

House File 2775 - Introduced

HOUSE FILE 2775

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 761)

A BILL FOR

1 An Act relating to a convenience fee for recording instruments
2 in a county by a person who is not a resident of the county.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321G.4, subsection 2, paragraph a, Code
2 2026, is amended to read as follows:

3 a. The owner of the snowmobile shall file an application for
4 registration with the department through the county recorder
5 of the county of residence in the manner established by the
6 commission. The application shall be completed by the owner
7 and shall be accompanied by a fee of thirty dollars and a
8 writing fee in accordance with [section 321G.27](#). In addition,
9 the county recorder may charge a convenience fee in accordance
10 with section 331.604, subsection 1, paragraph "b". A snowmobile
11 shall not be registered by the county recorder until the
12 county recorder is presented with receipts, bills of sale,
13 or other satisfactory evidence that the sales or use tax has
14 been paid for the purchase of the snowmobile or that the
15 owner is exempt from paying the tax. A snowmobile that has
16 an expired registration certificate from another state may be
17 registered in this state upon proper application, payment of
18 all applicable ~~registration and writing~~ fees, and payment of a
19 penalty of five dollars.

20 Sec. 2. Section 321I.4, subsection 2, paragraph a, Code
21 2026, is amended to read as follows:

22 a. The owner of the all-terrain vehicle shall file an
23 application for registration with the department through the
24 county recorder of the county of residence, or in the case
25 of a nonresident owner, in the county of primary use, in
26 the manner established by the commission. The application
27 shall be completed by the owner and shall be accompanied
28 by a fee of fifteen dollars and a writing fee as provided
29 in [section 321I.29](#). In addition, the county recorder may
30 charge a convenience fee in accordance with section 331.604,
31 subsection 1, paragraph "b". An all-terrain vehicle shall
32 not be registered by the county recorder until the county
33 recorder is presented with receipts, bills of sale, or other
34 satisfactory evidence that the sales or use tax has been paid
35 for the purchase of the all-terrain vehicle or that the owner

1 is exempt from paying the tax. An all-terrain vehicle that has
2 an expired registration certificate from another state may be
3 registered in this state upon proper application, payment of
4 all applicable ~~registration and writing~~ fees, and payment of a
5 penalty of five dollars.

6 Sec. 3. Section 331.604, subsection 1, Code 2026, is amended
7 to read as follows:

8 1. a. Except as otherwise provided by state law, paragraph
9 "b" of this subsection, subsection 4, or section 331.605, the
10 recorder shall collect a fee of five dollars for each page or
11 fraction of a page of an instrument ~~which~~ that is filed or
12 recorded in the recorder's office. If a page or fraction of
13 a page contains more than one transaction, the recorder shall
14 collect the fee for each transaction.

15 b. The recorder may also charge, in addition to any other
16 fee imposed by law, a convenience fee for the filing or
17 recording of an instrument for a person who is not a resident
18 of the county, unless that person pays property tax to the
19 county and provides proof of payment such as a receipt as
20 provided in section 445.5, subsection 6, or another form of
21 proof as determined by the county. The recorder shall not
22 charge a convenience fee in excess of ten dollars. All moneys
23 collected pursuant to this paragraph shall be deposited into
24 the county recorder's records management fund and used for the
25 purposes described in subsection 2, paragraph "b".

26 Sec. 4. Section 462A.5, subsection 1, paragraph a, Code
27 2026, is amended to read as follows:

28 a. The owner of the vessel shall file an application for
29 registration with the appropriate county recorder on forms
30 provided by the commission. The application shall be completed
31 and signed by the owner of the vessel and shall be accompanied
32 by the appropriate fee, and the writing fee specified in
33 section 462A.53. In addition, the county recorder may charge a
34 convenience fee in accordance with section 331.604, subsection
35 1, paragraph "b". Upon applying for registration, the owner

1 shall display a bill of sale, receipt, or other satisfactory
2 proof of ownership as provided by the rules of the commission
3 to the county recorder. If the county recorder is not
4 satisfied as to the ownership of the vessel or that there are
5 no undisclosed security interests in the vessel, the county
6 recorder may register the vessel but shall, as a condition of
7 issuing a registration certificate, require the applicant to
8 follow the procedure provided in [section 462A.5A](#). Upon receipt
9 of the application in approved form accompanied by the required
10 fees, the county recorder shall enter it upon the records
11 of the recorder's office and shall issue to the applicant a
12 pocket-size registration certificate. The certificate shall
13 be executed and delivered to the owner. The county recorder
14 shall maintain an electronic record of each registration
15 certificate issued by the county recorder under [this chapter](#).
16 The registration certificate shall bear the number awarded
17 to the vessel, the passenger capacity of the vessel, and the
18 name and address of the owner. In the use of all vessels
19 except nonpowered sailboats, nonpowered canoes, and commercial
20 vessels, the registration certificate shall be carried either
21 in the vessel or on the person of the operator of the vessel
22 when in use. In the use of nonpowered sailboats, nonpowered
23 canoes, or commercial vessels, the registration certificate
24 may be kept on shore in accordance with rules adopted by the
25 commission. The operator shall exhibit the certificate to a
26 peace officer upon request or, when involved in an occurrence
27 of any nature with another vessel or other personal property,
28 to the owner or operator of the other vessel or personal
29 property.

30

EXPLANATION

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

33 This bill allows a county recorder to charge, in addition to
34 any other fee imposed by law, a convenience fee for the filing
35 or recording of an instrument, including the filing of an

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1 application for the registration of a snowmobile, all-terrain
2 vehicle, or vessel, for a person who is not a resident of the
3 county, unless that person pays property tax to the county and
4 provides proof of payment. The recorder shall not charge a
5 convenience fee in excess of \$10. Moneys collected from the
6 assessment of a convenience fee pursuant to the bill shall be
7 deposited in the county's county recorder's records management
8 fund and used for specified purposes.