", Code 2025, as of  
26 the effective date of this Act shall be transferred to the  
27 respective county's recorder's technology advancement fund, as  
28 described in section 331.604, subsection 2, as amended by this  
29 Act. Any moneys remaining in each county's county recorder's  
30 electronic transaction fund, as described in section 331.604,  
31 subsection 3, paragraph "c", Code 2025, as of the effective  
32 date of this Act shall be transferred to the respective county's  
33 recorder's electronic services system fund, as described in  
34 section 331.604, subsection 4, as amended by this Act. Any  
35 moneys remaining in the local government electronic transaction

1 fund, as described in section 331.604, subsection 3, paragraph  
2 "d", Code 2025, after the effective date of this Act are  
3 appropriated to the treasurer of state to be used by the  
4 treasurer of state to assist the governing board of the  
5 electronic services system in accomplishing the purposes stated  
6 in section 331.605B, subsection 1, as amended by this Act.

7 Sec. 24. EFFECTIVE DATE. The following takes effect January  
8 1, 2026:

9 The portion of the section of this Act amending section  
10 331.606, subsection 1.

11 EXPLANATION

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

14 This bill relates to certain required document criteria  
15 to file documents and instruments with county recorders, fees  
16 paid for recording documents, funds created for recorders and  
17 the electronic services system and associated authorization  
18 for spending moneys in those funds for certain purposes, the  
19 creation of the electronic services system, organized by an  
20 agreement pursuant to Code chapter 28E (28E agreement), and  
21 the electronic filing system used to accept, manage, and make  
22 available county recorder filings electronically. Under current  
23 law, county recorders are required to execute a 28E agreement  
24 with other counties to implement a county land record information  
25 system in accordance with 2005 Iowa Acts, chapter 179, section  
26 101, subsection 1, as amended by 2021 Iowa Acts, chapter 126,  
27 section 2. The bill amends this provision to require county  
28 recorders to enter into a 28E agreement to create and implement  
29 the electronic services system, a statewide electronic county  
30 land record management system. The bill defines "electronic  
31 services system" as the organization formed under the 28E  
32 agreement. The electronic services system is also the name of  
33 the actual electronic system implemented to accept, manage, and  
34 make available records filed with a county recorder.

35 Several sections of Code chapter 331, subchapter V, part 3,

1 pertaining to the county recorder are amended to specify certain  
2 requirements for documents or instruments submitted to a county  
3 recorder for filing either in person or electronically. Many  
4 of these requirements pertain to required recording references,  
5 indexing, formatting, text, margin sizes, and document size  
6 limitations with an emphasis on legibility. References to the  
7 county land record information system are removed throughout Code  
8 chapter 331 and replaced with "electronic services system".

9 Under current law, in addition to the \$5 county recorders  
10 collect for each page of a document or instrument filed in  
11 the county recorder's office, \$1 is collected for the county  
12 recorder's records management fund, and \$1 is collected for the  
13 county recorder's electronic transaction fund. The bill changes  
14 the fees to a flat fee of \$10 for each page filed or recorded  
15 in the recorder's office, with a maximum recording fee of \$500  
16 for 50 or more pages filed. From the total fee of \$10 per  
17 page of a document or instrument filed with a recorder, \$2 is  
18 transferred to the recorder's technology advancement fund and \$3  
19 is transferred to the recorder's electronic services system fund.

20 The bill eliminates the county recorder's records management  
21 funds and creates recorder's technology advancement funds to  
22 be used for the following purposes: maintaining and improving  
23 equipment, software, and systems; preserving and maintaining  
24 archived physical and electronic documents or instruments;  
25 converting physical documents to electronic documents; and  
26 education and training for advancing technology. The bill  
27 eliminates the county recorder's electronic transaction funds  
28 and creates recorder's electronic services funds. By the first  
29 day of each month, the treasurer shall transfer the moneys  
30 deposited into the recorder's electronic services system fund  
31 to an account in a financial institution designated by the  
32 governing board of the electronic services system to be used  
33 as outlined in new Code section 331.605B for the following  
34 purposes: to enable electronic filing for recording documents;  
35 to provide electronic access to recorded public documents; to

1 receive electronic payments to process electronic documents  
2 for recording; to implement security and redaction systems to  
3 protect personally identifiable information; to integrate with  
4 other appropriate real property filing or management systems;  
5 to establish standards for processing, recording, indexing,  
6 accessing, and archiving documents for electronic county land  
7 record management systems; and to develop a notification system  
8 for users when electronic filings or records are associated with  
9 the user's name, property, or other recorded filing information.  
10 The recorder or the electronic services system shall make  
11 available any information required by the county auditor or  
12 auditor of state concerning the moneys collected from fees and  
13 the uses for which such fees are expended.

14 The county treasurer must transfer moneys remaining in the  
15 county recorder's records management fund to the recorder's  
16 technology advancement fund and moneys remaining in the  
17 county recorder's electronic transaction fund to the recorder's  
18 electronic services fund on the effective date of the bill. The  
19 bill provides that any moneys remaining in the local government  
20 electronic transaction fund after the effective date of the  
21 bill are appropriated to the treasurer of state to be used by  
22 the treasurer of state to assist the governing board of the  
23 electronic services system in accomplishing the purposes stated  
24 in Code section 331.605B(1).

25 The electronic services system may collect a fee of not more  
26 than \$3 per recorded document, along with any service charges  
27 associated with a credit or debit card payment, to receive and  
28 process a document or instrument. Moneys collected from these  
29 fees by the electronic services system must be used for the  
30 same purposes as the recorder's electronic services fund. The  
31 electronic services system cannot charge a fee for viewing,  
32 accessing, or printing records and cannot provide access to  
33 records on a batch basis.

34 The bill limits tort liability of government subdivisions  
35 by excluding contractors hired by the governing board of the

1 electronic services systems from government employees.

2 The bill creates a process for a county recorder to decline  
3 acceptance of a physical or electronic document and to provide  
4 information to the filer to correct the defect. A recorder's  
5 ability to collect an additional recording fee of \$10 per  
6 document to accept nonconforming documents is eliminated.

7 The information required to be included by a recorder who is  
8 filing and indexing documents or instruments into the electronic  
9 county land record management system is outlined and includes how  
10 reference numbers must be determined and applied to filings each  
11 calendar year, the use of only numeric references containing no  
12 more than eight digits preceded by a county two-digit code and  
13 four-digit year, and indexing requirements for certain recorded  
14 documents associated with the recording. Additionally, the  
15 following shall be indexed if known: a parcel identification  
16 number; a legal description and parsed location information  
17 including platted and unplatted information; and any additional  
18 parcel identifiers used by a recorder. The indexing and  
19 recording requirements outlined in the bill take effect January  
20 1, 2026. Additionally, a recorder must note in the index the  
21 exact hour, minute, and second a document or instrument is  
22 recorded.

23 The bill provides for the recording of surveys in new Code  
24 section 331.612. Specific text sizing and formatting along  
25 with page sizing, index legend requirements, and other required  
26 information for surveys, plats, subdivision plats, and monument  
27 preservation certificates, with an emphasis on legibility, are  
28 provided. The recorder must accept a plat or subdivision plat  
29 that meets the requirements outlined in Code section 355.7,  
30 355.7A, or 355.8 submitted electronically through the electronic  
31 services system. The bill also provides for the use of cover  
32 pages when submitting the information required in Code section  
33 331.606B(2) and outlines the location on the first page where  
34 the information must be provided when filing a document with  
35 the county recorder along with providing guidelines for including

1 designated space for a county recorder's use.

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