

REVENUE DEPARTMENT[701]

Notice of Intended Action

**Proposing rule making related to the collection of court debt
and providing an opportunity for public comment**

The Revenue Department hereby proposes to adopt new Chapter 155 “Collection of Court Debt,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 421.14 and 602.8107(3)“a”(2) as enacted by 2020 Iowa Acts, Senate File 457, section 87.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 602.8107(3)“a”(2) as enacted by 2020 Iowa Acts, Senate File 457, section 87.

Purpose and Summary

This proposed rule making is intended to implement statutory changes to the collection of court debt. Specifically, this rule making sets forth the Department’s imposition of a fee to reflect the cost of processing for the collection of court debt under Iowa Code section 602.8107(3) as amended by 2020 Iowa Acts, Senate File 457, division XIV.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 701—7.28(17A).

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on December 8, 2020. Comments should be directed to:

Nick Behlke
Iowa Department of Revenue
Hoover State Office Building
P.O. Box 10457
Des Moines, Iowa 50306
Phone: 515.336.9025
Email: nick.behlke@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held via Google Meet at the link below. Participants may also call in via phone at the following phone number: +1 402.624.0127. When prompted, enter PIN: 780 722 322#. Please mute your phones or microphones upon entering the meeting.

December 8, 2020
1 to 2 p.m.

Google Meet Location
meet.google.com/dhy-xxna-fug

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Adopt the following new 701—Chapter 155:

CHAPTER 155
COLLECTION OF COURT DEBT

701—155.1(602) Fee for collection of court debt.

155.1(1) A fee of 15 percent of the amount of each court debt is imposed on each court debt that has been assigned to the department for collection under Iowa Code section 602.8107(3). In the event a payment is returned as dishonored for any reason, an additional fee shall be imposed in the amount of 15 percent of the amount of the dishonored payment. The total balance of the court debt shall be adjusted to include the fee. Notwithstanding the foregoing, no fee shall be imposed on any amount of a court debt that is collected by setoff or is reduced or adjusted by the court as a result of community service, a reasonable ability to pay determination, or any other reason.

155.1(2) The fee imposed by this rule shall be payable to the department to reimburse the department's cost of processing.

This rule is intended to implement Iowa Code section 602.8107 as amended by 2020 Iowa Acts, Senate File 457.