

331.604 Recording and filing fees.

1. Except as otherwise provided by state law, [subsection 4](#), or [section 331.605](#), the recorder shall collect a fee of five dollars for each page or fraction of a page of an instrument which is filed or recorded in the recorder's office. If a page or fraction of a page contains more than one transaction, the recorder shall collect the fee for each transaction.

2. *a.* The recorder shall also collect a fee of one dollar for each recorded transaction for which a fee is paid pursuant to [subsection 1](#) to be used exclusively for the purpose of preserving and maintaining public records. The treasurer, on behalf of the recorder, shall establish and maintain a county recorder's records management fund into which all moneys collected pursuant to [this subsection](#) 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 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 subsection](#).

b. Fees collected pursuant to [this subsection](#) shall be used to accomplish the following purposes:

(1) Preserve and maintain public records.

(2) Assist counties in reducing record preservation costs.

(3) Encourage and foster maximum access to public records maintained by county recorders at locations throughout the state.

(4) Establish plans for anticipated and possible future needs, including the handling and preservation of vital statistics.

3. *a.* Each county shall participate in the county land record information system and shall comply with the policies and procedures established by the governing board of the county land record information system.

b. (1) 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 following purposes:

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

(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.

(2) 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](#).

(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.

c. The county treasurer, on behalf of the recorder, shall establish and maintain a county recorder's electronic transaction fund into which all moneys collected pursuant to paragraph "b" 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.

d. The local 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 government electronic transaction fund shall be credited to the fund. Moneys in the local 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](#). On a monthly basis, the county treasurer shall pay the fees deposited into the county recorder's electronic transaction fund to the treasurer of state for deposit into the local government electronic transaction fund. Moneys credited to the local government electronic transaction fund are appropriated to the treasurer of state for the payment of claims approved by the governing board of the county land record information system. Except as otherwise provided in [this subsection](#), expenditures from the fund shall be for the purpose of planning and implementing electronic recording and electronic transactions in each county, developing county and statewide internet sites to provide electronic access to records and information, and to pay the ongoing costs of integrating and maintaining the statewide internet site.

e. The recorder shall make available any information required by the county auditor or auditor of state concerning the fees collected under [this subsection](#) for the purposes of determining the amount of fees collected and the uses for which such fees are expended.

f. The county land record information system agreement may be amended by a vote of the boards of supervisors on behalf of the respective county recorders, pursuant to the terms of the agreement, to provide for the ongoing implementation of the county land record information system. As used in this paragraph, "*county land record information system agreement*" means the agreement entered under [chapter 28E](#) between the counties as required by [2005 Iowa Acts, ch. 179, §101](#), as amended by [2021 Iowa Acts, ch. 126](#).

g. (1) Upon request by a peace officer, as defined in [section 801.4](#), civilian employee of a law enforcement agency, or state or federal judicial officer or state or federal prosecutor, the county assessor or the county assessor's staff, or the county recorder or the county recorder's staff, shall redact the requestor's name contained in electronic documents that are displayed for public access through an internet site.

(2) Upon request by a former peace officer, as defined in [section 801.4](#), or a former civilian employee of a law enforcement agency, the county assessor or the county assessor's staff, or the county recorder or the county recorder's staff, may redact, upon the presentation of evidence that a compelling safety interest is served by doing so, the requestor's name contained in electronic documents that are displayed for public access through an internet site.

(3) This paragraph does not apply to a requestor holding or seeking public office.

(4) The county assessor and the county recorder shall implement and maintain a process to facilitate requests pursuant to this paragraph.

(5) A fee shall not be charged for the administration of this paragraph.

4. A county shall not be required to pay a fee to the recorder for filing or recording instruments. However, a county treasurer is required to pay recording fees pursuant to [sections 437A.11 and 437B.7](#).

[C51, §2534; R60, §4143; C73, §3792; C97, S13, §498; C24, 27, 31, 35, 39, **§5177**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §335.14; S81, §331.604; [81 Acts, ch 117, §603](#)]

[84 Acts, ch 1124, §1](#); [91 Acts, ch 191, §13](#); [92 Acts, ch 1005, §1](#); [92 Acts, ch 1212, §33](#); [2009 Acts, ch 27, §6](#); [2009 Acts, ch 159, §3](#); [2013 Acts, ch 90, §257](#); [2013 Acts, ch 94, §2, 35, 36](#); [2021 Acts, ch 126, §1](#); [2021 Acts, ch 164, §1](#); [2021 Acts, ch 183, §7](#)

Referred to in [§10A.108, 96.14, 124C.4, 331.602, 331.605B, 331.609, 359A.10, 359A.12, 422.26, 437A.11, 437A.22, 437B.7, 437B.18, 468.628, 499A.1, 499B.3, 501.105, 501B.7, 547.3, 557.24, 557.26, 558.66, 558.69, 598.21, 633.481, 674.14](#)

Subsection 3, paragraph b amended

Subsection 3, NEW paragraphs f and g