

JAN 3 0 2006

COMMERCE, REGULATION & LABOR

HOUSE FILE 2169

BY PETTENGILL, SWAIM, BERRY,  
JACOBY, D. TAYLOR, THOMAS,  
HUNTER, WENDT, COHOON, SHOMSHOR,  
MERTZ, DAVITT, BUKTA, WHITAKER,  
SCHUELLER, PETERSEN, GASKILL,  
LENSING, KRESSIG, and HEDDENS

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the disclosure of methamphetamine manufacture  
2 in real estate installment contracts and real estate  
3 transfers.

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

HF 2169

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1 Section 1. Section 558.70, subsection 1, Code Supplement  
2 2005, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. k. Whether, to the seller's knowledge,  
4 methamphetamine has or has not been manufactured on the  
5 property.

6 Sec. 2. Section 558A.4, subsection 1, Code 2005, is  
7 amended to read as follows:

8 1. The disclosure statement shall include information  
9 relating to the condition and important characteristics of the  
10 property and structures located on the property, including  
11 significant defects in the structural integrity of the  
12 structure, as provided in rules which shall be adopted by the  
13 real estate commission pursuant to section 543B.9. The  
14 disclosure statement shall include whether methamphetamine has  
15 or has not been manufactured on the property. The disclosure  
16 statement shall also include whether the property is located  
17 in a real estate improvement district and the amount of any  
18 special assessment against the property under chapter 358C.  
19 The rules may require the disclosure to include information  
20 relating to the property's zoning classification; the  
21 condition of plumbing, heating, or electrical systems; or the  
22 presence of pests.

23 EXPLANATION

24 This bill relates to the disclosure of whether  
25 methamphetamine has or has not been manufactured on a property  
26 prior to transfer of the property. The bill requires a  
27 contract seller to disclose prior to the execution of a  
28 residential real estate installment sales contract whether  
29 methamphetamine has or has not been manufactured on the  
30 property. A person injured by a failure to make the  
31 disclosure may bring a civil action for equitable relief to  
32 rescind the contract or for actual damages.

33 The bill requires a person who is transferring real  
34 property to deliver a written disclosure statement to a person  
35 interested in being transferred the real property that states

1 whether methamphetamine has or has not been manufactured on  
2 the property. A person injured by a failure to make the  
3 disclosure may bring a civil action to recover actual damages.

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