

Senate File 2349 - Introduced

SENATE FILE 2349
BY SWEENEY

A BILL FOR

1 An Act relating to drainage districts and levees, including
2 district parcel records.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 468.27, subsection 3, paragraph a, Code
2 2026, is amended to read as follows:

3 a. When the county auditor first receives either the survey
4 and report, or a permanent survey, plat, and profile, as provided
5 in subsection 2, the county auditor shall prepare and file with
6 the county recorder, or make available on a public internet site,
7 a district parcel record that identifies all parcels contained
8 within the district that is part of the county. The parcel
9 record filed by the county auditor with the county recorder
10 must also include the legal description, parcel identification
11 number, if known, and names of the owners as shown in transfer
12 books in the office of the auditor, for each forty-acre tract or
13 fraction thereof. The county auditor shall provide the county
14 recorder with any amendment to the district parcel record within
15 a reasonable period after receiving the amendment. A county
16 shall not charge a district a filing fee or any other cost or
17 expense under this subsection, including an expense described in
18 section 468.154.

19 EXPLANATION

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

22 Under Code chapter 468 (levee and drainage districts and
23 improvement), the board of supervisors has the authority to
24 establish a drainage district or to locate and establish a
25 levee. Upon establishment of a district, the drainage district
26 is deemed to acquire a permanent easement for all necessary
27 rights-of-way for ditches, tile lines, settling basins, and
28 related improvements, unless acquired in fee simple. The
29 easement dimensions are reflected in the required surveys and
30 reports. Filing of the survey and related documents with the
31 county auditor constitutes constructive notice of the district's
32 rights. Upon receipt of the survey and related documents, the
33 county auditor must file with the county recorder a district
34 parcel record that identifies all parcels in the district that
35 are part of the county.

1 This bill allows the county auditor to either file the
2 district parcel record with the county recorder or make the
3 district parcel record available on a public internet site.

unofficial