

303B.9 LOCAL FINANCIAL SUPPORT.

A regional board shall have the authority to require as a condition for receiving services under section 303B.6 that a governmental subdivision maintain any tax levy for library maintenance purposes that is in effect on July 1, 1973. Commencing July 1, 1977, each city within its corporate boundaries and each county within the unincorporated area of the county shall levy a tax of at least six and three-fourths cents per thousand dollars of assessed value on the taxable property or at least the monetary equivalent thereof when all or a portion of the funds are obtained from a source other than taxation, for the purpose of providing financial support to the public library which provides library services within the respective jurisdictions.

Approved April 28, 1988

CHAPTER 1133

SERVICE OF LEGAL PROCESS AND LEVY OF EXECUTION

S.F. 2331

AN ACT relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 79.5, subsection 3, Code 1987, is amended to read as follows:

3. When the orders, judgments, or decrees of a court are to be entered, or performed, ~~or its writs executed in divorce-related matters including child support, temporary custody, restraining orders, and writs of habeas corpus.~~

Sec. 2. Section 331.655, subsection 1, paragraph j, Code 1987, is amended to read as follows:

j. Mileage at the rate specified in section 79.9 in all cases required by law, going and returning. Mileage fees do not apply where provision is made for expenses, and both mileage and expenses shall not be allowed for the same services and for the same trip. If the sheriff transports one or more persons by auto to a state institution or any other destination required by law or if one or more legal papers are served on the same trip, the sheriff is entitled to one mileage, the mileage cost of which shall be prorated to the persons transported or papers served. However, in serving original notices in civil cases and in serving and returning a subpoena, the sheriff shall be allowed mileage in each action where the original notice or subpoena is served, with a minimum mileage of one dollar for each service. The sheriff may refuse to serve ~~original notices~~ any legal processes in civil cases until the fees and estimated mileage for service have been paid.

Sec. 3. Section 626.50, Code 1987, is amended to read as follows:

626.50 DUTY TO LEVY — NOTICE OF OWNERSHIP OR EXEMPTION.

An officer is bound to levy an execution on any personal property in the possession of, or that the officer has reason to believe belongs to, the defendant, or on which the plaintiff directs the officer to levy, after having received written instructions for the levy from the plaintiff or the attorney who had the execution issued to the sheriff, unless the officer has received notice in writing under oath from some other person, the or that person's agent or attorney, that such the property belongs to the person, stating the nature of the person's interests therein in the property, how and from whom the person acquired the same property, and the consideration paid therefor for the property; or from the defendant, that the property is exempt from execution.

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