

CHAPTER 1030**DESTRUCTION OF COURT RECORDS***S.F. 2258*

AN ACT relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 602.8103, subsection 4, paragraph a, Code 1987, is amended to read as follows:

a. Records including, but not limited to, ~~doekets~~, journals, scrapbooks, and files ~~including court reporters' notes~~, forty years after final disposition of the case. However, judgments, decrees, stipulations, records in criminal proceedings, probate records, and orders of court shall not be destroyed unless they have been reproduced as provided in subsection 2.

Sec. 2. Section 602.8103, subsection 4, Code 1987, is amended by adding the following new paragraphs:

NEW PARAGRAPH. g. Court reporters' notes and certified transcripts of those notes in civil cases, ten years after final disposition of the case. For purposes of this section, "final disposition" means one year after dismissal of the case, after judgment or decree without appeal, or after procedendo or dismissal of appeal is filed in cases where appeal is taken.

NEW PARAGRAPH. h. Court reporters' notes and certified transcripts of those notes in criminal cases, ten years after dismissal of all charges, or ten years after the expiration of all sentences imposed or the date probation is granted, whichever later occurs. For purposes of this subsection "sentences imposed" include all sentencing options pursuant to section 901.5.

NEW PARAGRAPH. i. Court files, as provided by rules prescribed by the supreme court, ten years after final disposition in civil cases, or ten years after expiration of all sentences in criminal cases. For purposes of this paragraph, "purging" means the removal and destruction of documents in the court file which have no legal, administrative, or historical value. Purging shall be done without reproduction of the removed documents. For purposes of this paragraph, "civil cases" does not include divorce, dissolution of marriage, child support, or paternity cases, or juvenile, mental health, probate, or adoption proceedings.

Approved April 4, 1988

CHAPTER 1031**SUSPENSION OF PROPERTY TAXES***S.F. 2270*

AN ACT relating to the suspension of the collection of taxes, special assessments, and other assessments by the county board of supervisors.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 427.8, Code 1987, is amended to read as follows:

427.8 PETITION FOR EXEMPTION.

If a person, by reason of age or infirmity, is unable to contribute to the public revenue, the person may file a petition, duly sworn to, with the board of supervisors, stating that fact and

giving a statement of property, real and personal, owned or possessed by the petitioner, and other information as the board may require. The board of supervisors may order the county treasurer to suspend the collection of the taxes, special assessments under sections 384.37 through 384.79, and rates or assessments imposed under section 384.84 or chapter 317 or 364 which are assessed against the petitioner or the petitioner's estate, or both, for the current year and those unpaid for prior years, or the board may cancel and remit the taxes, special assessments, and other assessments or rates. However, the petition must first be approved by the council of the city in which the property of the petitioner is located, or by the township trustees of the township in which the property is located.

Sec. 2. Section 427.9, Code 1987, is amended to read as follows:

427.9 SUSPENSION OF TAXES.

Whenever a person is a recipient of federal supplementary security income or state supplementary assistance, as defined in section 249.1, or is a resident of a health care facility, as defined by section 135C.1, which is receiving payment from the department of human services for the person's care, the person shall be deemed to be unable to contribute to the public revenue. The commissioner of human services shall notify the board of supervisors, of the county in which the assisted person owns property, of the fact, giving a statement of property, owned, possessed, or upon which the person is paying taxes as a purchaser under contract. The board of supervisors so notified, without the filing of a petition and statement as specified in section 427.8, shall order the county treasurer to suspend the collection of all the taxes, special assessments, and rates assessed against the property and remaining unpaid by the person or contractually payable by the person, for such time as the person remains the owner or contractually prospective owner of the property, and during the period the person receives assistance as described in this section. The commissioner of human services shall advise the person that the person may apply for an additional property tax credit pursuant to sections 425.16 to 425.39 which shall be credited against the amount of the property taxes suspended.

Approved April 4, 1988

CHAPTER 1032

REMEDIES AFTER BOND WAIVER ON PUBLIC IMPROVEMENT CONTRACTS

S.F. 2271

AN ACT relating to claims against public corporations for nonpayment of moneys due on public improvements.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 573.2, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the requirement for a bond is waived pursuant to section 12.44, a person, firm, or corporation, having a contract with the targeted small business or with subcontractors of the targeted small business, for labor performed or materials furnished, in the performance of the contract on account of which the bond was waived, is entitled to any remedy provided under this chapter. When a bond has been waived pursuant to section 12.44, the remedies provided for under this paragraph are available in an action against the public corporation.

Approved April 4, 1988