

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:

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
5 provided in subsection 2, the county auditor shall prepare and
6 file with the county recorder, or make available on a public
7 internet site, a district parcel record that identifies all
8 parcels contained within the district that is part of the
9 county. The parcel record filed by the county auditor with the
10 county recorder must also include the legal description, parcel
11 identification number, if known, and names of the owners as
12 shown in transfer books in the office of the auditor, for each
13 forty-acre tract or fraction thereof. The county auditor shall
14 provide the county recorder with any amendment to the district
15 parcel record within a reasonable period after receiving the
16 amendment. A county shall not charge a district a filing fee
17 or any other cost or expense under this subsection, including
18 an expense described in 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
31 the county auditor constitutes constructive notice of the
32 district's rights. Upon receipt of the survey and related
33 documents, the county auditor must file with the county
34 recorder a district parcel record that identifies all parcels
35 in the district that are part of the county.

S.F. 2349

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.