

# Senate File 402 - Reprinted

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 281)  
(SUCCESSOR TO SSB 1215)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the assessment and collection of penalty, fee,  
2 and interest charges imposed for the late payment of building  
3 code penalties, fines, and inspection and enforcement fees.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2215SZ 81  
6 eg/sh/8

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1 1 Section 1. Section 364.17, subsection 3, paragraph a, Code  
1 2 2005, is amended to read as follows:  
1 3 a. A schedule of civil penalties or criminal fines for  
1 4 violations. A city may charge the owner of housing a late  
1 5 payment fee of twenty-five dollars and may add interest of up  
1 6 to one and one-half percent per month if a penalty or fine  
1 7 imposed under this paragraph is not paid within thirty days of  
1 8 the date that the penalty or fine is due. The city shall send  
1 9 a notice of the late payment fee to such owner by first class  
1 10 mail to the owner's personal or business mailing address. The  
1 11 late payment fee and the interest shall not accrue if such  
1 12 owner files an appeal with either the city, if the city has  
1 13 established an appeals procedure, or the district court. Any  
1 14 unpaid penalty, fine, fee, or interest shall constitute a lien  
1 15 on the real property and may be collected in the same manner  
1 16 as a property tax. However, before a lien is filed, the city  
1 17 shall send a notice of intent to file a lien to the owner of  
1 18 housing by first class mail to such owner's personal or  
1 19 business mailing address.  
1 20 Sec. 2. Section 364.17, subsection 5, Code 2005, is  
1 21 amended to read as follows:  
1 22 5. Cities may establish reasonable fees for inspection and  
1 23 enforcement procedures. A city may charge the owner of  
1 24 housing a late payment penalty of twenty-five dollars and may  
1 25 add interest of up to one and one-half percent per month if a  
1 26 fee imposed under this subsection is not paid within thirty  
1 27 days of the date that the fee is due. The city shall send a  
1 28 notice of the late payment penalty to such owner by first  
1 29 class mail to the owner's personal or business mailing  
1 30 address. The late payment penalty and the interest shall not  
1 31 accrue if such owner files an appeal with either the city, if  
1 32 the city has established an appeals procedure, or the district  
1 33 court. Any unpaid fee, penalty, or interest shall constitute  
1 34 a lien on the real property and may be collected in the same  
1 35 manner as a property tax. However, before a lien is filed,  
2 1 the city shall send a notice of intent to file a lien to the  
2 2 owner of housing by first class mail to such owner's personal  
2 3 or business mailing address.  
2 4 SF 402  
2 5 eg:rj/cc/26