

FILED FEB 18 '03

SENATE FILE 160  
BY WARNSTADT

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

A BILL FOR

1 An Act authorizing the district court to waive the requirement  
2 that the state or any of its political subdivisions file a  
3 supersedeas bond upon appeal to the Iowa supreme court.

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

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SF 160  
JUDICIARY

1 Section 1. Section 625A.9, Code 2003, is amended to read  
2 as follows:

3 625A.9 EXECUTION ON UNSTAYED PART OF JUDGMENT --  
4 SUPERSEDEAS BOND WAIVED.

5 1. The taking of the appeal from part of a judgment or  
6 order, and the filing of a bond ~~as-above-directed~~, does not  
7 stay execution as to that part of the judgment or order not  
8 appealed from.

9 2. Upon motion and for good cause shown, the district  
10 court may stay all proceedings under the order or judgment  
11 being appealed and permit the state or any of its political  
12 subdivisions to appeal a judgment or order to the supreme  
13 court without the filing of a supersedeas bond.

14 Sec. 2. Rule of appellate procedure 6.7, Iowa court rules,  
15 fourth edition, is amended by adding the following new  
16 subrule:

17 NEW SUBRULE. 6.7(6) Upon motion and for good cause shown,  
18 the trial court may stay all proceedings under the order or  
19 judgment being appealed and permit the state or any of its  
20 political subdivisions to appeal a judgment or order to the  
21 supreme court without the filing of a supersedeas bond.

22 EXPLANATION

23 This bill permits the state or any of its political  
24 subdivisions to request the district court upon a showing of  
25 good cause to stay all proceedings under the order or judgment  
26 being appealed and waive the requirement that the state or any  
27 of its political subdivisions file a supersedeas bond upon  
28 appeal to the Iowa supreme court.

29 The bill amends Iowa Code section 625A.9 and the  
30 corresponding rule of appellate procedure, rule 6.7, contained  
31 in the Iowa Court Rules, fourth edition.

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