

House File 251 - Introduced

HOUSE FILE 251

BY KELLEY

A BILL FOR

1 An Act relating to state military service by providing mortgage
2 foreclosure and real estate protections for certain military
3 service members.

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

1 Section 1. Section 29A.103, subsection 1, Code 2013, is
2 amended to read as follows:

3 1. The creditor of a service member who, prior to entry into
4 military service, has entered into a mortgage contract with the
5 service member for the purchase of real or personal property
6 shall not foreclose on the mortgage or repossess the property
7 for nonpayment or for any breach occurring during military
8 service or for nine months after release or discharge from
9 military service without an order from a court of competent
10 jurisdiction.

11 EXPLANATION

12 Current law provides that a creditor of a service member who,
13 prior to entering military service, entered into a mortgage
14 contract with the service member for the purchase of real
15 or personal property shall not foreclose on the mortgage or
16 repossess the property for nonpayment or for any breach during
17 the service member's military service without an order from
18 a court of competent jurisdiction. The bill extends this
19 protection against mortgage foreclosures for nine months
20 after the service member's release or discharge from military
21 service.