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)
[= New Language by the House

A BILL FOR

An Act relating to the use of fees collected by a county recorder or governing board of the county land record information system for processing and recording instruments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

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

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

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

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

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

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

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

(c) Integrating information contained in documents and

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

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

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

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

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

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

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