

# ESS

Electronic Services System – Coordinating Committee Meeting

## Agenda

Web Conference

March 19, 2025

2:00 P.M. to 3:00 P.M.

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- **Welcome and Introductions**
- **Legislative Update - House File 633 and House File 328 – Status**
- **Review of Pending Issues**
  - **Fee Policy (mortgage documents)**
  - **Recording Modernization**
  - **ESS Policies and Procedures**
  - **ESS 28E Agreement**
  - **County Electronic Recording Options**
  - **Statewide System**
  - **Back the Blue**
- **Declaration and Next Steps – Approval**
- **Adjourn - Next Regular Meeting May 15, 2025**

**House File 328 - Introduced**

HOUSE FILE 328

BY MOHR and NORDMAN

**A BILL FOR**

1 An Act relating to county recorder fees and land record  
2 information systems management.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.604, subsection 3, paragraph a, Code  
2 2025, is amended to read as follows:

3 a. Each county shall ~~participate in the county land record~~  
4 ~~information system and shall comply with the policies and~~  
5 ~~procedures established by the governing board of~~ upload data  
6 and images of recorded documents to the county land record  
7 information system. The county land record information system  
8 shall allow for uploading from each county's recording software  
9 provider.

10 Sec. 2. Section 331.604, subsection 3, paragraph b,  
11 subparagraph (1), subparagraph divisions (a), (c), and (d),  
12 Code 2025, are amended by striking the subparagraph divisions.

13 Sec. 3. Section 331.604, subsection 3, paragraph b,  
14 subparagraph (1), subparagraph division (b), Code 2025, is  
15 amended to read as follows:

16 (b) Maintaining the statewide internet site ~~and the county~~  
17 ~~land record information system~~ dedicated to preserving and  
18 maintaining public records.

19 Sec. 4. Section 331.604, subsection 3, paragraph d, Code  
20 2025, is amended to read as follows:

21 d. The local government electronic transaction fund is  
22 established in the office of the treasurer of state under the  
23 control of the treasurer of state. Moneys deposited into the  
24 fund are not subject to [section 8.33](#). Notwithstanding section  
25 12C.7, interest or earnings on moneys in the local government  
26 electronic transaction fund shall be credited to the fund.  
27 Moneys in the local government electronic transaction fund  
28 are not subject to transfer, appropriation, or reversion to  
29 any other fund, or any other use except as provided in this  
30 subsection. On a monthly basis, the county treasurer shall  
31 pay the fees deposited into the county recorder's electronic  
32 transaction fund to the treasurer of state for deposit into  
33 the local government electronic transaction fund. Moneys  
34 credited to the local government electronic transaction fund  
35 are appropriated to the treasurer of state for the payment

1 of claims approved by the governing board of the county land  
2 record information system. Except as otherwise provided in  
3 this subsection, expenditures from the fund shall be for the  
4 purpose of planning and implementing electronic recording and  
5 electronic transactions in each county, developing county  
6 and statewide internet sites to provide electronic access  
7 to records and information, and to pay the ongoing costs  
8 of integrating and maintaining the statewide internet site  
9 dedicated to preserving and maintaining public records.

10 Sec. 5. Section 331.604, Code 2025, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 5. A board of supervisors or other  
13 alternative form of county government may vote to adopt an  
14 additional fee, not to exceed ten dollars per transaction, to  
15 be paid to the recorder when filing or recording an instrument  
16 in the recorder's office pursuant to this section.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation's substance by the members of the general assembly.

20 Under current law, county recorders must participate in  
21 the county land record information system and must comply  
22 with the policies and procedures established by the governing  
23 board of the county land record information system. This  
24 bill requires county recorders to upload data and images of  
25 recorded documents to the county land record information system  
26 and removes the requirement for county recorders to comply  
27 with the policies and procedures established by the governing  
28 board of the county land record information system. The bill  
29 requires the county land record information system to allow for  
30 uploading from each county's recording software provider.

31 The bill provides that the \$1 fee paid on each recorded  
32 transaction for the purpose of maintaining the statewide  
33 internet site be for the statewide internet site dedicated to  
34 preserving and maintaining public records. The bill removes  
35 the following purposes for which the \$1 additional fee is

1 to be used: establishing and implementing standards for  
2 recording, processing, and archiving electronic documents  
3 and records; integrating information contained in documents  
4 and records maintained by the recorder and other land record  
5 information from other sources with the county land record  
6 information system; and implementing and maintaining a process  
7 for redacting personally identifiable information contained  
8 in electronic documents that are displayed for public access  
9 through an internet site or that are transferred to another  
10 person.

11 A board of supervisors or other alternative form of county  
12 government may vote to adopt an additional fee, not to exceed  
13 \$10 per transaction, to be paid to the recorder when filing or  
14 recording an instrument in the recorder's office pursuant to  
15 Code section 331.604.

House File 328

1 Amend House File 328 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 331.601A, subsection 3, Code 2025, is  
5 amended to read as follows:

6 3. "*Electronic document*" means a document or instrument  
7 that is received, processed, disseminated, or maintained  
8 in an electronic format. The submission of an electronic  
9 document ~~through the county land record information system~~  
10 ~~electronic submission service~~ shall be equivalent to delivery  
11 of a document through the United States postal service or  
12 by personal delivery at designated offices in each county.  
13 Persons who submit electronic documents for recording are  
14 responsible for ensuring that the electronic documents comply  
15 with all requirements for recording.

16 Sec. 2. Section 331.601A, Code 2025, is amended by adding  
17 the following new subsections:

18 NEW SUBSECTION. 3A. "*Electronic services system*" means the  
19 organization formed under an agreement pursuant to chapter 28E  
20 to provide electronic and other services to county recorders.

21 NEW SUBSECTION. 7A. "*Parcel identification number*" means an  
22 existing permanent real estate index number with related tax  
23 maps as provided in section 441.29, subsection 2.

24 NEW SUBSECTION. 8A. "*Statewide search website vendor*" means  
25 the vendor approved by the Iowa county recorders association  
26 to provide a statewide search internet site for the purpose of  
27 viewing county public land records.

28 Sec. 3. Section 331.603, subsection 5, paragraph a, Code  
29 2025, is amended to read as follows:

30 ~~a. The governing board of the county land record information~~  
31 ~~system~~ statewide search website vendor shall not enter into an  
32 agreement to provide access to electronic documents or records  
33 on a batch basis. The county recorder may collect reasonable  
34 fees for access to electronic documents and records pursuant  
35 to an agreement. The fees shall not exceed the actual cost

1 of providing access to the electronic documents and records.  
2 *Actual cost* means only those expenses directly attributable to  
3 providing access to electronic documents and records. *Actual*  
4 *cost* shall not include costs such as employment benefits,  
5 depreciation, maintenance, electricity, or insurance associated  
6 with the administration of the office of the county recorder  
7 or the ~~county land record information system~~ statewide search  
8 website vendor.

9 Sec. 4. Section 331.604, subsection 1, Code 2025, is amended  
10 to read as follows:

11 1. Except as otherwise provided by state law, subsection  
12 4, or section 331.605, the recorder shall collect a fee of  
13 ~~five ten~~ dollars for each page or fraction of a page of an  
14 instrument ~~which that~~ is filed or recorded in the recorder's  
15 office. ~~If a page or fraction of a page contains more than~~  
16 ~~one transaction, the recorder shall collect the fee for each~~  
17 ~~transaction~~ The maximum recording fee for documents with fifty  
18 or more pages is five hundred dollars.

19 Sec. 5. Section 331.604, subsection 2, paragraphs a and b,  
20 Code 2025, are amended to read as follows:

21 ~~a. The recorder shall also collect a fee of one dollar for~~  
22 ~~each recorded transaction for which a fee is paid pursuant~~  
23 ~~to subsection 1 to be used exclusively for the purpose of~~  
24 ~~preserving and maintaining public records. From the total~~  
25 ~~fee paid for the recording of a document or instrument,~~  
26 ~~two dollars shall be transferred to a recorder's technology~~  
27 ~~advancement fund. The treasurer, on behalf of the recorder,~~  
28 ~~shall establish and maintain a county recorder's records~~  
29 ~~management technology advancement fund into which all moneys~~  
30 ~~collected pursuant to this subsection shall be deposited.~~  
31 ~~Interest earned on moneys deposited in the fund shall be~~  
32 ~~credited to the county recorder's records management technology~~  
33 ~~advancement fund. The recorder shall use the moneys deposited~~  
34 ~~in the fund to produce and maintain public records that meet~~  
35 ~~archival standards, and to enhance the technological storage,~~

1 ~~retrieval, and transmission capabilities related to archival~~  
2 ~~quality records.~~ The recorder may ~~coöperate~~ collaborate with  
3 other entities, boards, and agencies to ~~establish methods of~~  
4 ~~records management, and participate in other joint ventures~~  
5 ~~which further the purposes of this subsection~~ advance the use  
6 of technology for the delivery of services consistent with the  
7 standards established for those services.

8     *b.* Fees collected pursuant to this subsection shall be used  
9 to accomplish the following purposes:

10     (1) ~~Preserve and maintain public records~~ Maintaining and  
11 improving equipment, software, and systems associated with  
12 recording and other duties administered by the office of the  
13 county recorder.

14     (2) ~~Assist counties in reducing record preservation costs~~  
15 Preserving and maintaining physical and electronic documents  
16 and instruments archived by the county recorder.

17     (3) ~~Encourage and foster maximum access to public records~~  
18 ~~maintained by county recorders at locations throughout the~~  
19 ~~state~~ Converting physical documents to electronic documents  
20 and providing that those documents are indexed as required  
21 in sections 331.606 and 558.49. When converting physical  
22 documents to electronic documents, fees may be used to digitize  
23 the records if conforming to standards for digitizing and  
24 indexing the documents separately is not feasible.

25     (4) ~~Establish plans for anticipated and possible future~~  
26 ~~needs, including the handling and preservation of vital~~  
27 ~~statistics~~ Participating in education and training for the  
28 purpose of advancing technology and improving the services  
29 provided by the office of the county recorder.

30     Sec. 6. Section 331.604, subsection 3, paragraphs a and b,  
31 Code 2025, are amended to read as follows:

32     *a.* Each county shall ~~participate in the county land record~~  
33 ~~information system and shall comply with the policies and~~  
34 ~~procedures established by the governing board of the county~~  
35 ~~land record information system~~ upload data and images of

1 recorded documents to the statewide search internet site. The  
2 statewide search internet site shall allow for uploading from  
3 each county's recording software provider or link to a county's  
4 own search, if applicable.

5 ~~b. (1) The recorder shall also collect a fee of one dollar~~  
6 ~~for each recorded transaction, regardless of the number of~~  
7 ~~pages, for which a fee is paid pursuant to subsection 1~~ Any  
8 recorder not participating in the chapter 28E agreement with  
9 the electronic services system shall pay a fee of one dollar  
10 per document filed to be used for the following purposes:

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

13 ~~(b) Maintaining the purpose of maintaining a statewide~~  
14 ~~internet site and the county land record information system~~  
15 dedicated to preserving and maintaining a statewide public  
16 record search.

17 ~~(c) Integrating information contained in documents and~~  
18 ~~records maintained by the recorder and other land record~~  
19 ~~information from other sources with the county land record~~  
20 ~~information system.~~

21 ~~(d) Implementing and maintaining a process for redacting~~  
22 ~~personally identifiable information contained in electronic~~  
23 ~~documents that are displayed for public access through an~~  
24 ~~internet site or that are transferred to another person.~~

25 ~~(2) The fee collected by the recorder under this subsection~~  
26 ~~for recording a plat of survey is one dollar, regardless of the~~  
27 ~~number of pages. For purposes of this subparagraph, "plat of~~  
28 ~~survey" means the same as defined in section 355.1, subsection~~  
29 ~~9.~~

30 ~~(3) Fees collected in excess of the amount needed for the~~  
31 ~~purposes specified in this subsection shall be used by the~~  
32 ~~county land record information system to reduce or eliminate~~  
33 ~~service fees for electronic submission of documents and~~  
34 ~~instruments.~~

35 Sec. 7. Section 331.604, subsection 3, paragraphs d, f, and

1 g, Code 2025, are amended by striking the paragraphs.

2 Sec. 8. Section 331.605B, Code 2025, is amended by striking  
3 the section and inserting in lieu thereof the following:

4 **331.605B Electronic services system.**

5 1. The electronic services system may develop, operate,  
6 and maintain a county land record information system under a  
7 chapter 28E agreement for the following purposes:

8 a. Provide electronic filing for recording documents and  
9 instruments.

10 b. Provide redaction or shielding services to protect  
11 qualified individuals.

12 c. Provide integration with other appropriate relational  
13 property information systems.

14 d. Provide a system capable of notifying users of  
15 transactional activity associated with the user's property,  
16 name, or other public services.

17 e. Receive authorized payments for services provided.

18 2. The governing board of the electronic services system  
19 shall collect only statutorily authorized fees for land  
20 records management, and shall not collect a fee for viewing,  
21 accessing, or printing documents in a county land record  
22 information system unless specifically authorized by statute.  
23 The governing board may collect a reasonable fee for using  
24 the system to process electronic documents for recording.  
25 Fees collected for the processing of electronic documents for  
26 recording may be used for the purposes specified in subsection  
27 1.

28 3. The electronic services system's chapter 28E agreement  
29 may be amended by a vote of the boards of supervisors on behalf  
30 of the respective county recorders, pursuant to the terms of  
31 the agreement.

32 4. The governing board of the electronic services system  
33 shall not enter into an agreement to provide access to  
34 electronic documents or records on a batch basis.

35 5. The electronic services system is a unit of local

1 government for purposes of chapter 670.

2 Sec. 9. Section 331.606, subsections 1 and 2, Code 2025, are  
3 amended to read as follows:

4 1. In addition to other requirements specified by law, the  
5 recorder shall note in the county system the date of filing of  
6 each instrument, the number ~~and character, type, or title of~~  
7 the instrument, and the name of each grantor and grantee named  
8 in the instrument. ~~In numbering the~~ When assigning reference  
9 numbers to documents or instruments, the recorder may shall  
10 start with the number one immediately following the date of  
11 annual settlement with the board and continue to number them  
12 consecutively until the next annual settlement with the board  
13 or the recorder may start with number one on the first working  
14 day of the calendar year and continue to number the instruments  
15 consecutively until the last working day of the calendar year  
16 on the first working day of the calendar year and continue to  
17 number the instruments consecutively until the last working day  
18 of the calendar year.

19 2. The recorder shall also note in the index the exact  
20 time of the ~~filing~~ recording of each document or instrument.  
21 Associated recording references on the document shall be  
22 indexed with the recorded document. A parcel identification  
23 number shall be referenced if on the document and shall not be  
24 modified unless the modification is necessary to correct an  
25 error.

26 Sec. 10. Section 331.606A, subsection 1, Code 2025, is  
27 amended by adding the following new paragraphs:

28 NEW PARAGRAPH. *0a.* *"Eligible professional"* means any of the  
29 following:

30 (1) A participating attorney, abstractor, closer, or  
31 associated personnel authorized to provide services on behalf  
32 of Iowa title guaranty.

33 (2) An attorney licensed to practice in Iowa.

34 NEW PARAGRAPH. *0c.* (1) *"Qualified individual"* means any  
35 of the following:

1 (a) A peace officer as defined in section 801.4, civilian  
2 employee of a law enforcement agency, or state or federal  
3 judicial officer or state or federal prosecutor.

4 (b) A former peace officer, as defined in section 801.4,  
5 or a former civilian employee of a law enforcement agency who  
6 presents evidence of a compelling safety interest.

7 (c) A victim of domestic violence or abuse as confirmed by a  
8 judicial officer.

9 (2) Notwithstanding the meanings described in subparagraph  
10 (1), a person holding or seeking public office is not a  
11 qualified individual.

12 Sec. 11. Section 331.606A, subsections 3 and 4, Code 2025,  
13 are amended to read as follows:

14 3. *Redaction from electronic documents.* Personally  
15 identifiable information that is contained in electronic  
16 documents that are displayed for public access on an internet  
17 site, or ~~which~~ that are transferred to any person, shall be  
18 redacted prior to displaying or transferring the documents.  
19 Each recorder that displays electronic documents and the ~~county~~  
20 ~~land record information~~ statewide search system that displays  
21 electronic documents on behalf of a county shall implement  
22 a system for redacting personally identifiable information.  
23 The recorder ~~and the governing board of the county land~~  
24 ~~record information system~~ shall establish a procedure by  
25 which individuals may request that personally identifiable  
26 information contained in an electronic document displayed on  
27 an internet site be redacted, at no fee to the requesting  
28 individual. ~~The requirements of this subsection shall be fully~~  
29 ~~implemented not later than December 31, 2011.~~

30 4. *Dissemination of documents.* Persons who have contracted  
31 with a county recorder or ~~the governing board of the county~~  
32 ~~land record information~~ statewide search system to redact  
33 personally identifiable information from electronic documents  
34 pursuant to subsection 3 shall not sell, transfer, or otherwise  
35 disseminate the electronic documents in an unaltered or

1 redacted form, except as provided for in the contract.

2 Sec. 12. Section 331.606A, subsection 7, Code 2025, is  
3 amended by striking the subsection and inserting in lieu  
4 thereof the following:

5 7. *Redaction of names.*

6 a. Upon request by a peace officer, as defined in section  
7 801.4, civilian employee of a law enforcement agency, or state  
8 or federal judicial officer or state or federal prosecutor,  
9 the county assessor or the county assessor's staff, or the  
10 county recorder or the county recorder's staff, shall redact  
11 the requestor's name contained in electronic documents that are  
12 displayed for public access through an internet site. Upon  
13 request by a former peace officer, as defined in section 801.4,  
14 or a former civilian employee of a law enforcement agency,  
15 the county assessor or the county assessor's staff, or the  
16 county recorder or the county recorder's staff, may redact,  
17 upon the presentation of evidence that a compelling safety  
18 interest is served by doing so, the requestor's name contained  
19 in electronic documents that are displayed for public access  
20 through an internet site. This subsection does not apply to  
21 a requestor holding or seeking public office. The county  
22 assessor and the county recorder shall implement a process  
23 without charging a fee to facilitate requests pursuant to this  
24 subsection.

25 b. Upon request by a qualified individual, a county official  
26 may implement a redaction process or an information shielding  
27 process to restrict public access to electronic documents or  
28 internet pages that contain information about the qualified  
29 individual through a public county internet site including  
30 public or private internet sites. County officials shall  
31 implement and maintain a process to facilitate requests for  
32 redaction or information shielding. A fee shall not be charged  
33 to a qualified individual requesting information shielding  
34 protection.

35 c. Information shielding and redaction processes may

1 include provisions that would permit eligible professionals to  
2 access shielded information. Access to redacted or shielded  
3 information may also be granted to other professionals with  
4 the written permission of the qualified individual. Eligible  
5 professionals and others who are granted access to shielded or  
6 redacted information must agree to maintain the confidentiality  
7 of the qualified individual. An eligible professional shall  
8 be authorized to disclose any shielded or redacted information  
9 when such disclosure is necessary to advance a legitimate  
10 business purpose including but not limited to the provision of  
11 services related to a real estate transaction.

12 Sec. 13. Section 331.606B, subsections 1, 2, and 3, Code  
13 2025, are amended to read as follows:

14 1. ~~Except as otherwise provided in subsection 7, the county~~  
15 ~~recorder shall refuse any document or instrument presented~~  
16 ~~for recording~~ To ensure that recorded documents are legible  
17 and contain all required information in order to facilitate a  
18 permanent record that can be properly archived and indexed, a  
19 recorder may decline to record a document or instrument that  
20 does not meet the following requirements:

21 a. Each document or instrument shall consist of one or  
22 more individual pages ~~not permanently bound or~~ in a continuous  
23 form. ~~The~~ For purposes of this paragraph, "continuous form"  
24 means individual one-sided pages. A physical document or  
25 instrument presented for filing shall not have any attachment  
26 be permanently bound, stapled, taped or otherwise affixed  
27 ~~to any page except as necessary to comply with statutory~~  
28 ~~requirements and must contain text or graphics on only one~~  
29 side. ~~However, the~~ The individual pages of a physical document  
30 or instrument may be stapled clipped together for presentation  
31 for recording. A physical document or instrument containing a  
32 label that is firmly attached with a bar code or return address  
33 may be accepted for recording.

34 b. All ~~preprinted~~ text shall must be legible and the font  
35 at least eight ten point in size and no more than twenty

1 ~~characters and spaces per inch, except that the font may be~~  
2 ~~eight point in size if the document is a plat or survey. All~~  
3 ~~other text typed or computer generated, including but not~~  
4 ~~limited to all names of parties to an agreement, shall be at~~  
5 ~~least ten point in size and no more than sixteen characters~~  
6 ~~and spaces per inch. If a document or instrument, other than~~  
7 ~~a plat or survey or a drawing related to a plat or survey,~~  
8 ~~presented for recording contains type smaller than eight point~~  
9 ~~type for the preprinted text and ten point type for all other~~  
10 ~~text, the document or instrument shall be accompanied by an~~  
11 ~~exact typewritten or printed copy that meets the requirements~~  
12 ~~of this section.~~

13 c. Each document shall be of sufficient legibility to  
14 produce a clear reproduction. ~~If a A document or instrument,~~  
15 ~~other than a plat or survey or a drawing related to a plat or~~  
16 ~~survey, that is not fully or partially sufficiently legible~~  
17 ~~to produce a clear reproduction, the document or instrument~~  
18 ~~shall be accompanied by an exact typewritten or printed copy~~  
19 ~~that meets the type size requirements of paragraph "b" and~~  
20 ~~shall a legible copy of the full or partial page, which will be~~  
21 ~~recorded contemporaneously as additional pages of the document~~  
22 ~~or instrument.~~

23 d. ~~Each A physical document or instrument, other than a plat~~  
24 ~~or survey or a drawing related to a plat or survey, shall must~~  
25 ~~be on standard white paper of not less than twenty-pound weight~~  
26 ~~without watermarks or other visible inclusions markings. All~~  
27 ~~text within the document or instrument shall be of sufficient~~  
28 ~~color and clarity to ensure that the text is readable when~~  
29 ~~reproduced from the record.~~

30 e. All signatures on a document or instrument shall be in  
31 black or dark blue ink and ~~of sufficient color and clarity to~~  
32 ~~ensure that the signatures are readable discernible when the~~  
33 ~~document or instrument is reproduced from the record. The~~  
34 ~~corresponding name shall must be typed, printed, or stamped~~  
35 ~~beneath the original signature. The typing or printing of a~~

1 name or ~~the application of~~ an embossed or inked stamp shall  
2 not cover or ~~otherwise~~ materially interfere with any part  
3 of the document or instrument except ~~where~~ when provided by  
4 law. Failure to print ~~or type~~ signatures as provided in this  
5 paragraph does not invalidate the document or instrument.

6 *f.* The first page of each document or instrument, other than  
7 a plat or survey or a drawing related to a plat or survey, shall  
8 have a top margin of at least ~~three inches of vertical space~~  
9 ~~from left to right which shall be reserved~~ one-half of one  
10 inch. If the document or instrument does not include a cover  
11 page, then there must be a blank rectangular space with the  
12 dimensions of three and three-fourths inches in width and two  
13 and one-half inches in height adjacent to the top margin on the  
14 first page and designated for the recorder's use. All other  
15 margins on the document or instrument shall be a minimum of  
16 three-fourths of one inch. Nonessential information including  
17 but not limited to form numbers, page numbers, or customer  
18 notations may be placed in a margin except the top margin. The  
19 recorder shall not incur any liability for not showing a seal  
20 or information that extends beyond the margin of the permanent  
21 archival record.

22 *g.* ~~Each~~ A document or instrument presented for recording  
23 shall ~~meet the requirements of section 331.606A, subsection 2~~  
24 not include personally identifiable information unless redacted  
25 in accordance with section 331.606A, subsection 3.

26 2. Each document or instrument, other than a plat or survey  
27 or a drawing related to a plat or survey, that is presented for  
28 recording shall contain the following information on the first  
29 page ~~below the three-inch margin~~ or on a cover page:

30 *a.* The name, address, and telephone number of the individual  
31 who prepared the document.

32 *b.* For any instrument of conveyance, the name of the  
33 taxpayer and a complete mailing address.

34 *c.* A return address.

35 *d.* The title or type of the document or instrument.

- 1 e. All grantors' names.
- 2 f. All grantees' names.
- 3 g. Any address required by statute.
- 4 h. The legal description of the property and parcel
- 5 identification number, if required.
- 6 i. ~~A document or instrument number for statutory~~
- 7 ~~requirements~~ Associated recording references, if applicable.

8 3. A cover page meeting the requirements of subsection  
9 1 may be included with the document or instrument and will  
10 be recorded contemporaneously as an additional page of the  
11 document or instrument. If insufficient space exists on  
12 the first page or the cover page for all of the information  
13 described in subsection 2, the person presenting the document  
14 for recording must identify on the first page or the cover page  
15 a page reference of for the document or instrument where the  
16 required information is located shall be noted on the first  
17 page can be located.

18 Sec. 14. Section 331.606B, subsection 4, Code 2025, is  
19 amended by striking the subsection and inserting in lieu  
20 thereof the following:

21 4. A recording of a document or instrument evidencing a  
22 transaction for the conveyance or assignment of property,  
23 transactions related to the property's financing, or a release  
24 of a legal or financial obligation on the property applies  
25 solely to the parties identified and participating in the  
26 recorded transaction and not any other party concerning any  
27 other transaction.

28 Sec. 15. Section 331.606B, subsection 6, Code 2025, is  
29 amended to read as follows:

30 6. A physical document or instrument ~~rejected~~ declined  
31 for recording by a recorder shall be returned to the preparer  
32 or presenter accompanied by an ~~explanation of~~ the reason  
33 for ~~rejection~~ declining the document or instrument and any  
34 information necessary to correct the defect. A person who  
35 files an electronic document or instrument declined for

1 recording by a recorder shall be notified by the recorder that  
2 the document or instrument has been declined, the reason the  
3 document or instrument has been declined, and any information  
4 necessary to correct the defect. If the recording fee for an  
5 electronic document or instrument was calculated and processed  
6 incorrectly, the person who filed the document or instrument  
7 shall be notified of the error and the reason for the fee  
8 adjustment by the recorder.

9       Sec. 16. Section 331.606B, subsection 7, Code 2025, is  
10 amended by striking the subsection.

11       Sec. 17. NEW SECTION. **331.612 Recording of surveys.**

12       1. Notwithstanding section 331.606B, the following  
13 document or document formatting standards shall apply to  
14 surveys submitted by licensed professional land surveyors for  
15 recording:

16       *a.* All text must be legible and the font at least eight  
17 point in size.

18       *b.* All text font, signatures, and drawings must have  
19 sufficient weight, contrast, and darkness to produce a clear  
20 reproduction.

21       *c.* Physical documents submitted to a county for recording  
22 shall be on standard white paper without watermarks or other  
23 visible markings and shall have dimensions no greater than  
24 eleven by seventeen inches. Notwithstanding the dimensions  
25 specified for physical documents in this section, a physical  
26 document with dimensions no greater than twenty-four inches by  
27 thirty-six inches may be submitted to the county if the county  
28 is able to scan or digitize the document while maintaining  
29 the original scale and quality of the document as specified  
30 in paragraphs “*a*” and “*b*”. Electronic documents submitted to  
31 a county for recording through the electronic services system  
32 shall have dimensions no greater than twenty-four inches by  
33 thirty-six inches.

34       *d.* The survey must contain an index legend as outlined in  
35 subsection 2.

1 e. A survey must provide a cover page or a blank rectangular  
2 space on the first page with the dimensions of three and  
3 three-fourths inches in width and two and one-half inches in  
4 height designated for the recorder's use.

5 2. A survey must contain an index legend consisting of a  
6 compact table or a grid with lines that provides the following  
7 information:

8 a. County name.

9 b. For platted land, the index information shall include  
10 the additional parcel identifier, if applicable; lot or unit;  
11 block; unabbreviated subdivision name; town, city, or county;  
12 section; township; and range. For unplatted land, the indexed  
13 information shall include the additional parcel identifier,  
14 if applicable, section, township, range, and quarter section.  
15 Indexing quarters of a quarter section is recommended but  
16 not required. Subdivision plats, acquisition plats, and  
17 retracement plats of survey shall reference the existing  
18 auditor's parcel designation in accordance with section 354.4,  
19 subsection 1, paragraph "a". A plat of survey shall reference  
20 the approved auditor's parcel designation in accordance with  
21 section 354.4, subsection 1, paragraph "a".

22 c. The parcel identification number and additional parcel  
23 identifier, if applicable.

24 d. Proprietor's name.

25 e. Requester's name.

26 f. Associated reference numbers for previously recorded  
27 surveys.

28 g. The surveyor's name, address, and phone number or email  
29 address.

30 h. Information necessary for the county recorder to return  
31 the survey document.

32 i. If the survey document is a monument preservation  
33 certificate, the name of the government entity requesting the  
34 certification in accordance with section 355.6A.

35 Sec. 18. Section 354.18, subsection 2, Code 2025, is amended

1 to read as follows:

2 2. The recorder shall examine each plat of survey and  
3 subdivision plat to determine whether the plat is clearly  
4 legible and whether the approval by the applicable governing  
5 body and the other attachments required by this chapter are  
6 presented with the plat. The recorder shall also keep a  
7 reproducible physical or electronic copy of the plat from  
8 which legible copies can be made. ~~The~~ When a physical plat is  
9 presented for recording, the recorder may specify the material  
10 and the size of the plat, accepted for recording as long as the  
11 document is not less than eight and one-half inches in width by  
12 eleven inches, that will be accepted for recording in order to  
13 comply with this section in height. The recorder must accept a  
14 plat or subdivision plat meeting the requirements of section  
15 355.7, 355.7A, or 355.8, respectively, that is submitted  
16 electronically. The recorder shall not record a subdivision  
17 plat that violates this chapter.

18 Sec. 19. Section 355.6A, subsection 4, paragraphs a and b,  
19 Code 2025, are amended to read as follows:

20 a. The monument preservation certificate shall be filed with  
21 the county recorder pursuant to ~~section 331.606B, subsection~~  
22 5 section 331.612, subsection 2, paragraph "i", no later than  
23 thirty days after the certificate is signed by the surveyor.

24 b. The county recorder shall index the monument preservation  
25 certificate according to the township, range, section number,  
26 and quarter section ~~on~~ in which the monument is located ~~within~~.  
27 If the monument is located within an official plat, the county  
28 recorder shall also index the certificate alphabetically by the  
29 official plat name.

30 Sec. 20. Section 355.6A, subsection 4, paragraph c, Code  
31 2025, is amended by striking the paragraph.

32 Sec. 21. Section 355.12, Code 2025, is amended to read as  
33 follows:

34 **355.12 Indexing of survey documents by recorder.**

35 The recorder shall index survey documents and United States

1 public land corner certificates submitted in accordance with  
2 section 331.612, subsection 2, paragraph "b", by township,  
3 range, and section number. If the survey is in a recorded  
4 subdivision, the recorder shall also index the document  
5 alphabetically by subdivision name.

6 Sec. 22. 2005 Iowa Acts, chapter 179, section 101,  
7 subsection 1, as amended by 2021 Iowa Acts, chapter 126,  
8 section 2, is amended to read as follows:

9 1. The board of supervisors of each county, on behalf of  
10 each county recorder, shall execute a chapter 28E agreement  
11 with the other counties for the implementation of the ~~county~~  
12 ~~land record information~~ electronic services system to create  
13 and implement a statewide electronic county land record  
14 information system.

15 Sec. 23. TRANSITION. Any moneys remaining in each county's  
16 county recorder's records management fund, as described in  
17 section 331.604, subsection 2, paragraph "a", Code 2025, as  
18 of the effective date of this Act shall be transferred to the  
19 respective county's recorder's technology advancement fund, as  
20 described in section 331.604, subsection 2, as amended by this  
21 Act. Any moneys remaining in the local government electronic  
22 transaction fund, as described in section 331.604, subsection  
23 3, paragraph "d", Code 2025, after the effective date of this  
24 Act are appropriated to the treasurer of state to be used by  
25 the treasurer of state to assist the governing board of the  
26 electronic services system in accomplishing the purposes stated  
27 in section 331.605B, subsection 1, as amended by this Act.>

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PROPOSED COMMITTEE AMENDMENT

## SUMMARY

- Includes the proposed \$10 per recording fee and the \$2 allocation for the recorders' technology fund
- The allocation for the electronic services system is omitted. It is implied that counties could voluntarily contribute funds to ESS through the 28E agreement. A \$1.00 fee would apply for counties which remain a part of the 28E agreement.
- Incorporates a lot (but not all) of the formatting and related recording policies included in SF 371.
- Removes the authority of ESS to provide electronic access to recorded documents to the public and to establish standards for recording
- Removes the requirement for counties to participate in ESS/CLRIS.
- Envisions the creation of a different statewide search website, with reference to a vendor.
- Seems to allow ESS to do E-Submission and to charge an unspecified fee amount (reference to the \$3 fee is removed)
- Includes a Back the Blue shielding policy
- Includes the surveyor formatting and index legend policies.

\*\*\*\*\*

Page 1, Section 1, lines 4-15. Current law provides one assurance of “legality” of electronic documents by saying that they are equivalent to paper documents in the mail or personally delivered. When it was first crafted numerous years ago, no one else was really doing electronic recording, so it referred to the county land record information system. This change would provide a more general legitimacy of submitting electronic documents for recording.

Page 1, Section 2, lines 16-23. Provides definitions for Parcel Identification Number and Electronic Services System. The definition for parcel identification number aligns with the definition included in SF 371, but the definition for Electronic Services System is incomplete. Also, a needed definition for “additional parcel identifier” has been omitted.

When compared with Senate File 371, a definition for a county land record management system is also omitted. See Senate File 371, page 1, lines 7-13).

Page 1, Section 2, lines 24-27. A definition for “statewide search website vendor” is provided. The legislation appears to call for a process for the Iowa County Recorders Association to choose a “vendor” to provide a statewide search website. It implies that the Electronic Services System and Iowa Land Records (ESS/ILR) would be replaced, as subsequent references to the “county land record information system are replaced with references to the “vendor”. See page 1, lines 28-35, and page 2, lines 1-8. It is unclear whether ESS/ILR could be selected as the “vendor”. A definition for a county land record management system is also omitted. See Senate File 371, page 1, lines 7-13).

Page 2, Section 4 and 5, lines 9-35 and page 3, lines 1-29, would increase the base recording fee from \$5.00 to \$10.00 per page, eliminates the additional transaction fee, and sets a recording fee cap of \$500.00 – similar to SF 371. An “allocation” of \$2 per document for a recorder’s technology advancement fund is included, similar to the provisions of Senate File 371. However, an allocation of any kind is not provided for an electronic services system fund.

In lieu of a statutory allocation, it has been mentioned by the bill sponsor that members of the ESS 28E agreement could independently (voluntarily) decide to allocate funds for ESS.

Page 3, Section 6, lines 30-35 through page 4, lines 1-34. Section 331.604, subsection 3, would be amended such that counties would no longer be required to participate in a county land record information system and counties would not be required to comply with the policies and procedures of the system's governing board.

However, all counties would be required to upload data and images of the recorded documents to the "the statewide search internet site" or "link to a county's own search, if applicable". There is a provision included in this section which specifies that counties not participating in the 28E agreement (this is presumed to be the electronic services system) would be required to allocate \$1.00 per document to support the "statewide" internet site. It has been suggested that this would be the baseline expectation even when a county was not voluntarily allocating funds from the base recording fee as suggested above.

Page 4, Section 7, line 35 through page 5, line 1 would remove a reference to the electronic transaction fund (Fund 255), and a reference to the 28E agreement from the Code. This needs to be reviewed further.

Page 5. Section 8, lines 2-27 would amend 331.605B in a manner similar to the provisions of SF 371 with the following notable exceptions.

- The "purpose" for ESS would no longer include "providing electronic access to recorded documents to the public and establishing standards for recording, indexing, etc."
- The responsibility for setting standards for recording processes is removed.

Instead of allowing for an E-Submission fee of up to \$3 per recorded document, the amendment appears to allow ESS to "collect a reasonable fee".

Page 5, Section 8, lines 28-35 through page 6, line 1 appear to have similar effects as provided in Senate File 371, although the language should be reviewed further to evaluate the effects of any variation.

Page 6, Section 9, lines 4-18. The amendment to 331.606 varies from Senate File 371 by the omission of the following:

- A specific standard format for recording reference numbers (two digit county number, four digit year, and a sequential number of six digits (it does require a sequential number starting with the beginning of a calendar year))
- Indexing parsed legal descriptions and additional parcel identifiers
- Specifications for the exact time of recording

Some requirements are included, such as associated references and parcel identification numbers, but with some variation in language.

Page 6, Section 10, lines 26-35 and Page 8, Section 12, lines 2 through page 9, line 11 would transform the Back the Blue redaction program into a redaction AND shielding program.

Page 7, Section 11, line 12 through page 8, line 1. This would remove references to the county land record information system and substitute the term "statewide search system".

Page 9, line 13 through page 13, line 10 (Sections 13 – 16) concern proposed amendments to Iowa Code Section 331.606B and appear to be similar to the provisions of SF 371. Further detailed reviews will be needed to check for variations.

Page 13, line 11 through page 16, line 5 (Sections 17 – 21) concern the new section for recording surveys. It appears that they have accepted much of the proposed language from SF 371. Further detailed reviews will be needed to check for variations.

Page 16, Section 22, lines 6 -14. It is unclear what the intended effect of the changes to the 28E references are.

Page 16. Section 23, lines 15 – 27. The session laws providing for the transition of funds generally follow the language in SF 371, but without the statutory revenue stream for ESS and Iowa Land Records.

DRAFT

## **AMEND HF328 (AS SF 371)**

Amend HF 328 by striking everything after the enacting clause and inserting in lieu thereof the recorders' fee policy and modernization proposal (SF 371).

This bill is further amended by the following provisions.

**Provisions which remove requirements that E-Submission activities are exclusive to the Electronic Services System. Three provisions to be adjusted.**

**Provisions which permit the specified counties to withdraw from the Electronic Services System 28E agreement.**

**Provisions which specify that standards adopted by Electronic Services System apply only to the members of the 28E agreement.**

**Provisions which specify that all counties will participate in the ESS database, search, and E-Submission applications, even if they are not members of the 28E organization.**

**Other Issues which need to be addressed for passage of the fee policy and related legislation.**

Fee policy for mortgage documents.

Back the Blue program policy

Modernization changes removed by HF 328

Miscellaneous and non-substantive technical changes

**Senate File 371 - Introduced**

SENATE FILE 371

BY KLIMESH

**A BILL FOR**

1 An Act concerning county recorder policies and procedures  
2 including the imposition of fees and the establishment  
3 of funds, and including transition and effective date  
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.601A, Code 2025, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 01. *"Additional parcel identifier"* means a  
4 parcel letter or number designation approved by the auditor in  
5 accordance with section 354.4, subsection 1, paragraph "a", and  
6 section 558.63.

7 NEW SUBSECTION. 1A. *"County land record management system"*  
8 means the physical or hosted system maintained or licensed  
9 by each county for recording documents, assigning recording  
10 reference numbers, specifying recording times, maintaining  
11 the database and index of records, and archiving physical and  
12 electronic documents and generally providing recording services  
13 as required in this part 3 of subchapter V and section 558.49.

14 NEW SUBSECTION. 3A. *"Electronic services system"* means the  
15 organization formed under chapter 28E between the counties to  
16 create and implement a statewide electronic county land record  
17 information system as required by 2005 Iowa Acts, ch. 179,  
18 §101, as amended by 2021 Iowa Acts, ch. 126, §2, and this Act.  
19 *"Electronic services system"* also means the statewide electronic  
20 system implemented to accept, manage, and make available  
21 records filed with a county recorder.

22 NEW SUBSECTION. 7A. *"Parcel identification number"* means an  
23 existing permanent real estate index number with related tax  
24 maps as provided in section 441.29, subsection 2.

25 Sec. 2. Section 331.601A, subsections 3 and 7, Code 2025,  
26 are amended to read as follows:

27 3. *"Electronic document"* means a document or instrument  
28 that is received, processed, disseminated, or maintained in an  
29 electronic format. The submission of an electronic document  
30 through the ~~county land record information~~ electronic services  
31 system electronic submission service shall be equivalent to  
32 delivery of a document through the United States postal service  
33 or by personal delivery at designated offices in each county.  
34 Persons who submit electronic documents for recording are  
35 responsible for ensuring that the electronic documents comply

1 with all requirements for recording.

2 7. "Page" means a writing, printing, or drawing, other than  
3 a plat or survey or a drawing related to a plat or survey,  
4 occurring on one side only and covering all or part of such  
5 side, and not larger than eight and one-half inches in width  
6 and fourteen inches in length. "Page" also includes a plat  
7 of survey, as defined in section 355.1, subsection 9, or a  
8 drawing related to a plat of survey occurring on one side only  
9 and covering all or part of such side, with a width of not  
10 larger than twenty-four inches and a length of not larger than  
11 thirty-six inches.

12 Sec. 3. Section 331.603, subsection 5, paragraph a, Code  
13 2025, is amended to read as follows:

14 a. ~~The governing board of the county land record information~~  
15 ~~system shall not enter into an agreement to provide access~~  
16 ~~to electronic documents or records on a batch basis.~~ The  
17 county recorder may collect reasonable fees for access to  
18 electronic documents and records pursuant to an agreement.  
19 The fees shall not exceed the actual cost of providing access  
20 to the electronic documents and records. "Actual cost" means  
21 only those expenses directly attributable to providing access  
22 to electronic documents and records. "Actual cost" shall  
23 not include costs such as employment benefits, depreciation,  
24 maintenance, electricity, or insurance associated with the  
25 administration of the office of the county recorder ~~or the~~  
26 ~~county land record information system.~~

27 Sec. 4. Section 331.604, Code 2025, is amended by striking  
28 the section and inserting in lieu thereof the following:

29 **331.604 Recording and filing fees.**

30 1. a. Except as otherwise provided by state law, including  
31 paragraph "b" of this subsection or section 331.605, the  
32 recorder shall collect a fee of ten dollars for each page or  
33 fraction of a page of an instrument that is physically or  
34 electronically filed or recorded in the recorder's office. The  
35 maximum recording fee for documents with fifty or more pages

1 is five hundred dollars.

2     *b.* A county shall not be required to pay a fee to the  
3 recorder for filing or recording instruments. However, a  
4 county treasurer is required to pay recording fees pursuant to  
5 sections 437A.11 and 437B.7.

6     2. The treasurer, on behalf of the recorder, shall establish  
7 and maintain a recorder's technology advancement fund into  
8 which all moneys collected pursuant to subsection 3 shall be  
9 deposited. Interest earned on moneys deposited in the fund  
10 shall be credited to the recorder's technology advancement  
11 fund. The recorder may collaborate with other entities,  
12 boards, and agencies to further the purposes of subsection 3.

13     3. From the total fee paid for the recording of a document  
14 or instrument pursuant to subsection 1, two dollars shall be  
15 transferred to the recorder's technology advancement fund.  
16 Moneys in the recorder's technology advancement fund must be  
17 used for the following purposes:

18     *a.* Maintaining and improving equipment, software, and  
19 systems.

20     *b.* Preserving and maintaining archived physical and  
21 electronic documents and instruments.

22     *c.* Converting physical documents to electronic documents  
23 and, if it is possible to index the documents during the  
24 conversion to meet the requirements outlined in sections  
25 331.606 and 558.49, indexing the documents.

26     *d.* Education and training for advancing technology.

27     4. The treasurer, on behalf of the recorder, shall establish  
28 and maintain a recorder's electronic services system fund into  
29 which all moneys collected pursuant to subsection 5 shall be  
30 deposited. Interest earned on moneys deposited in the fund  
31 shall be credited to the recorder's electronic services system  
32 fund.

33     5. *a.* From the total fee paid for the recording of a  
34 document or instrument pursuant to subsection 1, three dollars  
35 shall be transferred to the recorder's electronic services

1 system fund. The recorder's electronic services system fund  
2 must be used for the purposes outlined in section 331.605B,  
3 subsection 1.

4 *b.* By the first day of each month, the treasurer shall  
5 transfer the moneys deposited into the recorder's electronic  
6 services system fund to an account in a financial institution  
7 designated by the electronic services system.

8 6. The recorder or the electronic services system shall  
9 make available any information required by the county auditor  
10 or auditor of state concerning the moneys collected from  
11 fees under this section and the uses for which such fees are  
12 expended.

13 Sec. 5. Section 331.605B, Code 2025, is amended by striking  
14 the section and inserting in lieu thereof the following:

15 **331.605B Electronic services system — fees collected —**  
16 **liability.**

17 1. The governing board of the electronic services system  
18 shall create and implement a statewide electronic county land  
19 record management system for the following purposes:

20 *a.* Enable electronic filing to record documents.

21 *b.* Provide electronic access to recorded documents to the  
22 public.

23 *c.* Receive electronic payments to process electronic  
24 documents for recording.

25 *d.* Implement security and redaction systems to protect  
26 personally identifiable information.

27 *e.* Integrate with other appropriate real property filing or  
28 management systems.

29 *f.* Establish standards for processing, recording, indexing,  
30 accessing, and archiving documents for electronic county land  
31 record management systems and the electronic services system.

32 *g.* Develop a notification system to inform a user when  
33 electronic filings or records are associated with the user's  
34 name, identified property, or other recorded filing information  
35 when applicable.

1     2. The electronic services system may collect a fee of not  
2 more than three dollars per recorded document to receive and  
3 process electronic documents for recording. An additional  
4 service charge may be added for credit or debit card payments.  
5 The moneys collected from fees to receive and process  
6 electronic documents for recording shall be used for the  
7 purposes specified in subsection 1. The electronic services  
8 system shall collect only statutorily authorized fees for land  
9 records management and shall not collect a fee for viewing,  
10 accessing, or printing documents in the statewide electronic  
11 county land record management system unless specifically  
12 authorized by statute. The electronic services system shall  
13 not provide access to electronic filings or records on a batch  
14 basis.

15     3. Each county shall participate in the electronic services  
16 system and shall comply with the policies and procedures  
17 established by the governing board of the electronic services  
18 system. The board of supervisors of each county, on behalf  
19 of each county recorder, may vote to amend the chapter 28E  
20 agreement with other counties to provide for the ongoing  
21 implementation of the electronic services system as required  
22 by 2005 Iowa Acts, ch. 179, §101, as amended by 2021 Iowa Acts,  
23 ch. 126, §2, and this Act.

24     4. The electronic services system is a unit of local  
25 government for purposes of chapter 670. However, a person  
26 who has contracted with the governing board of the electronic  
27 services system to carry out the duties of the board is not an  
28 employee for purposes of chapter 670.

29     Sec. 6. Section 331.606, subsections 1 and 2, Code 2025, are  
30 amended to read as follows:

31     1. a. In addition to the information required in section  
32 331.606B, subsection 2, section 558.49, and other requirements  
33 specified by law, the recorder shall note in the electronic  
34 county land record management system the date of filing  
35 recording of each instrument, the number and character, type,

1 or title of the instrument, and the name of each grantor  
2 and grantee named in the instrument. In numbering the When  
3 assigning reference numbers to documents or instruments, the  
4 recorder may start with the number one immediately following  
5 the date of annual settlement with the board and continue to  
6 number them consecutively until the next annual settlement  
7 with the board or the recorder may shall start with number one  
8 on the first working day of the calendar year and continue to  
9 number the instruments consecutively until the last working  
10 day of the calendar year. Reference numbers shall include  
11 only numbers, contain no more than six digits, and the county  
12 two-digit number and four-digit year must precede each  
13 reference number. The recorder may also assign a book and page  
14 number to documents and instruments.

15 b. Associated and antecedent recording references shall be  
16 indexed with the recorded document.

17 c. A parcel identification number shall be referenced if  
18 known and shall not be modified unless the modification is  
19 necessary to correct an error.

20 d. A legal description and parsed location information  
21 shall be indexed if known. For platted land, the indexed  
22 information shall include the lot, block, subdivision name,  
23 city or township, and county. For unplatted land, the indexed  
24 information shall include the section, township, range, and  
25 quarter section. Indexing quarters of a quarter section is  
26 recommended but not required.

27 e. Any additional parcel identifier shall be indexed as an  
28 additional parcel identifier in the electronic services system.

29 2. The recorder shall ~~also~~ note in the index the exact  
30 time hour, minute, and second of the filing recording of each  
31 document or instrument.

32 Sec. 7. Section 331.606A, subsections 3 and 4, Code 2025,  
33 are amended to read as follows:

34 3. *Redaction from electronic documents.* Personally  
35 identifiable information that is contained in electronic

1 documents that are displayed for public access on an internet  
2 site, or ~~which~~ that are transferred to any person, shall be  
3 redacted prior to displaying or transferring the documents.  
4 Each recorder that displays electronic documents and the  
5 ~~county land record information~~ electronic services system that  
6 displays electronic documents on behalf of a county shall  
7 implement a system for redacting personally identifiable  
8 information. The recorder and the governing board of the  
9 ~~county land record information~~ electronic services system shall  
10 establish a procedure by which individuals may request that  
11 personally identifiable information contained in an electronic  
12 document displayed on an internet site be redacted, at no  
13 fee to the requesting individual. ~~The requirements of this~~  
14 ~~subsection shall be fully implemented not later than December~~  
15 ~~31, 2011.~~

16 4. *Dissemination of documents.* Persons who have contracted  
17 with a county recorder or the governing board of the ~~county~~  
18 ~~land record information~~ electronic services system to redact  
19 personally identifiable information from electronic documents  
20 pursuant to [subsection 3](#) shall not sell, transfer, or otherwise  
21 disseminate the electronic documents in an unaltered or  
22 redacted form, except as provided for in the contract.

23 Sec. 8. Section 331.606A, subsection 7, Code 2025, is  
24 amended by striking the subsection and inserting in lieu  
25 thereof the following:

26 7. *Redaction of names.* Upon request by a peace officer,  
27 as defined in section 801.4, civilian employee of a law  
28 enforcement agency, or state or federal judicial officer  
29 or state or federal prosecutor, the county assessor or the  
30 county assessor's staff, or the county recorder or the county  
31 recorder's staff, shall redact the requestor's name contained  
32 in electronic documents that are displayed for public access  
33 through an internet site. Upon request by a former peace  
34 officer, as defined in section 801.4, or a former civilian  
35 employee of a law enforcement agency, the county assessor or

1 the county assessor's staff, or the county recorder or the  
2 county recorder's staff, may redact, upon the presentation of  
3 evidence that a compelling safety interest is served by doing  
4 so, the requestor's name contained in electronic documents that  
5 are displayed for public access through an internet site. This  
6 subsection does not apply to a requestor holding or seeking  
7 public office. The county assessor and the county recorder  
8 shall implement a process without charging a fee to facilitate  
9 requests pursuant to this subsection.

10 Sec. 9. Section 331.606B, subsection 1, Code 2025, is  
11 amended to read as follows:

12 1. ~~Except as otherwise provided in subsection 7, the county~~  
13 ~~recorder shall refuse any document or instrument presented~~  
14 ~~for recording~~ To ensure that recorded documents are legible  
15 and contain all required information in order to facilitate a  
16 permanent record that can be properly archived and indexed, a  
17 recorder may decline to record a document or instrument that  
18 does not meet the following requirements:

19 a. Each document or instrument shall consist of one or  
20 more individual pages ~~not permanently bound or in a continuous~~  
21 ~~form.~~ For purposes of this paragraph, "continuous form"  
22 means individual one-sided pages. A physical document or  
23 instrument presented for filing shall not have any attachment  
24 be permanently bound, stapled, taped, or otherwise affixed  
25 to any page except as necessary to comply with statutory  
26 requirements and must contain text or graphics on only one  
27 side. ~~However, the~~ The individual pages of a physical document  
28 or instrument may be stapled clipped together for presentation  
29 for recording. A physical document or instrument containing a  
30 label that is firmly attached with a bar code or return address  
31 may be accepted for recording.

32 b. All ~~preprinted~~ text shall must be legible and the font  
33 at least eight ten point in size and no more than twenty  
34 characters and spaces per inch, except that the font may be  
35 eight point in size if the document is a plat or survey. All

1 ~~other text typed or computer generated, including but not~~  
2 ~~limited to all names of parties to an agreement, shall be at~~  
3 ~~least ten point in size and no more than sixteen characters~~  
4 ~~and spaces per inch. If a document or instrument, other than~~  
5 ~~a plat or survey or a drawing related to a plat or survey,~~  
6 ~~presented for recording contains type smaller than eight point~~  
7 ~~type for the preprinted text and ten point type for all other~~  
8 ~~text, the document or instrument shall be accompanied by an~~  
9 ~~exact typewritten or printed copy that meets the requirements~~  
10 ~~of this section.~~

11 c. Each document shall be of sufficient legibility to  
12 produce a clear reproduction. ~~If a A~~ document or instrument,  
13 other than a plat or survey or a drawing related to a plat or  
14 survey, that is not fully or partially sufficiently legible  
15 to produce a clear reproduction, ~~the document or instrument~~  
16 ~~shall be accompanied by an exact typewritten or printed copy~~  
17 ~~that meets the type size requirements of paragraph "b" and~~  
18 shall a legible copy of the full or partial page, which will be  
19 recorded contemporaneously as additional pages of the document  
20 or instrument.

21 d. ~~Each A~~ physical document or instrument, ~~other than a plat~~  
22 ~~or survey or a drawing related to a plat or survey, shall must~~  
23 be on standard white paper of not less than twenty pound weight  
24 without watermarks or other visible ~~inclusions~~ markings. All  
25 ~~text within the document or instrument shall be of sufficient~~  
26 ~~color and clarity to ensure that the text is readable when~~  
27 ~~reproduced from the record.~~

28 e. All signatures on a document or instrument shall be in  
29 black or dark blue ink and ~~of sufficient color and clarity to~~  
30 ~~ensure that the signatures are readable~~ discernible when the  
31 document or instrument is reproduced from the record. The  
32 corresponding name ~~shall~~ must be ~~typed,~~ printed, or stamped  
33 beneath the original signature. ~~The typing or printing of a~~  
34 ~~name or the application of an embossed or inked stamp shall~~  
35 not cover or otherwise materially interfere with any part

1 of the document or instrument except ~~where~~ when provided by  
 2 law. Failure to print ~~or type~~ signatures as provided in this  
 3 paragraph does not invalidate the document or instrument.

4 *f.* The first page of each document or instrument, other than  
 5 a plat or survey or a drawing related to a plat or survey, shall  
 6 have a top margin of at least ~~three inches of vertical space~~  
 7 ~~from left to right which shall be reserved~~ one-half of one  
 8 inch. If the document or instrument does not include a cover  
 9 page, then there must be a blank rectangular space with the  
 10 dimensions of three and three-fourths inches in width and two  
 11 and one-half inches in height adjacent to the top margin on the  
 12 first page and designated for the recorder's use. All other  
 13 margins on the document or instrument shall be a minimum of  
 14 three-fourths of one inch. Nonessential information including  
 15 but not limited to form numbers, page numbers, or customer  
 16 notations may be placed in a margin except the top margin. The  
 17 recorder shall not incur any liability for not showing a seal  
 18 or information that extends beyond the margin of the permanent  
 19 archival record.

20 *g.* ~~Each~~ A document or instrument presented for recording  
 21 shall ~~meet the requirements of section 331.606A, subsection 2~~  
 22 not include personally identifiable information unless redacted  
 23 in accordance with section 331.606A, subsection 3.

24 Sec. 10. Section 331.606B, subsection 2, unnumbered  
 25 paragraph 1, Code 2025, is amended to read as follows:

26 Each document or instrument, other than a plat or survey or  
 27 a drawing related to a plat or survey, that is presented for  
 28 recording shall contain the following information on the first  
 29 page ~~below the three-inch margin~~ or on a cover page:

30 Sec. 11. Section 331.606B, subsection 2, paragraphs a, d,  
 31 and i, Code 2025, are amended to read as follows:

32 *a.* The name, address, and either the telephone number or  
 33 email address of the individual who prepared the document, or  
 34 the contact information for an individual familiar with the  
 35 document or instrument who is able to address questions from

1 the recorder.

2 *d.* The title or type of the document or instrument.

3 *i.* ~~A document or instrument number for statutory~~  
4 ~~requirements~~ Associated and antecedent recording references,  
5 if applicable.

6 Sec. 12. Section 331.606B, subsection 3, Code 2025, is  
7 amended to read as follows:

8 3. A cover page meeting the requirements of section  
9 331.606B, subsection 1, may be included with the document  
10 or instrument and will be recorded contemporaneously as an  
11 additional page of the document or instrument. If insufficient  
12 space exists on the first page or the cover page for all of the  
13 information described in subsection 2, the person presenting  
14 the document for recording must identify on the first page  
15 or the cover page a page reference of for the document or  
16 instrument where the required information ~~is located shall be~~  
17 ~~noted on the first page~~ can be located.

18 Sec. 13. Section 331.606B, subsection 4, Code 2025, is  
19 amended by striking the subsection and inserting in lieu  
20 thereof the following:

21 4. A recording of a document or instrument evidencing a  
22 transaction for the conveyance or assignment of property,  
23 transactions related to the property's financing, or a release  
24 of a legal or financial obligation on the property applies  
25 solely to the parties identified and participating in the  
26 recorded transaction and not any other party concerning any  
27 other transaction.

28 Sec. 14. Section 331.606B, subsection 6, Code 2025, is  
29 amended to read as follows:

30 6. A physical document or instrument ~~rejected~~ declined  
31 for recording by a recorder shall be returned to the preparer  
32 or presenter accompanied by an ~~explanation of~~ the reason  
33 for ~~rejection~~ declining the document or instrument and any  
34 information necessary to correct the defect. A person who  
35 files an electronic document or instrument declined for

1 recording by a recorder shall be notified by the recorder that  
2 the document or instrument has been declined, the reason the  
3 document or instrument has been declined, and any information  
4 necessary to correct the defect. If the recording fee for an  
5 electronic document or instrument was calculated and processed  
6 incorrectly, the person who filed the document or instrument  
7 shall be notified of the error and the reason for the fee  
8 adjustment by the recorder.

9     Sec. 15. Section 331.606B, subsection 7, Code 2025, is  
10 amended by striking the subsection.

11     Sec. 16. NEW SECTION. **331.612 Recording of surveys.**

12     1. Notwithstanding section 331.606B, the following  
13 document or document formatting standards shall apply to  
14 surveys submitted by licensed professional land surveyors for  
15 recording:

16     *a.* All text must be legible and the font at least eight  
17 point in size.

18     *b.* All text font, signatures, and drawings must have  
19 sufficient weight, contrast, and darkness to produce a clear  
20 reproduction.

21     *c.* Physical documents submitted to a county for recording  
22 shall be on standard white paper without watermarks or other  
23 visible markings and shall have dimensions no greater than  
24 eleven by seventeen inches. Notwithstanding the dimensions  
25 specified for physical documents in this section, a physical  
26 document with dimensions no greater than twenty-four inches by  
27 thirty-six inches may be submitted to the county if the county  
28 is able to scan or digitize the document while maintaining  
29 the original scale and quality of the document as specified  
30 in paragraphs "a" and "b". Electronic documents submitted to  
31 a county for recording through the electronic services system  
32 shall have dimensions no greater than twenty-four inches by  
33 thirty-six inches.

34     *d.* The survey must contain an index legend as outlined in  
35 subsection 2.

1 e. A survey must provide a cover page or a blank rectangular  
2 space on the first page with the dimensions of three and  
3 three-fourths inches in width and two and one-half inches in  
4 height designated for the recorder's use.

5 2. A survey must contain an index legend consisting of a  
6 compact table or a grid with lines that provides the following  
7 information:

8 a. County name.

9 b. For platted land, the index information shall include  
10 the additional parcel identifier, if applicable; lot or unit;  
11 block; unabbreviated subdivision name; town, city, or county;  
12 section; township; and range. For unplatted land, the indexed  
13 information shall include the additional parcel identifier,  
14 if applicable, section, township, range, and quarter section.  
15 Indexing quarters of a quarter section is recommended but  
16 not required. Subdivision plats, acquisition plats, and  
17 retracement plats of survey shall reference the existing  
18 auditor's parcel designation in accordance with section 354.4,  
19 subsection 1, paragraph "a". A plat of survey shall reference  
20 the approved auditor's parcel designation in accordance with  
21 section 354.4, subsection 1, paragraph "a".

22 c. The parcel identification number and additional parcel  
23 identifier, if applicable.

24 d. Proprietor's name.

25 e. Requester's name.

26 f. Associated reference numbers for previously recorded  
27 surveys.

28 g. The surveyor's name, address, and phone number or email  
29 address.

30 h. Information necessary for the county recorder to return  
31 the survey document.

32 i. If the survey document is a monument preservation  
33 certificate, the name of the government entity requesting the  
34 certification in accordance with section 355.6A.

35 Sec. 17. Section 354.18, subsection 2, Code 2025, is amended

1 to read as follows:

2 2. The recorder shall examine each plat of survey and  
3 subdivision plat to determine whether the plat is clearly  
4 legible and whether the approval by the applicable governing  
5 body and the other attachments required by **this chapter** are  
6 presented with the plat. The recorder shall also keep a  
7 reproducible physical or electronic copy of the plat from  
8 which legible copies can be made. ~~The~~ When a physical plat is  
9 presented for recording, the recorder may specify the material  
10 and the size of the plat, accepted for recording as long as the  
11 document is not less than eight and one-half inches in width by  
12 eleven inches, that will be accepted for recording in order to  
13 comply with **this section** in height. The recorder must accept a  
14 plat or subdivision plat meeting the requirements of section  
15 355.7, 355.7A, or 355.8, respectively, submitted electronically  
16 through the electronic services system. The recorder shall not  
17 record a subdivision plat that violates **this chapter**.

18 Sec. 18. Section 355.6A, subsection 4, paragraphs a and b,  
19 Code 2025, are amended to read as follows:

20 a. The monument preservation certificate shall be filed with  
21 the county recorder pursuant to ~~section 331.606B, subsection~~  
22 5 section 331.612, subsection 2, paragraph "i", no later than  
23 thirty days after the certificate is signed by the surveyor.

24 b. The county recorder shall index the monument preservation  
25 certificate according to the township, range, section number,  
26 and quarter section ~~on~~ in which the monument is located ~~within~~.  
27 If the monument is located within an official plat, the county  
28 recorder shall also index the certificate alphabetically by the  
29 official plat name.

30 Sec. 19. Section 355.6A, subsection 4, paragraph c, Code  
31 2025, is amended by striking the paragraph.

32 Sec. 20. Section 355.12, Code 2025, is amended to read as  
33 follows:

34 **355.12 Indexing of survey documents by recorder.**

35 The recorder shall index survey documents and United States

1 public land corner certificates submitted in accordance with  
2 section 331.612, subsection 2, paragraph "b", by township,  
3 range, and section number. If the survey is in a recorded  
4 subdivision, the recorder shall also index the document  
5 alphabetically by subdivision name.

6 Sec. 21. Section 670.2, subsection 2, Code 2025, is amended  
7 to read as follows:

8 2. For the purposes of this chapter, "employee" includes a  
9 person who performs services for a municipality whether or not  
10 the person is compensated for the services, unless the services  
11 are performed only as an incident to the person's attendance  
12 at a municipality function. "Employee" does not include  
13 contractors employed by the governing board of the electronic  
14 services system to provide services in accordance with section  
15 331.605B.

16 Sec. 22. 2005 Iowa Acts, chapter 179, section 101,  
17 subsection 1, as amended by 2021 Iowa Acts, chapter 126,  
18 section 2, is amended to read as follows:

19 1. The board of supervisors of each county, on behalf of  
20 each county recorder, shall execute a chapter 28E agreement  
21 with the other counties for the implementation of the ~~county~~  
22 land record information electronic services system to create  
23 and implement a statewide electronic county land record  
24 information system.

25 Sec. 23. TRANSITION. Any moneys remaining in each county's  
26 county recorder's records management fund, as described in  
27 section 331.604, subsection 2, paragraph "a", Code 2025, as  
28 of the effective date of this Act shall be transferred to the  
29 respective county's recorder's technology advancement fund, as  
30 described in section 331.604, subsection 2, as amended by this  
31 Act. Any moneys remaining in each county's county recorder's  
32 electronic transaction fund, as described in section 331.604,  
33 subsection 3, paragraph "c", Code 2025, as of the effective  
34 date of this Act shall be transferred to the respective  
35 county's recorder's electronic services system fund, as

1 described in section 331.604, subsection 4, as amended by this  
2 Act. Any moneys remaining in the local government electronic  
3 transaction fund, as described in section 331.604, subsection  
4 3, paragraph "d", Code 2025, after the effective date of this  
5 Act are appropriated to the treasurer of state to be used by  
6 the treasurer of state to assist the governing board of the  
7 electronic services system in accomplishing the purposes stated  
8 in section 331.605B, subsection 1, as amended by this Act.

9 Sec. 24. EFFECTIVE DATE. The following takes effect January  
10 1, 2026:

11 The portion of the section of this Act amending section  
12 331.606, subsection 1.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with  
15 the explanation's substance by the members of the general assembly.

16 This bill relates to certain required document criteria to  
17 file documents and instruments with county recorders, fees  
18 paid for recording documents, funds created for recorders and  
19 the electronic services system and associated authorization  
20 for spending moneys in those funds for certain purposes, the  
21 creation of the electronic services system, organized by  
22 an agreement pursuant to Code chapter 28E (28E agreement),  
23 and the electronic filing system used to accept, manage,  
24 and make available county recorder filings electronically.  
25 Under current law, county recorders are required to execute  
26 a 28E agreement with other counties to implement a county  
27 land record information system in accordance with 2005 Iowa  
28 Acts, chapter 179, section 101, subsection 1, as amended by  
29 2021 Iowa Acts, chapter 126, section 2. The bill amends this  
30 provision to require county recorders to enter into a 28E  
31 agreement to create and implement the electronic services  
32 system, a statewide electronic county land record information  
33 system. The bill defines "electronic services system" as the  
34 organization formed under the 28E agreement. The electronic  
35 services system is also the name of the actual electronic

1 system implemented to accept, manage, and make available  
2 records filed with a county recorder.

3 Several sections of Code chapter 331, subchapter V,  
4 part 3, pertaining to the county recorder are amended to  
5 specify certain requirements for documents or instruments  
6 submitted to a county recorder for filing either in person  
7 or electronically. Many of these requirements pertain to  
8 required recording references, indexing, formatting, text,  
9 margin sizes, and document size limitations with an emphasis on  
10 legibility. References to the county land record information  
11 system are removed throughout Code chapter 331 and replaced  
12 with "electronic services system".

13 Under current law, in addition to the \$5 county recorders  
14 collect for each page of a document or instrument filed in  
15 the county recorder's office, \$1 is collected for the county  
16 recorder's records management fund, and \$1 is collected for  
17 the county recorder's electronic transaction fund. The bill  
18 changes the fees to a flat fee of \$10 for each page filed or  
19 recorded in the recorder's office, with a maximum recording fee  
20 of \$500 for 50 or more pages filed. From the total fee of \$10  
21 per page of a document or instrument filed with a recorder, \$2  
22 is transferred to the recorder's technology advancement fund  
23 and \$3 is transferred to the recorder's electronic services  
24 system fund.

25 The bill eliminates the county recorder's records management  
26 funds and creates recorder's technology advancement funds to  
27 be used for the following purposes: maintaining and improving  
28 equipment, software, and systems; preserving and maintaining  
29 archived physical and electronic documents or instruments;  
30 converting physical documents to electronic documents; and  
31 education and training for advancing technology. The bill  
32 eliminates the county recorder's electronic transaction funds  
33 and creates recorder's electronic services funds. By the first  
34 day of each month, the treasurer shall transfer the moneys  
35 deposited into the recorder's electronic services system fund

1 to an account in a financial institution designated by the  
2 governing board of the electronic services system to be used  
3 as outlined in new Code section 331.605B for the following  
4 purposes: to enable electronic filing for recording documents;  
5 to provide electronic access to recorded public documents; to  
6 receive electronic payments to process electronic documents  
7 for recording; to implement security and redaction systems to  
8 protect personally identifiable information; to integrate with  
9 other appropriate real property filing or management systems;  
10 to establish standards for processing, recording, indexing,  
11 accessing, and archiving documents for electronic county land  
12 record management systems; and to develop a notification system  
13 for users when electronic filings or records are associated  
14 with the user's name, property, or other recorded filing  
15 information. The recorder or the electronic services system  
16 shall make available any information required by the county  
17 auditor or auditor of state concerning the moneys collected  
18 from fees and the uses for which such fees are expended.

19 The county treasurer must transfer moneys remaining in the  
20 county recorder's records management fund to the recorder's  
21 technology advancement fund and moneys remaining in the county  
22 recorder's electronic transaction fund to the recorder's  
23 electronic services fund on the effective date of the bill.  
24 The bill provides that any moneys remaining in the local  
25 government electronic transaction fund after the effective date  
26 of the bill are appropriated to the treasurer of state to be  
27 used by the treasurer of state to assist the governing board of  
28 the electronic services system in accomplishing the purposes  
29 stated in Code section 331.605B(1).

30 The electronic services system may collect a fee of not more  
31 than \$3 per recorded document, along with any service charges  
32 associated with a credit or debit card payment, to receive and  
33 process a document or instrument. Moneys collected from these  
34 fees by the electronic services system must be used for the  
35 same purposes as the recorder's electronic services fund. The

1 electronic services system cannot charge a fee for viewing,  
2 accessing, or printing records and cannot provide access to  
3 records on a batch basis.

4 The bill limits tort liability of government subdivisions  
5 by excluding contractors hired by the governing board of the  
6 electronic services systems from government employees.

7 The bill creates a process for a county recorder to decline  
8 acceptance of a physical or electronic document and to provide  
9 information to the filer to correct the defect. A recorder's  
10 ability to collect an additional recording fee of \$10 per  
11 document to accept nonconforming documents is eliminated.

12 The information required to be included by a recorder  
13 who is filing and indexing documents or instruments into the  
14 electronic county land record management system is outlined  
15 and includes how reference numbers must be determined and  
16 applied to filings each calendar year, the use of only numeric  
17 references containing no more than six digits preceded by  
18 a county two-digit code and four-digit year, and indexing  
19 requirements for certain recorded documents associated with  
20 the recording. Additionally, the following shall be indexed  
21 if known: a parcel identification number; a legal description  
22 and parsed location information including platted and  
23 unplatted information; and any additional parcel identifiers  
24 used by a county auditor. The indexing and recording  
25 requirements outlined in the bill take effect January 1, 2026.  
26 Additionally, a recorder must note in the index the exact hour,  
27 minute, and second a document or instrument is recorded.

28 The bill provides for the recording of surveys in new Code  
29 section 331.612. Specific text sizing and formatting along  
30 with page sizing, index legend requirements, and other required  
31 information for surveys, plats, subdivision plats, and monument  
32 preservation certificates, with an emphasis on legibility,  
33 are provided. The recorder must accept a plat or subdivision  
34 plat that meets the requirements outlined in Code section  
35 355.7, 355.7A, or 355.8 submitted electronically through the

1 electronic services system. The bill also provides for the use  
2 of cover pages when submitting the information required in Code  
3 section 331.606B(2) and outlines the location on the first page  
4 where the information must be provided when filing a document  
5 with the county recorder along with providing guidelines for  
6 including designated space for a county recorder's use.