

FILED MAR 7 2005

SENATE FILE 281
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 1215)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the assessment and collection of penalty, fee,
2 and interest charges imposed for the late payment of building
3 code penalties, fines, and inspection and enforcement fees.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 281

S-3013

- 1 Amend Senate File 281 as follows:
- 2 1. Page 1, line 5, by striking the word "plus"
- 3 and inserting the following: "and may add".
- 4 2. Page 1, lines 10 and 11, by striking the words
- 5 "general taxes" and inserting the following: "a
- 6 property tax".
- 7 3. Page 1, line 16, by striking the word "plus"
- 8 and inserting the following: "and may add".
- 9 4. Page 1, line 21, by striking the words
- 10 "general taxes" and inserting the following: "a
- 11 property tax".

By HERMAN C. QUIRMBACH

S-3013 FILED MARCH 9, 2005

SF 281

1 Section 1. Section 364.17, subsection 3, paragraph a, Code
2 2005, is amended to read as follows:

3 a. A schedule of civil penalties or criminal fines for
4 violations. A city may charge the owner of housing a late
5 payment fee of twenty-five dollars plus interest of up to one
6 and one-half percent per month if a penalty or fine imposed
7 under this paragraph is not paid within thirty days of the
8 date that the penalty or fine is due. Any unpaid penalty,
9 fine, fee, or interest shall constitute a lien on the real
10 property and shall be collected in the same manner as general
11 taxes.

12 Sec. 2. Section 364.17, subsection 5, Code 2005, is
13 amended to read as follows:

14 5. Cities may establish reasonable fees for inspection and
15 enforcement procedures. A city may charge the owner of
16 housing a late payment penalty of twenty-five dollars plus
17 interest of up to one and one-half percent per month if a fee
18 imposed under this subsection is not paid within thirty days
19 of the date that the fee is due. Any unpaid fee, penalty, or
20 interest shall constitute a lien on the real property and
21 shall be collected in the same manner as general taxes.

22 EXPLANATION

23 Under current law civil penalties and criminal fines may be
24 imposed for the violation of city housing codes; cities may
25 also impose fees for inspection and enforcement procedures.
26 This bill allows a city to impose late payment and interest
27 charges on owners for the late payment of these penalties,
28 fines, and fees. If these penalties, fines, and fees remain
29 unpaid, they shall constitute a lien on the property.

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S-3042

- 1 Amend Senate File 281 as follows:
2 1. Page 1, line 5, by striking the word "plus"
3 and inserting the following: "and may add".
4 2. Page 1, line 10, by striking the word "shall"
5 and inserting the following: "may".
6 3. Page 1, lines 10 and 11, by striking the words
7 "general taxes" and inserting the following: "a
8 property tax".
9 4. Page 1, line 16, by striking the word "plus"
10 and inserting the following: "and may add".
11 5. Page 1, line 21, by striking the word "shall"
12 and inserting the following: "may".
13 6. Page 1, line 21, by striking the words
14 "general taxes" and inserting the following: "a
15 property tax".

By HERMAN C. QUIRMBACH

S-3042 FILED MARCH 22, 2005

Quirmbach co-chair
Shull co-chair
Schoenjahn
Zawn

SSB# 1215

Local Government

Succeeded By

SENATE FILE

~~SF 115~~ 281

BY (PROPOSED COMMITTEE ON LOCAL

GOVERNMENT BILL BY CO-CHAIRPERSONS
QUIRMBACH and SHULL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the assessment and collection of penalty, fee,
2 and interest charges imposed for the late payment of building
3 code penalties, fines, and inspection and enforcement fees.

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

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1 Section 1. Section 364.17, subsection 3, paragraph a, Code
2 2005, is amended to read as follows:

3 a. A schedule of civil penalties or criminal fines for
4 violations. A city may charge the owner of housing, which is
5 not occupied by the owner, a late payment fee of twenty-five
6 dollars plus interest of up to one and one-half percent per
7 month if a penalty or fine imposed under this paragraph is not
8 paid within thirty days of the date that the penalty or fine
9 is due. Any unpaid penalty, fine, fee, or interest shall
10 constitute a lien on the real property and shall be collected
11 in the same manner as general taxes.

12 Sec. 2. Section 364.17, subsection 5, Code 2005, is
13 amended to read as follows:

14 5. Cities may establish reasonable fees for inspection and
15 enforcement procedures. A city may charge the owner of
16 housing, which is not occupied by the owner, a late payment
17 penalty of twenty-five dollars plus interest of up to one and
18 one-half percent per month if a fee imposed under this
19 subsection is not paid within thirty days of the date that the
20 fee is due. Any unpaid fee, penalty, or interest shall
21 constitute a lien on the real property and shall be collected
22 in the same manner as general taxes.

23 EXPLANATION

24 Under current law civil penalties and criminal fines may be
25 imposed for the violation of city housing codes; cities may
26 also impose fees for inspection and enforcement procedures.
27 This bill allows a city to impose late payment and interest
28 charges for nonresident owners for the late payment of these
29 penalties, fines, and fees. If these penalties, fines, and
30 fees remain unpaid, they shall constitute a lien on the
31 property.

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