

FILED FEB 25 1988

SENATE FILE 2218
BY JENSEN and HESTER

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

A BILL FOR

- 1 An Act increasing and establishing certain court filing fees.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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STATE OF IOWA

FILED MAR 9 1988

FISCAL NOTE

LSB No. 7132S
Staff ID. BAL

REQ. BY SENATOR JENSEN

SENATE FILE 2218

In compliance with a written request received February 25, 1988, a fiscal note for SENATE FILE 2218 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2218 increases the filing fee from \$35 to \$45 for a petition, appeal, and writ of error, other than for certain petitions for modification of a dissolution decree. A \$25 fee is established for the filing of an answer, except for answers in small claims and simple misdemeanor actions and appeal of those actions.

Fiscal Effect

This proposed legislation will generate approximately \$1,600,000 in new revenue. The \$10 increase in the filing fee will generate approximately \$410,000 to \$510,000. The \$25 answer fee will generate approximately \$1,070,000 to \$1,187,500.

Sources: Judicial Department
Department of Management

(LSB 7132S, BAL)

Dennis A. Probst
Fiscal Director

Legislative Fiscal Bureau

Date: 3/8/88

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TL5B 7132SF 72

mj/rin/8

1 Section 1. Section 602.8105, subsection 1, paragraph a,
2 Code Supplement 1987, is amended to read as follows:

3 a. (1) For filing and docketing a petition other than for
4 modification of a dissolution decree filed within one hundred
5 eighty days of the date of the entering of the dissolution
6 decree, or an appeal or writ of error, ~~thirty-five~~ forty-five
7 dollars. Four dollars of the fee shall be deposited in the
8 court revenue distribution account established under section
9 602.8108, and ~~thirty-one~~ forty-one dollars of the fee shall be
10 paid into the state treasury. Of the amount paid to the state
11 treasury, one dollar shall be deposited in the judicial
12 retirement fund established in section 602.9104 to be used to
13 pay retirement benefits of the judicial retirement system, and
14 the remainder shall be deposited in the general fund of the
15 state. In counties having a population of one hundred
16 thousand or over, an additional five dollars shall be charged
17 and collected, to be known as the journal publication fee and
18 used for the purposes provided for in section 618.13.

19 (2) For filing an answer, excluding answers for a small
20 claims action, a small claims action on appeal, a simple
21 misdemeanor action, and a simple misdemeanor action on appeal,
22 twenty-five dollars.

23 EXPLANATION

24 This bill increases the filing fee from \$35 to \$45 for a
25 petition, appeal, or writ of error, other than for certain
26 petitions for modification of a dissolution decree. A \$25 fee
27 is established for the filing of an answer, except for answers
28 in small claims and simple misdemeanor actions and appeals of
29 those actions. The increased revenue from the fees are
30 deposited in the state general fund.

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