

**CHAPTER 1149****COUNTY RECORDS**

S.F. 2270

**AN ACT** relating to county records, including the fees for recorded and electronic transactions and the confidentiality of veterans' military records maintained by the county recorder and providing an effective date.

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

Section 1. Section 331.605A, unnumbered paragraph 1, Code 2003, is amended to read as follows:

The recorder shall also collect a fee of one dollar for each recorded transaction for which a fee is paid pursuant to section 331.604 to be used exclusively for the purpose of preserving and maintaining public records. The treasurer, on behalf of the recorder, shall establish and maintain an interest-bearing account a county recorder's records management fund into which all moneys collected pursuant to this section shall be deposited. Interest earned on moneys deposited in the fund shall be credited to the county recorder's records management fund. The recorder shall use the moneys deposited in the ~~account~~ fund to produce and maintain public records that meet archival standards, and to enhance the technological storage, retrieval, and transmission capabilities related to archival quality records. The recorder may cooperate with other entities, boards, and agencies to establish methods of records management, and participate in other joint ventures which further the purposes of this paragraph.

Sec. 2. Section 331.605C, subsections 2, 3, and 4, Code Supplement 2003, are amended to read as follows:

2. Beginning July 1, 2004, the recorder shall collect a fee of one dollar for each recorded transaction, regardless of the number of pages, for which a fee is paid pursuant to section 331.604 to be used for the purpose of ~~paying the county's ongoing costs of maintaining the systems developed and implemented under set forth in~~ subsection ~~4~~.

3. The county treasurer, on behalf of the recorder, shall establish and maintain ~~an interest-bearing account~~ a county recorder's electronic transaction fund into which all moneys collected pursuant to subsections 1 and 2 shall be deposited. Interest earned on moneys deposited in this fund shall be computed based on the average monthly balance in the fund and shall be credited to the county recorder's electronic transaction fund.

4. The local ~~electronic~~ government electronic transaction fund is established in the office of the treasurer of state under the control of the treasurer of state. Moneys deposited into the fund are not subject to section 8.33. Notwithstanding section 12C.7, interest or earnings on moneys in the local ~~electronic~~ government electronic transaction fund shall be credited to the fund. Moneys in the local ~~electronic~~ government electronic transaction fund are not subject to transfer, appropriation, or reversion to any other fund, or any other use except as provided in this subsection. ~~The treasurer of state shall enter into a contract with the Iowa state association of counties affiliate representing county recorders to hold the fund for the development, implementation, and maintenance of a statewide internet website for purposes of providing electronic access to records and information recorded or filed by county recorders. On a monthly basis, the county treasurer shall pay one dollar of each fee collected pursuant to subsection 1 2 to the treasurer of state for deposit into the local electronic government electronic transaction fund. Moneys credited to the local electronic government electronic transaction fund are appropriated to the treasurer of state to be used for contract costs the purpose of paying the ongoing costs of maintaining the statewide internet website developed and implemented under subsection 1. This subsection is repealed June 30, 2004.~~

Sec. 3. Section 331.605C, subsection 5, Code Supplement 2003, is amended by striking the subsection.

Sec. 4. Section 331.608, subsection 6, paragraph e, Code Supplement 2003, is amended to read as follows:

e. When otherwise required by a department or agency of the federal or state government or a political subdivision thereof. The recorder shall make these records available to the commission of veterans affairs. The commission and its employees shall be subject to the same state and federal confidentiality restrictions and requirements that are imposed on the recorder.

Sec. 5. Section 331.608, subsection 6, paragraph f, Code Supplement 2003, is amended by striking the paragraph.

Sec. 6. EFFECTIVE DATE. Sections 2 and 3 of this Act, being deemed of immediate importance, take effect upon enactment.

Approved May 11, 2004

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## CHAPTER 1150

### CRIMES AND CRIMINAL SENTENCING

S.F. 2275

**AN ACT** relating to criminal sentencing practice and procedure.

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

Section 1. Section 902.12, unnumbered paragraph 1, Code Supplement 2003, is amended to read as follows:

A person serving a sentence for conviction of the following felonies, including a person serving a sentence for conviction of the following felonies prior to July 1, 2003, shall be denied parole or work release unless the person has served at least seven-tenths of the maximum term of the person's sentence:

Sec. 2. Section 906.15, unnumbered paragraph 1, Code 2003, is amended to read as follows:

Unless sooner discharged, a person released on parole shall be discharged when the person's term of parole equals the period of imprisonment specified in the person's sentence, less all time served in confinement. Discharge from parole may be granted prior to such time, when an early discharge is appropriate. The board shall periodically review all paroles, and when the board determines that any person on parole is able and willing to fulfill the obligations of a law-abiding citizen without further supervision, the board shall discharge the person from parole. A parole officer shall periodically review all paroles assigned to the parole officer, and when the parole officer determines that any person assigned to the officer is able and willing to fulfill the obligations of a law-abiding citizen without further supervision, the officer may discharge the person from parole after notification and approval of the district director and notification of the board of parole. In any event, discharge from parole shall terminate the person's sentence. However, a person convicted of a violation of section 709.3, 709.4 or 709.8 committed on or with a child, or a person serving a sentence under section 902.12, shall not be discharged from parole until the person's term of parole equals the period of imprisonment specified in the person's sentence, less all time served in confinement.