

of suspension or termination. If vacations are due an employee under an agreement with the employer or a policy of the employer establishing pro rata vacation accrued, the increment shall be in proportion to the fraction of the year which the employee was actually employed.

Approved April 19, 1995

---

## CHAPTER 38

### PLACE OF FILING UPON ABOLITION OF COUNTY RECORDER

S.F. 9

**AN ACT** relating to the performance of duties of the office of recorder on abolition of the office and the filing of documents and providing an effective date and for retroactive applicability.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 331.610, Code 1995, is amended by striking the section and inserting in lieu thereof the following:

**331.610 ABOLITION OF OFFICE OF RECORDER – IDENTIFICATION OF OFFICE – PLACE OF FILING.**

If the office of county recorder is abolished in a county, the auditor of that county shall be referred to as the county auditor and recorder. After abolition of the office of county recorder, references in the Code requiring filing or recording of documents with the county recorder shall be deemed to require the filing in the office of the county auditor and recorder, and all duties of the abolished office of recorder shall be performed by the county auditor and recorder. However, the board of supervisors may direct that any of the duties of the abolished office of recorder prescribed in section 331.602, subsection 9, 10, 11, or 16, or section 331.605, subsection 1, 2, 3, or 4, shall be performed by other county officers or employees as provided in section 331.323.

**Sec. 2. FILINGS LEGALIZED.** Any instrument affecting interests in real property, fixtures, or personal property filed with the auditor of Woodbury county, Iowa, between January 1, 1995, and the effective date of this Act, both dates inclusive, shall be deemed to be properly filed and constitute constructive notice as if the office of the recorder of Woodbury county, Iowa, had not been abolished.

**Sec. 3. EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 19, 1995