

## 2022 LEGISLATIVE RECAP

**SF 2322 - COPYING RECORDS COSTS.** This Bill relates to the assessment of fees when a person requests examination and copying of public records. The bill provides that actual costs shall only include reasonable expenses directly attributable to supervising the examination of and making of copies of public records. Costs for legal services shall only be charged for the redaction or review of confidential information. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ba=SF%202322&ga=89>

**HF 2343 - GROUNDWATER HAZARD STATEMENTS.** This bill provides that a person does not include a groundwater hazard statement with a deed, instrument, or writing if no specified conditions exist on the property. Rather, the first page of the deed, instrument, or writing shall include a statement indicating that no groundwater hazard exists on the property and, therefore, the parcel is exempt from including a groundwater hazard statement. The owner of the property is responsible for the accuracy of such statement. The bill requires a county recorder to refuse to record any deed, instrument or writing by which any real property in this state is conveyed if the deed, instrument, or writing & a required declaration of value is not accompanied by a groundwater hazard statement, if required, or if the exemption statement is not present on the first page of the deed, instrument, or writing, if required. However, a recording in violation of the bill shall not be the basis for invalidating the conveyance document. This bill allows the county recorder to transmit the groundwater hazard statements to the DNR electronically or thru ILR. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf2343>

**SF 577 NONVIABLE BIRTH CERTIFICATES.** This bill provides that a health care provider who attends or diagnoses a nonviable birth or a hospital at which a nonviable birth occurs shall advise a patient who experiences a nonviable birth that the patient may request a certificate of nonviable birth and, upon request by the patient, shall provide a letter certifying the nonviable birth to the patient. This bill authorizes the department of public health to prescribe by administrative rule the form and content of a request and the process for requesting a certificate of nonviable birth. IDPH shall issue a certificate within 60 days of receipt of the request. The bill applies to, and a certificate of nonviable birth may be requested and issued only for, nonviable births occurring on or after January 1, 2000. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=sf577>

**HF 2209 TRAPPING/HUNTING WITH MINORS.** This bill allows a resident under 16 years of age to accompany the minor's parent or guardian, or any other competent adult with the consent of the minor's parent or guardian, without a hunting or fur harvester license while the parent, guardian, or other adult is hunting or trapping any game or fur-bearing animal as long as the minor is not hunting or trapping & does not carry or use a firearm or any other weapon. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf2209>

UPDATED JUNE 22, 2022

**HF 2443**      **SMART CONTRACTS.** This bill added new section 554E.1 Definitions; 554E.2 Classification of digital assets, 554E.3 Legal effect of distributed ledger technology and smart contract, AND added new section 554E.4 Conveyance of real estate interest evidenced by electronic record. This legislation relates to contract enforceability regarding smart contracts and distributed ledger technology. Section 554E.4 is important to recorders as any transaction subject to this chapter intended to be evidenced by an instrument affecting real estate as defined in section 558.1, or by any instrument that is otherwise required by law to be recorded by the office of the county recorder, shall be evidenced by a document that complies with the provisions of chapter 558, in a format suitable for recording and conforming with the document standards as established by the electronic services system. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf2443>

**HF 2445**      **CONTROLLABLE ELECTRONIC RECORDS.** Provides for controllable electronic records to the uniform commercial code, adding new code section within Code chapter 554, Iowa's version of the UCC code covering commercial transactions involving personal property. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf2445>

**HF 2130**      **DRIVING ATVS/OFF-ROAD UTILITY VEHICLES.** Amends section 321.234A, allowing all-terrain vehicles to be operated on a primary highway in accordance with section 321.10, subsection 1A, a secondary road, in accordance with section 321.10, subsection 2, or a city street in accordance with section 321.10, subsection e. The person operating the ATV on the highway shall have a valid driver's license, be at least 18 years of age, and have financial liability coverage in effect for the vehicle & carry proof of such financial liability coverage. Also adds definition of all-terrain vehicle regarding operating on the highway. Added new subsection regarding where they can be ridden (undivided two-lane primary highway, secondary road and also includes riding within a city. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf2130>

**HF 2552**      **DEPT OF REVENUE.** Relates to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, assessment of property, collection of debt, and taxation of pass-through entities. For recorders, it amends 428A.8 Subsection 1, paragraphs a & c to read on or before the 10<sup>th</sup> day of each month the county recorder shall determine and remit to the department of revenue 82.75% of the receipts from the real estate transfer tax collected during the preceding month and the department of revenue shall deposit & transfer the receipts as provided in subsection 2. Any tax or additional tax found to be due shall be collected by the county recorder. If the county recorder is unable to collect the tax, the director of revenue shall collect the tax in the same manner as taxes are collected in chapter 422, subchapter III. If collected by the director of revenue, the director shall remit to the county its proportionate share of the tax. **Effective 7/1/2022**

<https://www.legis.iowa.gov/legislation/BillBook?ga=89&ba=hf2552>

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