

*Withdrawn 2/24*

MAR 1962

HOUSE FILE 2459

BY COMMITTEE ON JUDICIARY  
AND LAW ENFORCEMENT

(Formerly Study Bill 735)

*Senate File 2250 substituted 2/24 (S. 975)*

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the manner of publication of various court  
 2 rules in the Code or a supplement to the Code and the  
 3 manner of citing the Code or a supplement to the Code  
 4 or the Acts.

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

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*2459*

1 Section 1. Section 14.6, subsection 4, Code 1981, is  
2 amended to read as follows:

3 4. Prepare and cause to be published, at ~~such~~ times as  
4 and in the manner the supreme court ~~shall-by-order-direct~~  
5 specifies after consultation with the legislative council,  
6 the rules of civil procedure, the rules of criminal procedure,  
7 the rules of appellate procedure, and other rules prescribed  
8 by the supreme court rules.

9 Sec. 2. Section 14.12, subsection 6, paragraph j, Code  
10 1981, is amended by striking the paragraph.

11 Sec. 3. Section 14.12, subsection 6, paragraph k, Code  
12 1981, is amended to read as follows:

13 k. An index covering the Constitution and statutes of  
14 the state of Iowa and ~~the-rules-of-the-supreme-court,~~ to the  
15 extent the rules are printed in the Code, rules of civil  
16 procedure ~~and,~~ rules of criminal procedure, rules of appellate  
17 procedure, and other rules prescribed by the supreme court.

18 Sec. 4. Section 14.12, Code 1981, is amended by adding  
19 after subsection 6 the following new subsection:

20 NEW SUBSECTION. The rules of civil procedure, rules of  
21 criminal procedure, rules of appellate procedure, and other  
22 rules prescribed by the supreme court shall be published  
23 either in the Code or a supplement to the Code in a manner  
24 specified by the supreme court after consultation with the  
25 legislative council. The publication provided in section  
26 14.21 may be made in lieu of a Code or supplement publication  
27 for all or a portion of the various rules if specified by  
28 the supreme court after consultation with the legislative  
29 council. In determining the manner of publication  
30 consideration shall be given to whether specific rules are  
31 subject to change by submission to the general assembly or  
32 by order of the court.

33 Sec. 5. Section 14.17, Code 1981, is amended to read as  
34 follows:

35 14.17 CITATION OF PERMANENT CODE OR SUPPLEMENTS. The

1 permanent Codes or supplements thereto published subsequent  
2 to the adjournment of the ~~extra~~ 1982 regular session of the  
3 ~~Fortieth~~ Sixty-ninth General Assembly shall be known and cited  
4 as ~~"The Code-"~~ "-or-supplement-to-the-Code  
5 ~~"-giving-year-of-edition-of-such-Code-or-supplement~~  
6 ~~thereto~~ "Iowa Code chapter (or section) .....", or "Iowa  
7 Code supplement chapter (or section)", inserting the  
8 appropriate chapter or section number and year of edition.

9 Sec. 6. Section 14.18, Code 1981, is amended to read as  
10 follows:

11 14.18 CITATION OF SESSION LAWS. The session laws of each  
12 general assembly shall be known ~~and-cited~~ as "~~-----~~  
13 ~~Session Acts~~ of the ..... General Assembly, .....  
14 Session, Chapter (or File No.) ....., Section ....."  
15 (inserting the appropriate number) and shall be cited as  
16 "..... Iowa Acts, chapter ....., section ...." (inserting  
17 the appropriate year, chapter, or section number).

18 EXPLANATION

19 The publication of various supreme court rules in the  
20 permanent Code of Iowa for 1981 presently comprise  
21 approximately 268 pages of the Code. This publication is  
22 duplicated to a large degree by the publication provided for  
23 in section 14.21 and in addition many of these rules become  
24 outdated very soon because the supreme court has authority  
25 to order administrative court rule changes in many cases.  
26 This bill does not mandate a change in procedures for  
27 publishing the rules but does vest discretion in the supreme  
28 court to specify what rules may be published in the Code or  
29 a supplement to the Code after consultation with the  
30 legislative council, which has the duty to supervise the  
31 publication of the Code and Session Laws. The purpose of  
32 this change is to provide for flexibility in publishing the  
33 rules and save time and money.

34 The bill also updates the manner in which the Code and  
35 supplements to the Code may be cited to reflect a more uniform

1 method of citation and also to provide a shorter form for  
2 citing session laws, which is presently somewhat cumbersome.

3 The bill takes effect July 1 following its enactment.

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