

Senate Amendment 3103

PAG LIN

1 1 Amend House File 682, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Sec. _____. Section 602.8108, subsection 3, Code
1 6 2005, is amended to read as follows:
1 7 3. The clerk of the district court shall remit to
1 8 the state court administrator, not later than the
1 9 fifteenth day of each month, ninety-five percent of
1 10 all moneys collected from the criminal penalty
1 11 surcharge provided in section 911.1 during the
1 12 preceding calendar month. The clerk shall remit the
1 13 remainder to the county treasurer of the county that
1 14 was the plaintiff in the action or to the city that
1 15 was the plaintiff in the action. Of the amount
1 16 received from the clerk, the state court administrator
1 17 shall allocate ~~eighteen~~ seventeen percent to be
1 18 deposited in the victim compensation fund established
1 19 in section 915.94, and ~~eighty-two~~ eighty-three percent
1 20 to be deposited in the general fund.
1 21 Sec. _____. Section 602.8108, Code 2005, is amended
1 22 by adding the following new subsection:
1 23 NEW SUBSECTION. 9. A criminalistics laboratory
1 24 fund is created as a separate fund in the state
1 25 treasury under the control of the department of public
1 26 safety. The fund shall consist of appropriations made
1 27 to the fund and transfers of interest, and earnings.
1 28 All moneys in the fund are appropriated to the
1 29 department of public safety for use by the department
1 30 in criminalistics laboratory equipment purchasing,
1 31 maintenance, depreciation, and training. Any balance
1 32 in the fund on June 30 of any fiscal year shall not
1 33 revert to any other fund of the state but shall remain
1 34 available for the purposes described in this
1 35 subsection.>
1 36 #2. Page 1, by striking lines 5 through 7 and
1 37 inserting the following: <sentence are deferred by
1 38 the court and whereby a civil penalty may be assessed
1 39 by the court as provided in section 907.14 upon the
1 40 entry of a deferred judgment. The court retains the>.
1 41 #3. Page 1, line 15, by striking the word <shall>
1 42 and inserting the following: <may>.
1 43 #4. Page 1, line 33, by striking the word <shall>
1 44 and inserting the following: <may>.
1 45 #5. By striking page 1, line 34, through page 2,
1 46 line 1, and inserting the following: <of at least one
1 47 hundred dollars but not exceeding one thousand
1 48 dollars.>
1 49 #6. Page 2, by inserting after line 5 the
1 50 following:
2 1 <Sec. _____. Section 911.1, subsection 1, Code 2005,
2 2 is amended to read as follows:
2 3 1. A criminal penalty surcharge shall be levied
2 4 against law violators as provided in this section.
2 5 When a court imposes a fine or forfeiture for a
2 6 violation of state law, or a city or county ordinance,
2 7 except an ordinance regulating the parking of motor
2 8 vehicles, the court or the clerk of the district court
2 9 shall assess an additional penalty in the form of a
2 10 criminal penalty surcharge equal to ~~thirty~~ thirty-two
2 11 percent of the fine or forfeiture imposed.>
2 12 #7. Title page, lines 1 and 2, by striking the
2 13 words <upon the entry of a deferred judgment> and
2 14 inserting the following: <and criminal penalty
2 15 surcharge, and creating a criminalistics laboratory
2 16 fund>.
2 17 #8. By renumbering, relettering, or redesignating
2 18 and correcting internal references as necessary.
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2 22 COMMITTEE ON JUDICIARY
2 23 KEITH A. KREIMAN, CO=CHAIRPERSON
2 24

2 25
2 26
2 27 DAVID MILLER, CO=CHAIRPERSON
2 28 HF 682.702 81
2 29 jm/gg/2956