

CHAPTER 911

SURCHARGE ADDED TO CRIMINAL PENALTIES

Referred to in §321J.2, 602.8107, 909.8

911.1	Criminal penalty surcharge.	911.3	Law enforcement initiative
911.2	Drug abuse resistance education surcharge.		surcharge.
		911.4	County enforcement surcharge.

911.1 Criminal penalty surcharge.

1. A criminal penalty surcharge shall be levied against law violators as provided in this section. When a court imposes a fine or forfeiture for a violation of state law, or a city or county ordinance, except an ordinance regulating the parking of motor vehicles, the court or the clerk of the district court shall assess an additional penalty in the form of a criminal penalty surcharge equal to thirty-five percent of the fine or forfeiture imposed.

2. In the event of multiple offenses, the surcharge shall be based upon the total amount of fines or forfeitures imposed for all offenses.

3. When a fine or forfeiture is suspended in whole or in part, the court shall reduce the surcharge in proportion to the amount suspended.

4. The surcharge is subject to the provisions of chapter 909 governing the payment and collection of fines, as provided in section 909.8.

5. The surcharge shall be remitted by the clerk of court as provided in section 602.8108, subsection 3.

[82 Acts, ch 1258, §1]

91 Acts, ch 181, §16; 94 Acts, ch 1074, §17; 2004 Acts, ch 1111, §10; 2005 Acts, ch 143, §6; 2009 Acts, ch 179, §65, 72

Referred to in §331.302, 364.3, 602.8102(135A), 602.8108, 805.8, 805.8C(3a, 3c, 8, 9), 902.9, 903.1

911.2 Drug abuse resistance education surcharge.

1. In addition to any other surcharge, the court or clerk of the district court shall assess a drug abuse resistance education surcharge of ten dollars if a violation arises out of a violation of an offense provided for in chapter 321J or chapter 124, division IV.

2. In the event of multiple offenses, the surcharge shall be imposed for each applicable offense. The surcharge shall not be assessed for any offense for which the court defers the sentence or judgment or suspends the sentence.

3. The surcharge is subject to the provisions of chapter 909 governing the payment and collection of fines, as provided in section 909.8.

4. The surcharge shall be remitted by the clerk of court as provided in section 602.8108, subsection 4.

[82 Acts, ch 1258, §2]

84 Acts, ch 1274, §2; 87 Acts, ch 72, §2; 90 Acts, ch 1264, §36; 91 Acts, ch 260, §816, 818; 91 Acts, ch 263, §35; 96 Acts, ch 1216, §34; 98 Acts, ch 1071, §2; 2001 Acts, ch 182, §11; 2004 Acts, ch 1111, §11

Referred to in §602.8102(135A), 602.8108, 902.9, 903.1

911.3 Law enforcement initiative surcharge.

1. In addition to any other surcharge, the court or clerk of the district court shall assess a law enforcement initiative surcharge of one hundred twenty-five dollars if an adjudication of guilt or a deferred judgment has been entered for a criminal violation under any of the following:

a. Chapter 124, 155A, 453B, 713, 714, 715A, or 716.

b. Section 719.7, 719.8, 725.1, 725.2, or 725.3.

2. In the event of multiple offenses, the surcharge shall be imposed for each applicable offense.

3. The surcharge shall be remitted by the clerk of court as provided in section 602.8108, subsection 5.

2001 Acts, ch 168, §7; 2004 Acts, ch 1111, §12; 2007 Acts, ch 89, §2

Referred to in §602.8102(135A), 602.8108, 902.9, 903.1

911.4 County enforcement surcharge.

1. If the county has adopted a resolution pursuant to section 331.301, subsection 16, and a court imposes a fine or forfeiture for any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued by the sheriff as defined in section 331.101, the court or the clerk of the district court shall assess a surcharge in the amount of five dollars for each applicable violation in addition to any fine, forfeiture, or other surcharge.

2. Pursuant to section 602.8108, subsection 6, the surcharge shall be deposited in the county general fund of the county where the citation was issued.

3. The surcharge is subject to the provisions of chapter 909 governing the payment and collection of fines, as provided in section 909.8.

2004 Acts, ch 1119, §9

Referred to in §331.301, 602.8102(135A), 602.8108, 805.8, 903.1