

## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 1031 (HF 328)	House Committee:	<b>PASSED</b> April 16 (16-8)
Committee:	Ways and Means	House Floor:	
Floor Manager:	Representative Nordman	Senate Floor:	
Date:	April 22, 2025	Governor:	
Staff:	Jason Covey (1-3626)		

### Statewide Recording Modernization

- Allows counties to leave the 28E agreement currently required of all counties to participate in the county land record information system.
- Maintains a public statewide searchable database.
- Requires the flow of electronically recorded documents between local county record management systems (independent counties) and the county land record information system (28E counties).
- Increases filing fees from \$5 to \$10 for each recorded page (limit of \$250 per document). Counties participating in the 28E agreement shall pay \$3 and non-participating counties shall pay \$1 for the operational cost of the county land record information system.
- Codifies address confidentiality and information shielding practices.
- Codifies formatting and indexing standards for recorded documents.

### Section by Section Analysis

#### Section 1 – Definitions (Iowa Code 331.601A(3))

Strikes reference to the county land record information system's electronic submission service.

#### Section 2 – Definitions (Iowa Code 331.601A(1A,3A,7A,8A))

Defines the "county land record management system", "electronic services system", "parcel identification number", and "statewide search website vendor".

#### Section 3 – General powers (Iowa Code 331.603(5)(a))

Replaces "governing board of the county land record information system" with the statewide search website vendor.

#### Section 4 – General powers (Iowa Code 331.603(6))

NEW SUBSECTION – Requires the Iowa County Recorders Association to issue an RFP every 5 years starting in 2030 for a statewide search website vendor.

A vote of 60 county recorders is required to change the statewide search website vendor. 80 recorders may vote to either forego an RFP or issue an RFP earlier than 5 years.

Section 5 – Recording and filing fees (Iowa Code 331.604)

Increases the fee for each page of recorded documents from \$5 to \$10 with a maximum fee of \$250.

\$2 shall be deposited into the recorder's technology advancement fund to advance the use of technology for the delivery of services.

Counties who remain in the 28E agreement will deposit \$3 to the recorder's electronic services fund to be used to maintain and operate a county land record information system. Counties not in the 28E agreement will pay \$1 to the recorder's electronic services fund.

Section 6 – (Iowa Code 331.605B)

Directs the electronic services system to develop, operate, and maintain a county land record information system to provide electronic filing services for recording documents and instruments, provide redaction or information shielding services, provide integration with other appropriate property information systems, and provide a notification system for activity related with a user's property, name or service.

The governing board of the electronic services system is authorized to charge \$3 for e-filing directly with the county land record information system. Prohibits batch electronic documents or records.

Requires the county land record management system to allow the flow of electronic documents to and from all county record management systems regardless of membership in the 28E agreement.

Section 7 – General filing requirements (Iowa Code 331.606(1,2))

Codifies the use of reference numbers and indexing of recorded documents, and the use of parcel identification numbers.

Section 8 – Document content — personally identifiable information (Iowa Code 331.606A(1))

Adds definitions for "eligible professional", "information shielding", and "qualified individual" for the purposes of protecting personally identifiable information.

Section 9 – Document content — personally identifiable information (Iowa Code 331.606A(3,4))

Conforming code changes to reflect the changes to a statewide search website.

Section 10 – Redaction of names or information shielding of documents (Iowa Code 331.606A(7))

Requires county recorders to have a name redaction or information shielding process to restrict public access to identifying information for qualified individuals. Access to the information may be accessed to eligible professionals.

Section 11 – Document or document formatting standards (Iowa Code 331.606B)

Codifies formatting standards to include one-sided pages, permanently bound, legible and at least 10 point font (8pt for a plat or survey), and a standard minimum margin. Adds email addresses to the contact information.

Section 12 – Recording of surveys (Iowa Code 331.612)

NEW SECTION – Codifies formatting standards of surveys. Legible, font of at least 8 point in size, allow for clear reproduction, no markings, 24x36" maximum dimensions, indexed legend, and standardized margins.

Section 13 – Recording of plats (Iowa Code 354.18(2))

Conforming code changes to the recording standards of section 11.

Section 14 – Monument preservation certificate (Iowa Code 355.6A(4))

Conforming code changes to the recording standards of section 12.

Section 15 – Indexing of survey documents by recorder (Iowa Code 355.12)

Conforming code changes to the recording standards of section 11.

Section 16 – 2005 Acts, chapter 179, section 101, subsection 1

Conforming code change to remove the requirement that counties have to participate in the 28E agreement.

Section 17 – TRANSITION

Any money remaining in each recorder's records management fund shall be transferred to their respective county recorder's technology advancement fund.

Any money remaining in the local government electronic transaction fund shall be used for the purposes of section 6 of this bill.

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## **Amendment Analysis**

**H-XXXX by Nordman**

Requires a vote of the board of supervisors to approve a county to withdraw from the 28E agreement.

Amends Section 4 that the RFP for the statewide database to be conducted and voted on by members of the 28E agreement and not all 99 recorders. 60% of 28E agreement recorders are required to approve a change in the website platform or provider. 80% can vote to either forego an RFP or issue an RFP earlier than 5 years.

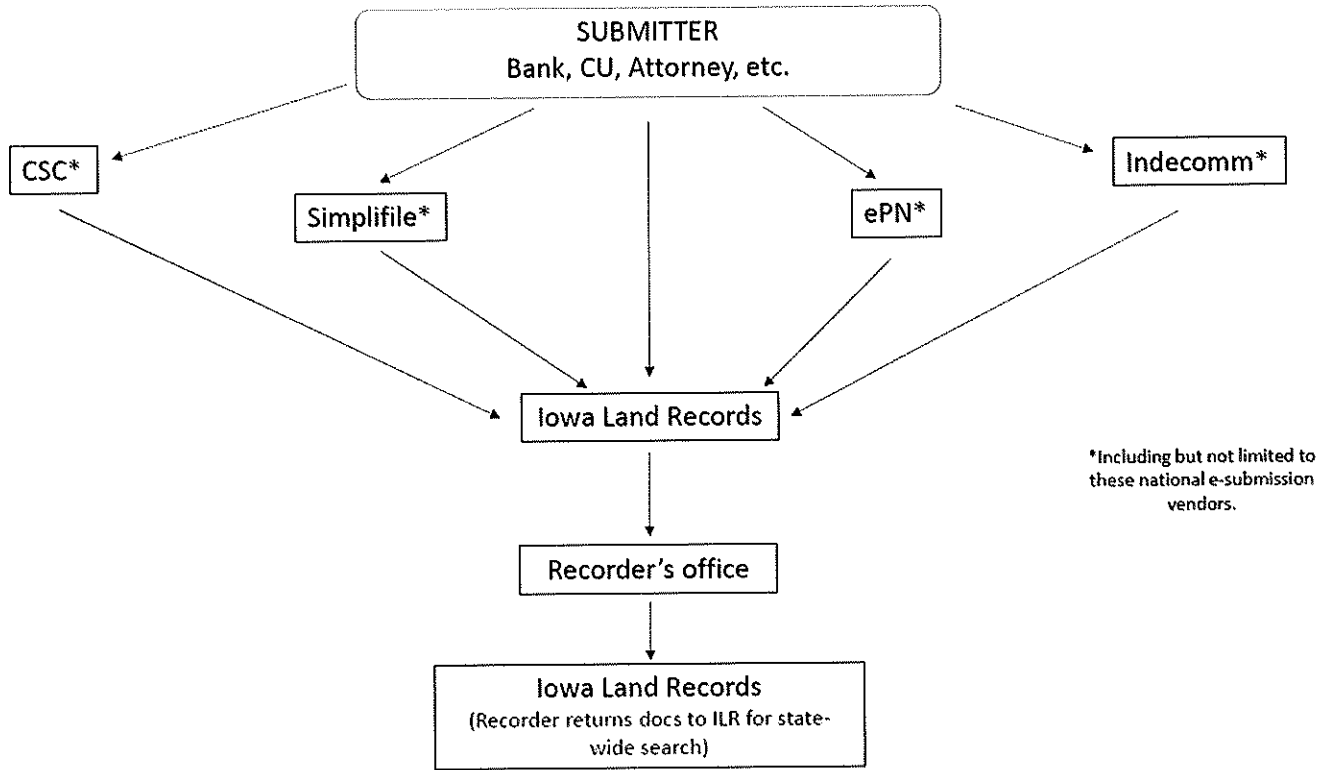
Clarifies that when documents are submitted directly through the ESS submission service maintains the \$3 e-filing fee goes to the ESS.

Amends Section 6 to strengthen language that there shall be an interface to enable the flow of documents between independent counties and the ESS at no additional cost.

Adds additional definitions to Chapter 331 and strikes references to redaction for personally identifying information to allow information sharing with qualified information.

Adds back to Section 6 language to allow fee information to be provided to county auditors or the State Auditor if necessary that was inadvertently left out of the bill.

### CURRENT STATE – E-recording in Iowa



### PROPOSED FUTURE STATE – E-recording in Iowa

