

*Reprinted*

HOUSE FILE

SENATE FILE *2241*

BY COMMITTEE ON JUDICIARY

*approved (p. 533)*

(SUCCESSOR TO SSR 2215)

Passed Senate, Date *3/23/92 (p. 924)*

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

Vote: Ayes *45* Nays *0*

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

Approved \_\_\_\_\_

A BILL FOR

1 An Act establishing a structured fines pilot program and  
2 providing an effective date.

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

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SENATE FILE 2241

S-5207

1 Amend Senate File 2241 as follows:

2 1. By striking page 2, line 8 through page 4,  
3 line 1.

4 2. By renumbering as necessary.

By MIKE CONNOLLY

S-5207 FILED MARCH 12, 1992

*Adopted 3/25 (p. 424)*

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*SF 2241*

1 Section 1. STRUCTURED FINES PILOT PROGRAM -- DEPARTMENT OF  
2 HUMAN RIGHTS, DIVISION OF CRIMINAL AND JUVENILE JUSTICE  
3 PLANNING. The general assembly hereby finds that the  
4 structured fines system of imposing fines has been  
5 successfully utilized in several countries of Europe and in  
6 the states of New York and Arizona. The general assembly  
7 further finds that a fine imposed as a criminal sanction  
8 should be proportionate to the severity of the offense and  
9 should equally impact individuals of differing financial  
10 resources, and that the sentencing of a criminal defendant  
11 pursuant to a structured fines program, in which fine amounts  
12 for some or all offenses are calculated and imposed according  
13 to the nature of the offense and the offender's financial  
14 resources, is not contrary to any existing provision of law.  
15 The general assembly further finds that the implementation of  
16 a structured fines pilot program within this state could serve  
17 as a test for a fairer method of dispensing criminal justice  
18 and could increase the overall amount of criminal fines  
19 collected from offenders, reduce the volume of delinquent and  
20 unpaid fines, reduce the number of offenders sentenced to  
21 formal probation, and help to alleviate the overcrowded  
22 conditions at the penal institutions within the state.

23 The department of human rights, division of criminal and  
24 juvenile justice planning is authorized to participate in a  
25 federal discretionary grant program to test the structured  
26 fines concept in counties and judicial districts also wishing  
27 to participate in the pilot program. Sections 2 through 7 of  
28 this Act shall apply only within those counties and judicial  
29 districts agreeing with the department of human rights,  
30 division of criminal and juvenile justice planning to  
31 participate in this pilot program from enactment of this Act  
32 through June 30, 1993.

33 Sec. 2. PAYMENT IN INSTALLMENTS OR ON A FIXED FUTURE DATE  
34 -- INSTALLMENT FEE AND INTEREST. If the district court orders  
35 a fine imposed pursuant to chapter 909, the criminal penalty

1 surcharge imposed pursuant to chapter 911, or court costs  
2 assessed pursuant to chapter 602, to be paid in installments  
3 or at a fixed date in the future, the court shall do all of  
4 the following:

- 5 1. Impose a time payment fee in the amount of ten dollars.
- 6 2. Impose interest charges on the unsatisfied judgment at  
7 the rate provided in section 535.3 for court judgments.

8 Sec. 3. REFUSAL TO RENEW MOTOR VEHICLE REGISTRATION --  
9 FAILURE TO PAY CRIMINAL FINE, SURCHARGE, COURT COSTS, TIME  
10 PAYMENT FEE, OR INTEREST. The county treasurer shall refuse  
11 to renew the registration of a motor vehicle registered to a  
12 person who, upon conviction for a public offense other than a  
13 violation of chapter 321, has failed to timely pay a fine  
14 imposed pursuant to chapter 909, the criminal penalty  
15 surcharge imposed pursuant to chapter 911, the court costs  
16 assessed pursuant to chapter 602, or the time payment fee or  
17 interest imposed pursuant to section 2 of this Act, as  
18 follows:

- 19 1. Upon the failure of a person to timely pay a fine,  
20 surcharge, court costs, time payment fee, or interest, the  
21 county attorney shall notify the person by regular mail that  
22 if the fine, surcharge, court costs, time payment fee, or  
23 interest remain unpaid after sixty days from the date of  
24 mailing, the county attorney shall notify the county treasurer  
25 for purposes of refusing registration renewal.

- 26 2. Upon the failure of a person to pay any of the items  
27 enumerated in this section, the county attorney shall report  
28 the failure to the county treasurer on the sixty-first day  
29 following mailing of the notice required in subsection 1.

- 30 3. The county treasurer, upon receipt of a report from the  
31 county attorney made pursuant to subsection 2, shall refuse to  
32 renew the registration until the person pays the fine,  
33 surcharge, court costs, time payment fee, or interest in full.

- 34 4. Upon payment in full by the person or cancellation by  
35 the court of an unpaid fine, surcharge, court costs, time

1 payment fee, or interest, the county attorney shall  
2 immediately notify the county treasurer if the county attorney  
3 had previously made a report to the county treasurer pursuant  
4 to subsection 2.

5 Sec. 4. SUSPENSION OF MOTOR VEHICLE LICENSE -- FAILURE TO  
6 PAY CRIMINAL FINE, SURCHARGE, COURT COSTS, TIME PAYMENT FEE,  
7 OR INTEREST. The state department of transportation shall  
8 suspend the motor vehicle license or permit of a person who,  
9 upon conviction for a public offense other than a violation of  
10 chapter 321, has failed to timely pay a fine imposed pursuant  
11 to chapter 909, the criminal penalty surcharge imposed  
12 pursuant to chapter 911, the court costs assessed pursuant to  
13 chapter 602, or the time payment fee or interest imposed  
14 pursuant to section 2 of this Act, as follows:

15 1. Upon the failure of a person to timely pay a fine,  
16 surcharge, court costs, time payment fee, or interest, the  
17 county attorney shall notify the person by regular mail that  
18 if the fine, surcharge, court costs, time payment fee, or  
19 interest remain unpaid after sixty days from the date of  
20 mailing, the county attorney shall notify the department for  
21 purposes of instituting suspension procedures.

22 2. Upon the failure of a person to pay any of the items  
23 enumerated in this section, the county attorney shall report  
24 the failure to the department on the sixty-first day following  
25 mailing of the notice required in subsection 1.

26 3. The department, upon receipt of a report from the  
27 county attorney made pursuant to subsection 2, shall suspend  
28 the person's motor vehicle license or permit until the person  
29 pays the fine, surcharge, court costs, time payment fee, or  
30 interest in full.

31 4. Upon payment in full by the person or cancellation by  
32 the court of an unpaid fine, surcharge, court costs, time  
33 payment fee, or interest, the county attorney shall  
34 immediately notify the department if the county attorney had  
35 previously made a report to the department pursuant to

1 subsection 2.

2     Sec. 5. NO MINIMUM FINE. Notwithstanding any other  
3 provisions of law, a criminal fine imposed in a county  
4 participating in the structured fines pilot program shall not  
5 be required to be imposed in any minimum amount.

6     Sec. 6. DISTRIBUTION OF CERTAIN FEES UNDER THE STRUCTURED  
7 FINES PILOT PROGRAM.

8     1. Upon payment of the time payment fee, the clerk of the  
9 district court shall remit all such fees by the fifteenth day  
10 of the month following payment to the county treasurer for  
11 credit to the general fund of the county to be used to support  
12 the costs of the continued operation of the structured fines  
13 pilot program in the county. Upon payment of interest  
14 charges, the clerk of the district court shall remit all such  
15 charges by the fifteenth day of the month following payment to  
16 the treasurer of state to be credited to the general fund of  
17 the state, except as provided in subsection 2.

18     2. Notwithstanding any other provisions of this Act, the  
19 clerk of the district court for a county participating in the  
20 structured fines pilot program shall annually remit ten  
21 percent of the first five hundred thousand dollars in fines,  
22 criminal penalty surcharges, court costs, time payment fees,  
23 and interest charges assessed for public offenses other than  
24 scheduled violations as defined in chapter 805, which are paid  
25 in installments or at a fixed date in the future, to the  
26 county treasurer for credit to the general fund of the county  
27 to be used to support the costs of operation of the structured  
28 fines pilot program in the county.

29     Sec. 7. EFFECTIVE DATE. This Act, being deemed of  
30 immediate importance, takes effect upon enactment, except for  
31 section 6 pertaining to the distribution of certain fees  
32 collected by the structured fines pilot program, which shall  
33 become effective July 1, 1992.

34

EXPLANATION

35     This bill establishes a pilot structured fines program

1 within a county and a judicial district agreeing to  
2 participate in the program with the department of human  
3 rights, division of criminal and juvenile justice planning.  
4 The bill provides the court with the authority to impose fines  
5 in criminal cases utilizing structured fines methodology in  
6 the context of existing law. It provides that a person's  
7 motor vehicle registration is not to be renewed and the  
8 person's driver's license is to be suspended for failure to  
9 pay, provides for the collection of additional fees in  
10 connection with the program, provides for the distribution of  
11 new and existing fines, penalties, and fees, and suspends any  
12 existing minimum criminal fine amounts at the pilot site.

13 This bill may include a state mandate under section 25B.3.

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SENATE FILE 2241  
AS PASSED BY THE SENATE  
FISCAL NOTE

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A fiscal note for Senate File 2241 as passed by the Senate is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Senate File 2241 establishes a Structured Fines Pilot Program through the Division of Criminal and Juvenile Justice Planning in the Department of Human Rights. The bill authorizes the Division to participate in a federal discretionary grant program to test the structured fines concept in counties and judicial districts also wishing to participate in the Program.

The bill provides:

1. The District Court in participating counties the authority to impose fines in criminal cases utilizing a structured fines methodology in the context of current law.
2. All minimum fine amounts in participating counties are waived.
3. The Clerk of Court shall remit 10% of the first \$500,000 collected in fines, criminal penalty surcharges, court costs, time payment fees, and interest charges assessed for public offenses (except for violations defined in Chapter 805 - Citations in Lieu of Arrest), and all other time payment fees to the participating county for support of the Pilot Program.
4. The Clerk of Court shall remit all other interest payments to the Treasurer of State for deposit in the General Fund.

This pilot program will sunset on June 30, 1993.

ASSUMPTIONS

1. The existing federally supported pilot project in Polk County is the only program that will exist during FY 1993.
2. It is estimated that fines which normally have gone uncollected will be collected in sufficient volume to offset the \$50,000 in collections earmarked for the pilot project.

FISCAL EFFECT

The cost to the General Fund will be \$50,000 which may be offset by an increase in revenue to the General Fund from normally uncollected fines being collected.

There will be some additional costs to the Department of Transportation for processing an increased number of driver's license suspensions, but the level

PAGE 2 , FISCAL NOTE, SENATE FILE 2241

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cannot be estimated at this time.

SOURCE: Department of Human Rights  
Department of Transportation

(LSB 5296sv.2, DPW)

FILED MARCH 31, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 2241  
FISCAL NOTE

A fiscal note for Senate File 2241 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2241 establishes a Structured Fines Pilot Program through the Division of Criminal and Juvenile Justice Planning in the Department of Human Rights. The bill authorizes the Division to participate in a federal discretionary grant program to test the structured fines concept in counties and judicial districts also wishing to participate in the Program.

The bill provides:

1. The District Court in participating counties the authority to impose fines in criminal cases utilizing a structured fines methodology in the context of current law.
2. All minimum fine amounts in participating counties are waived.
3. A person's motor vehicle registration is not to be renewed and the person's driver's license is to be suspended for failure to pay, provides for the collection of a \$10.00 time payment fee and interest charges on unsatisfied judgements.
4. The Clerk of Court shall remit 10% of the first \$500,000 collected in fines, criminal penalty surcharges, court costs, time payment fees, and interest charges assessed for public offenses (except for violations defined in Chapter 805 - Citations in Lieu of Arrest), and all other time payment fees to the participating county for support of the Pilot Program.
5. The Clerk of Court shall remit all other interest payments to the Treasurer of State for deposit in the General Fund.

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PAGE 2 , FISCAL NOTE, SENATE FILE 2241

-2-

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(SOURCE: Department of Human Rights  
Department of Transportation)

(LSB 5296sv, DPW)

FILED MARCH 10, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

*House Jud + Law Exp. 3/24, Re Pass 3/26*

SENATE FILE 2241  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2215)

(AS AMENDED AND PASSED BY THE SENATE MARCH 23, 1992)

\* - Language Stricken by the Senate

Re-Passed Senate, Date 4/28/92 (p. 1689) Passed House, Date 4/28/92 (p. 1843)  
Vote: Ayes 48 Nays 0 Vote: Ayes 55 Nays 45  
Approved May 14, 1992

A BILL FOR

- 1 An Act establishing a structured fines pilot program and
- 2 providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2241

H-5809

- 1 Amend Senate File 2241, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 27, by striking the figure "7"
- 4 and inserting the following: "5".

By MCKEAN of Jones

H-5809 FILED APRIL 8, 1992

*Adopted 4/28 (p. 1843)*

HOUSE AMENDMENT TO  
SENATE FILE 2241

S-5896

- 1 Amend Senate File 2241, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 27, by striking the figure "7"
- 4 and inserting the following: "5".

RECEIVED FROM THE HOUSE

S-5896 FILED APRIL 28, 1992

CONCURRED (p. 1689)

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1 Section 1. STRUCTURED FINES PILOT PROGRAM -- DEPARTMENT OF  
2 HUMAN RIGHTS, DIVISION OF CRIMINAL AND JUVENILE JUSTICE  
3 PLANNING. The general assembly hereby finds that the  
4 structured fines system of imposing fines has been  
5 successfully utilized in several countries of Europe and in  
6 the states of New York and Arizona. The general assembly  
7 further finds that a fine imposed as a criminal sanction  
8 should be proportionate to the severity of the offense and  
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10 resources, and that the sentencing of a criminal defendant  
11 pursuant to a structured fines program, in which fine amounts  
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14 resources, is not contrary to any existing provision of law.  
15 The general assembly further finds that the implementation of  
16 a structured fines pilot program within this state could serve  
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18 and could increase the overall amount of criminal fines  
19 collected from offenders, reduce the volume of delinquent and  
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21 formal probation, and help to alleviate the overcrowded  
22 conditions at the penal institutions within the state.

23 The department of human rights, division of criminal and  
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27 to participate in the pilot program. Sections 2 through 7 of  
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29 districts agreeing with the department of human rights,  
30 division of criminal and juvenile justice planning to  
31 participate in this pilot program from enactment of this Act  
32 through June 30, 1993.

33 Sec. 2. PAYMENT IN INSTALLMENTS OR ON A FIXED FUTURE DATE  
34 -- INSTALLMENT FEE AND INTEREST. If the district court orders  
35 a fine imposed pursuant to chapter 909, the criminal penalty

1 surcharge imposed pursuant to chapter 911, or court costs  
2 assessed pursuant to chapter 602, to be paid in installments  
3 or at a fixed date in the future, the court shall do all of  
4 the following:

- 5 1. Impose a time payment fee in the amount of ten dollars.
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7 the rate provided in section 535.3 for court judgments.

\*8 Sec. 3. NO MINIMUM FINE. Notwithstanding any other  
9 provisions of law, a criminal fine imposed in a county  
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14 1. Upon payment of the time payment fee, the clerk of the  
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17 credit to the general fund of the county to be used to support  
18 the costs of the continued operation of the structured fines  
19 pilot program in the county. Upon payment of interest  
20 charges, the clerk of the district court shall remit all such  
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22 the treasurer of state to be credited to the general fund of  
23 the state, except as provided in subsection 2.

24 2. Notwithstanding any other provisions of this Act, the  
25 clerk of the district court for a county participating in the  
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27 percent of the first five hundred thousand dollars in fines,  
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33 to be used to support the costs of operation of the structured  
34 fines pilot program in the county.

35 Sec. 5. EFFECTIVE DATE. This Act, being deemed of

1 immediate importance, takes effect upon enactment, except for  
2 section 4 pertaining to the distribution of certain fees  
3 collected by the structured fines pilot program, which shall  
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VARN. CH.  
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SSB 2215  
~~JUDICIARY~~ Now

SENATE/HOUSE FILE 224/  
BY (PROPOSED DEPARTMENT OF  
HUMAN RIGHTS/CRIMINAL  
AND JUVENILE JUSTICE  
PLANNING DIVISION BILL)

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

**A BILL FOR**

1 An Act establishing a structured fines pilot program and  
2 providing an effective date.

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

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2 HUMAN RIGHTS, DIVISION OF CRIMINAL AND JUVENILE JUSTICE  
3 PLANNING. The general assembly hereby finds that the  
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6 the states of New York and Arizona. The general assembly  
7 further finds that a fine imposed as a criminal sanction  
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10 resources, and that the sentencing of a criminal defendant  
11 pursuant to a structured fines program, in which fine amounts  
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13 to the nature of the offense and the offender's financial  
14 resources, is not contrary to any existing provision of law.  
15 The general assembly further finds that the implementation of  
16 a structured fines pilot program within this state could serve  
17 as a test for a fairer method of dispensing criminal justice  
18 and could increase the overall amount of criminal fines  
19 collected from offenders, reduce the volume of delinquent and  
20 unpaid fines, reduce the number of offenders sentenced to  
21 formal probation, and help to alleviate the overcrowded  
22 conditions at the penal institutions within the state.

23 The department of human rights, division of criminal and  
24 juvenile justice planning is authorized to participate in a  
25 federal discretionary grant program to test the structured  
26 fines concept in counties and judicial districts also wishing  
27 to participate in the pilot program. Sections 2 through 7 of  
28 this Act shall apply only within those counties and judicial  
29 districts agreeing with the department of human rights,  
30 division of criminal and juvenile justice planning to  
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9 FAILURE TO PAY CRIMINAL FINE, SURCHARGE, COURT COSTS, TIME  
10 PAYMENT FEE, OR INTEREST. The county treasurer shall refuse  
11 to renew the registration of a motor vehicle registered to a  
12 person who, upon conviction for a public offense other than a  
13 violation of chapter 321, has failed to timely pay a fine  
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21 county attorney shall notify the person by regular mail that  
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23 interest remain unpaid after sixty days from the date of  
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25 for purposes of refusing registration renewal.

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27 enumerated in this section, the county attorney shall report  
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30 3. The county treasurer, upon receipt of a report from the  
31 county attorney made pursuant to subsection 2, shall refuse to  
32 renew the registration until the person pays the fine,  
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34 4. Upon payment in full by the person or cancellation by  
35 the court of an unpaid fine, surcharge, court costs, time

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2 immediately notify the county treasurer if the county attorney  
3 had previously made a report to the county treasurer pursuant  
4 to subsection 2.

5 Sec. 4. SUSPENSION OF MOTOR VEHICLE LICENSE -- FAILURE TO  
6 PAY CRIMINAL FINE, SURCHARGE, COURT COSTS, TIME PAYMENT FEE,  
7 OR INTEREST. The state department of transportation shall  
8 suspend the motor vehicle license or permit of a person who,  
9 upon conviction for a public offense other than a violation of  
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33 become effective July 1, 1992.

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EXPLANATION

35 This bill establishes a pilot structured fines program

1 within a county and a judicial district agreeing to  
2 participate in the program with the department of human  
3 rights, division of criminal and juvenile justice planning.  
4 The bill provides the court with the authority to impose fines  
5 in criminal cases utilizing structured fines methodology in  
6 the context of existing law. It provides that a person's  
7 motor vehicle registration is not to be renewed and the  
8 person's driver's license is to be suspended for failure to  
9 pay, provides for the collection of additional fees in  
10 connection with the program, provides for the distribution of  
11 new and existing fines, penalties, and fees, and suspends any  
12 existing minimum criminal fine amounts at the pilot site.

13 This bill may include a state mandate under section 25B.3.

14 BACKGROUND STATEMENT

15 SUBMITTED BY THE AGENCY

16 In several European countries, and in two states,  
17 structured fines programs have been designed and implemented.  
18 Generally, the results of programs have been to increase the  
19 amount of fines collected, reduce the amount of delinquent or  
20 unpaid fines, increase the equality in the criminal justice  
21 system, and reduce the number of convicted persons sentenced  
22 to penal institutions.

23 As utilized in this type of program, the amount of criminal  
24 fine assessed in a criminal case is calculated based upon the  
25 type and severity of the offense and upon the financial  
26 resources of the convicted person. Thus a fine assessed under  
27 the program will have approximately the same economic impact  
28 on each person convicted of the same offense, regardless of  
29 each person's economic resources.

30 After imposition of the fine by the court, if the fine,  
31 penalty, surcharge, and court costs are not paid at the time  
32 of sentencing, a time payment fee and interest are added to  
33 the amount due. The offender is then aggressively tracked  
34 with reminder letters and possibly telephone calls in order to  
35 ensure prompt payments of the moneys due. In the event of

1 missed payments, contacts with the offender are increased in  
2 an attempt to secure payment. Should those contacts fail to  
3 produce the desired result, additional actions, increasing in  
4 severity would then be employed in an effort to obtain payment  
5 from the offender.

6 In recognition of the potential benefits of structured  
7 fines systems, Congress, through the U.S. Department of  
8 Justice, established special grant funds for several states to  
9 develop and test structured fines projects. The Iowa  
10 department of human rights, division of criminal and juvenile  
11 justice planning applied for and received such a grant.  
12 Federal funds are supporting the planning, implementation, and  
13 evaluation activities associated with this program. The  
14 program's efforts and outcomes will be reported upon the  
15 program's completion.

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SENATE FILE 2241

AN ACT

ESTABLISHING A STRUCTURED FINES PILOT PROGRAM AND PROVIDING  
AN EFFECTIVE DATE.

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

Section 1. STRUCTURED FINES PILOT PROGRAM -- DEPARTMENT OF HUMAN RIGHTS, DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING. The general assembly hereby finds that the structured fines system of imposing fines has been successfully utilized in several countries of Europe and in the states of New York and Arizona. The general assembly further finds that a fine imposed as a criminal sanction should be proportionate to the severity of the offense and should equally impact individuals of differing financial resources, and that the sentencing of a criminal defendant pursuant to a structured fines program, in which fine amounts for some or all offenses are calculated and imposed according to the nature of the offense and the offender's financial resources, is not contrary to any existing provision of law. The general assembly further finds that the implementation of a structured fines pilot program within this state could serve as a test for a fairer method of dispensing criminal justice and could increase the overall amount of criminal fines collected from offenders, reduce the volume of delinquent and unpaid fines, reduce the number of offenders sentenced to formal probation, and help to alleviate the overcrowded conditions at the penal institutions within the state.

The department of human rights, division of criminal and juvenile justice planning is authorized to participate in a federal discretionary grant program to test the structured fines concept in counties and judicial districts also wishing to participate in the pilot program. Sections 2 through 5 of this Act shall apply only within those counties and judicial

districts agreeing with the department of human rights, division of criminal and juvenile justice planning to participate in this pilot program from enactment of this Act through June 30, 1993.

Sec. 2. PAYMENT IN INSTALLMENTS OR ON A FIXED FUTURE DATE -- INSTALLMENT FEE AND INTEREST. If the district court orders a fine imposed pursuant to chapter 909, the criminal penalty surcharge imposed pursuant to chapter 911, or court costs assessed pursuant to chapter 602, to be paid in installments or at a fixed date in the future, the court shall do all of the following:

1. Impose a time payment fee in the amount of ten dollars.
2. Impose interest charges on the unsatisfied judgment at the rate provided in section 535.3 for court judgments.

Sec. 3. NO MINIMUM FINE. Notwithstanding any other provisions of law, a criminal fine imposed in a county participating in the structured fines pilot program shall not be required to be imposed in any minimum amount.

Sec. 4. DISTRIBUTION OF CERTAIN FEES UNDER THE STRUCTURED FINES PILOT PROGRAM.

1. Upon payment of the time payment fee, the clerk of the district court shall remit all such fees by the fifteenth day of the month following payment to the county treasurer for credit to the general fund of the county to be used to support the costs of the continued operation of the structured fines pilot program in the county. Upon payment of interest charges, the clerk of the district court shall remit all such charges by the fifteenth day of the month following payment to the treasurer of state to be credited to the general fund of the state, except as provided in subsection 2.

2. Notwithstanding any other provisions of this Act, the clerk of the district court for a county participating in the structured fines pilot program shall annually remit ten percent of the first five hundred thousand dollars in fines, criminal penalty surcharges, court costs, time payment fees, and interest charges assessed for public offenses other than

scheduled violations as defined in chapter 805, which are paid in installments or at a fixed date in the future, to the county treasurer for credit to the general fund of the county to be used to support the costs of operation of the structured fines pilot program in the county.

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment, except for section 4 pertaining to the distribution of certain fees collected by the structured fines pilot program, which shall become effective July 1, 1992.

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MICHAEL E. GRONSTAL  
President of the Senate

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ROBERT C. ARNOULD  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2241, Seventy-fourth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved May 14, 1992

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TERRY E. BRANSTAD  
Governor