

H. 3/6/96 Judiciary
H. 3/25/96 Do Pass
FILED FEB 8 1996

SENATE FILE 2155
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO S.F. 2054)

(P573)
Passed Senate, Date 3/4/96 Passed House, Date 4/1/96 (p. 1167)
Vote: Ayes 49 Nays 0 Vote: Ayes 97 Nays 0
Approved April 8, 1996

A BILL FOR

1 An Act to adjust the jurisdictional amount for municipal
2 infractions tried before a judge in district court.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

S.F. 2155

1 Section 1. Section 364.22, subsection 5, paragraph a, Code
2 1995, is amended to read as follows:

3 a. The matter shall be tried before a magistrate, a
4 district associate judge, or a district judge ~~in-district~~
5 ~~court-if-the-total-amount-of-civil-penalties-does-not-exceed~~
6 ~~two-thousand-dollars~~ in the same manner as a small claim. The
7 matter shall only be tried before a judge in district court if
8 the total amount of civil penalties assessed exceeds ~~two~~
9 ~~thousand-dollars~~ the jurisdictional amount for small claims
10 set forth in section 631.1.

11 EXPLANATION

12 This bill amends the jurisdictional amount for municipal
13 infractions heard in the manner of small claims by magistrates
14 and judges in order to make it consistent with the current
15 jurisdictional amount for small claims actions of \$4,000.
16 Civil penalties assessed above that amount would be heard by a
17 judge in district court. The change will also now permit
18 automatic adjustment of the municipal infraction
19 jurisdictional amount each time the jurisdictional amount for
20 small claims actions in section 631.1 is adjusted.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

thousand-dollars the jurisdictional amount for small claims set forth in section 631.1.

SENATE FILE 2155

AN ACT

TO ADJUST THE JURISDICTIONAL AMOUNT FOR MUNICIPAL INFRACTIONS
TRIED BEFORE A JUDGE IN DISTRICT COURT.

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

Section 1. Section 364.22, subsection 5, paragraph a, Code 1995, is amended to read as follows:

a. The matter shall be tried before a magistrate, a district associate judge, or a district judge ~~in-district court-if-the-total-amount-of-civil-penalties-does-not-exceed two-thousand-dollars~~ in the same manner as a small claim. The matter shall only be tried before a judge in district court if the total amount of civil penalties assessed exceeds two

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2155, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 8, 1996

TERRY E. BRANSTAD
Governor