

**House File 837 - Reprinted**

HOUSE FILE 837

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 520)

(SUCCESSOR TO HSB 97)

(COMPANION TO SF 441 BY

COMMITTEE ON LOCAL GOVERNMENT)

(As Amended and Passed by the House March 25, 2021)

**A BILL FOR**

- 1 An Act relating to the use of fees collected by a county
- 2 recorder or governing board of the county land record
- 3 information system for processing and recording instruments.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.604, subsection 3, paragraph b, Code  
2 2021, is amended to read as follows:

3 ~~b. (1) For the period beginning July 1, 2004, and ending~~  
4 ~~June 30, 2009, the county recorder shall also collect a fee of~~  
5 ~~one dollar for each recorded transaction, regardless of the~~  
6 ~~number of pages, for which a fee is paid pursuant to subsection~~  
7 ~~1 to be used for the purpose set forth in paragraph "d".~~

8 ~~(2) For the period beginning July 1, 2009, and ending~~  
9 ~~June 30, 2011, the recorder shall also collect a fee of three~~  
10 ~~dollars for each recorded transaction, regardless of the number~~  
11 ~~of pages, for which a fee is paid pursuant to subsection 1 to be~~  
12 ~~used for the following purposes:~~

13 ~~(a) Maintaining the statewide internet site and the county~~  
14 ~~land record information system.~~

15 ~~(b) Integrating information contained in documents and~~  
16 ~~records maintained by the recorder and other land record~~  
17 ~~information from other sources with the county land record~~  
18 ~~information system.~~

19 ~~(c) Implementing and maintaining a process for redacting~~  
20 ~~personally identifiable information contained in electronic~~  
21 ~~documents that are displayed for public access through an~~  
22 ~~internet site or that are transferred to another person.~~

23 ~~(3) Beginning July 1, 2011, the The recorder shall also~~  
24 ~~collect a fee of one dollar for each recorded transaction,~~  
25 ~~regardless of the number of pages, for which a fee is paid~~  
26 ~~pursuant to subsection 1 to be used for the purposes in~~  
27 ~~subparagraph (2) and for the following purposes:~~

28 ~~(a) Establishing and implementing standards for recording,~~  
29 ~~processing, and archiving electronic documents and records.~~

30 ~~(b) Expanding access to records by encouraging electronic~~  
31 ~~indexing and scanning of documents and instruments recorded in~~  
32 ~~prior years.~~

33 ~~(b) Maintaining the statewide internet site and the county~~  
34 ~~land record information system.~~

35 ~~(c) Integrating information contained in documents and~~

1 records maintained by the recorder and other land record  
2 information from other sources with the county land record  
3 information system.

4 (d) Implementing and maintaining a process for redacting  
5 personally identifiable information contained in electronic  
6 documents that are displayed for public access through an  
7 internet site or that are transferred to another person.

8 ~~(4) (2) Notwithstanding subparagraph (2), the~~ The fee  
9 collected by the recorder under this subsection for recording  
10 a plat of survey is one dollar, regardless of the number of  
11 pages. For purposes of this subparagraph, "*plat of survey*"  
12 means the same as defined in section 355.1, subsection 9.

13 ~~(5) (3)~~ Fees collected in excess of the amount needed  
14 for the purposes specified in this subsection shall be used  
15 by the county land record information system to reduce or  
16 eliminate service fees for electronic submission of documents  
17 and instruments.

18 Sec. 2. Section 331.605B, subsection 2, Code 2021, is  
19 amended by striking the subsection and inserting in lieu  
20 thereof the following:

21 2. A recorder or the governing board of the county land  
22 record information system shall collect only statutorily  
23 authorized fees for land records management. The governing  
24 board of the county land record information system shall not  
25 collect a fee for viewing, accessing, or printing documents in  
26 the county land record information system unless specifically  
27 authorized by statute. The governing board of the county land  
28 record information system may collect a fee of not more than  
29 three dollars per recorded document for using the system to  
30 process electronic documents for recording. An additional  
31 service charge may be added for credit or debit card payments.  
32 Fees collected for the processing of electronic documents for  
33 recording may be used for the purposes specified in section  
34 331.604 and other purposes including but not limited to  
35 development, operation, and maintenance of the county land

1 record information system and internet sites, systems for  
2 electronic filing for recording, associated payment systems,  
3 security systems, the land records databases, methods for  
4 searching the databases, processes for the redaction of  
5 personally identifiable information posted for public online  
6 access, and processes for the integration of land records  
7 information with other property information systems.