

House Amendment 8636

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1 1 Amend House File 2698 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <DIVISION I
1 5 GAMBLING SETOFF
1 6 Section 1. Section 99D.2, Code 2007, is amended by
1 7 adding the following new subsection:
1 8 NEW SUBSECTION. 2A. "Claimant agency" means a
1 9 state agency as defined in section 8A.504, subsection
1 10 1, or the state court administrator as defined in
1 11 section 602.1101.
1 12 Sec. 2. Section 99D.7, Code 2007, is amended by
1 13 adding the following new subsection:
1 14 NEW SUBSECTION. 22A. To require licensees to
1 15 establish a process with the state for licensees to
1 16 have electronic access to names and social security
1 17 numbers of debtors of claimant agencies through a
1 18 secured interactive web site maintained by the state.
1 19 Sec. 3. NEW SECTION. 99D.28 SETOFF.
1 20 1. A licensee or a person acting on behalf of a
1 21 licensee shall be provided electronic access to the
1 22 names of the persons indebted to a claimant agency
1 23 pursuant to the process established pursuant to
1 24 section 99D.7, subsection 22A. The electronic access
1 25 provided by the claimant agency shall include access
1 26 to the names of the debtors, their social security
1 27 numbers, and any other information that assists the
1 28 licensee in identifying the debtors. If the name of a
1 29 debtor provided to the licensee through electronic
1 30 access is retrieved by the licensee, and the winnings
1 31 are equal to or greater than ten thousand dollars per
1 32 occurrence, the retrieval of such a name shall
1 33 constitute a valid lien upon and claim of lien against
1 34 the winnings of the debtor whose name is
1 35 electronically retrieved from the claimant agency. If
1 36 a debtor's winnings are equal to or greater than ten
1 37 thousand dollars per occurrence, the full amount of
1 38 the debt shall be collectible from any winnings due
1 39 the debtor without regard to limitations on the
1 40 amounts that may be collectible in increments through
1 41 setoff or other proceedings.
1 42 2. The licensee is authorized and directed to
1 43 withhold any winnings of a debtor which are paid out
1 44 directly by the licensee subject to the lien created
1 45 by this section and provide notice of such withholding
1 46 to the winner when the winner appears and claims
1 47 winnings in person. The licensee shall pay the funds
1 48 over to the collection entity which administers the
1 49 setoff program pursuant to section 8A.504.
1 50 3. Notwithstanding any other provision of law to
2 1 the contrary, the licensee may provide to a claimant
2 2 agency all information necessary to accomplish and
2 3 effectuate the intent of this section, and likewise
2 4 the claimant agency may provide all information
2 5 necessary to accomplish and effectuate the intent of
2 6 this section.
2 7 4. The information obtained by a claimant agency
2 8 from the licensee in accordance with this section
2 9 shall retain its confidentiality and shall only be
2 10 used by a claimant agency in the pursuit of its debt
2 11 collection duties and practices. An employee or prior
2 12 employee of a claimant agency who unlawfully discloses
2 13 any such information for any other purpose, except as
2 14 otherwise specifically authorized by law, shall be
2 15 subject to the penalties specified by law for
2 16 unauthorized disclosure of confidential information by
2 17 an agent or employee of the claimant agency.
2 18 5. The information obtained by a licensee from a
2 19 claimant agency in accordance with this section shall
2 20 retain its confidentiality and only be used by the
2 21 licensee in the pursuit of debt collection duties and
2 22 practices. An employee or prior employee of a
2 23 licensee who unlawfully discloses any such information
2 24 for any other purpose, except as otherwise

2 25 specifically authorized by law, shall be subject to
2 26 the same penalties specified by law for unauthorized
2 27 disclosure of confidential information by an agent or
2 28 employee of the licensee.

2 29 6. Except as otherwise provided in this chapter,
2 30 attachments, setoffs, or executions authorized and
2 31 issued pursuant to law shall be withheld if timely
2 32 served upon the licensee.

2 33 7. A claimant agency or licensee, acting in good
2 34 faith, shall not be liable for actions taken to comply
2 35 with this section.

2 36 Sec. 4. Section 99F.1, Code Supplement 2007, is
2 37 amended by adding the following new subsection:

2 38 NEW SUBSECTION. 3A. "Claimant agency" means a
2 39 state agency as defined in section 8A.504, subsection
2 40 1, or the state court administrator as defined in
2 41 section 602.1101.

2 42 Sec. 5. Section 99F.4, Code Supplement 2007, is
2 43 amended by adding the following new subsection:

2 44 NEW SUBSECTION. 26. To require licensees to
2 45 establish a process with the state for licensees to
2 46 have electronic access to names and social security
2 47 numbers of debtors of claimant agencies through a
2 48 secured interactive web site maintained by the state.

2 49 Sec. 6. NEW SECTION. 99F.19 SETOFF.

2 50 1. A licensee or a person acting on behalf of a
3 1 licensee shall be provided electronic access to the
3 2 names of the persons indebted to a claimant agency
3 3 pursuant to the process established pursuant to
3 4 section 99F.4, subsection 26. The electronic access
3 5 provided by the claimant agency shall include access
3 6 to the names of the debtors, their social security
3 7 numbers, and any other information that assists the
3 8 licensee in identifying the debtors. If the name of a
3 9 debtor provided to the licensee through electronic
3 10 access is retrieved by the licensee, and the winnings
3 11 are equal to or greater than ten thousand dollars per
3 12 occurrence, the retrieval of such a name shall
3 13 constitute a valid lien upon and claim of lien against
3 14 the winnings of the debtor whose name is
3 15 electronically retrieved from the claimant agency. If
3 16 a debtor's winnings are equal to or greater than ten
3 17 thousand dollars per occurrence, the full amount of
3 18 the debt shall be collectible from any winnings due
3 19 the debtor without regard to limitations on the
3 20 amounts that may be collectible in increments through
3 21 setoff or other proceedings.

3 22 2. The licensee is authorized and directed to
3 23 withhold any winnings of a debtor which are paid out
3 24 directly by the licensee subject to the lien created
3 25 by this section and provide notice of such withholding
3 26 to the winner when the winner appears and claims
3 27 winnings in person. The licensee shall pay the funds
3 28 over to the collection entity which administers the
3 29 setoff program pursuant to section 8A.504.

3 30 3. Notwithstanding any other provision of law to
3 31 the contrary, the licensee may provide to a claimant
3 32 agency all information necessary to accomplish and
3 33 effectuate the intent of this section, and likewise
3 34 the claimant agency may provide all information
3 35 necessary to accomplish and effectuate the intent of
3 36 this section.

3 37 4. The information obtained by a claimant agency
3 38 from the licensee in accordance with this section
3 39 shall retain its confidentiality and shall only be
3 40 used by a claimant agency in the pursuit of its debt
3 41 collection duties and practices. An employee or prior
3 42 employee of a claimant agency who unlawfully discloses
3 43 any such information for any other purpose, except as
3 44 otherwise specifically authorized by law, shall be
3 45 subject to the penalties specified by law for
3 46 unauthorized disclosure of confidential information by
3 47 an agent or employee of the claimant agency.

3 48 5. The information obtained by a licensee from a
3 49 claimant agency in accordance with this section shall
3 50 retain its confidentiality and only be used by the
4 1 licensee in the pursuit of debt collection duties and
4 2 practices. An employee or prior employee of a
4 3 licensee who unlawfully discloses any such information
4 4 for any other purpose, except as otherwise
4 5 specifically authorized by law, shall be subject to

4 6 the same penalties specified by law for unauthorized
4 7 disclosure of confidential information by an agent or
4 8 employee of the licensee.

4 9 6. Except as otherwise provided in this chapter,
4 10 attachments, setoffs, or executions authorized and
4 11 issued pursuant to law shall be withheld if timely
4 12 served upon the licensee.

4 13 7. A claimant agency or licensee, acting in good
4 14 faith, shall not be liable for actions taken to comply
4 15 with this section.

4 16 DIVISION II

4 17 LICENSING SANCTIONS

4 18 Sec. 7. NEW SECTION. 272D.1 DEFINITIONS.

4 19 As used in this chapter, unless the context
4 20 otherwise requires:

4 21 1. "Certificate of noncompliance" means a document
4 22 provided by the unit certifying the named person has
4 23 outstanding liability placed with the unit and has not
4 24 entered into an approved payment plan to pay the
4 25 liability.

4 26 2. "Liability" means a debt or obligation placed
4 27 with the unit for collection that is greater than one
4 28 thousand dollars. For purposes of this chapter
4 29 "liability" does not include support payments
4 30 collected pursuant to chapter 252J.

4 31 3. "License" means a license, certification,
4 32 registration, permit, approval, renewal, or other
4 33 similar authorization issued to a person by a
4 34 licensing authority which evidences the admission to,
4 35 or granting of authority to engage in, a profession,
4 36 occupation, business, industry, or recreation.
4 37 "License" includes licenses for hunting and fishing,
4 38 or other recreational activity.

4 39 4. "Licensee" means a person to whom a license has
4 40 been issued, or who is seeking the issuance of a
4 41 license.

4 42 5. "Licensing authority" means the supreme court,
4 43 or an instrumentality, agency, board, commission,
4 44 department, officer, organization, or any other entity
4 45 of the state, which has authority within this state to
4 46 suspend or revoke a license or to deny the renewal or
4 47 issuance of a license authorizing a person to engage
4 48 in a business, occupation, profession, recreation, or
4 49 industry.

4 50 6. "Obligor" means a person with a liability
5 1 placed with the unit.

5 2 7. "Person" means a licensee.

5 3 8. "Unit" means the centralized collection unit of
5 4 the department of revenue.

5 5 9. "Withdrawal of a certificate of noncompliance"
5 6 means a document provided by the unit certifying that
5 7 the certificate of noncompliance is withdrawn and that
5 8 the licensing authority may proceed with issuance,
5 9 reinstatement, or renewal of the person's license.

5 10 Sec. 8. NEW SECTION. 272D.2 PURPOSE AND USE.

5 11 1. Notwithstanding other statutory provisions to
5 12 the contrary, the unit may utilize the process
5 13 established in this chapter to collect liabilities
5 14 placed with the unit.

5 15 2. Actions initiated by the unit under this
5 16 chapter shall not be subject to contested case
5 17 proceedings or further review pursuant to chapter 17A
5 18 and any resulting court hearing shall be an original
5 19 hearing before the district court.

5 20 3. Notwithstanding chapter 22, all of the
5 21 following apply:

5 22 a. Information obtained by the unit under this
5 23 chapter shall be used solely for the purposes of this
5 24 chapter.

5 25 b. Information obtained by a licensing authority
5 26 under this chapter shall be used solely for the
5 27 purposes of this chapter.

5 28 4. Notwithstanding any other law to the contrary,
5 29 information shall be exchanged by a licensing
5 30 authority and the unit to effectuate this chapter.

5 31 Sec. 9. NEW SECTION. 272D.3 NOTICE TO PERSON OF
5 32 POTENTIAL SANCTION OF LICENSE.

5 33 The unit shall proceed in accordance with this
5 34 chapter only if the unit sends a notice to the person
5 35 by regular mail to the last known address of the
5 36 person. The notice shall include all of the

5 37 following:

5 38 1. The address and telephone number of the unit
5 39 and the person's unit account number.

5 40 2. A statement that the person may request a
5 41 conference with the unit to contest the action.

5 42 3. A statement that if, within twenty days of
5 43 mailing of the notice to the person, the person fails
5 44 to contact the unit to schedule a conference, the unit
5 45 shall issue a certificate of noncompliance, bearing
5 46 the person's name, social security number, and unit
5 47 account number, to any appropriate licensing
5 48 authority, certifying that the obligor has an
5 49 outstanding liability placed with the unit.

5 50 4. A statement that in order to stay the issuance
6 1 of a certificate of noncompliance the request for a
6 2 conference shall be in writing and shall be received
6 3 by the unit within twenty days of mailing of the
6 4 notice to the person.

6 5 5. The names of the licensing authorities to which
6 6 the unit intends to issue a certificate of
6 7 noncompliance.

6 8 6. A statement that if the unit issues a
6 9 certificate of noncompliance to an appropriate
6 10 licensing authority, the licensing authority shall
6 11 initiate proceedings to refuse to issue or renew, or
6 12 to suspend or revoke the person's license, unless the
6 13 unit provides the licensing authority with a
6 14 withdrawal of a certificate of noncompliance.

6 15 Sec. 10. NEW SECTION. 272D.4 CONFERENCE.

6 16 1. The person may schedule a conference with the
6 17 unit following mailing of the notice pursuant to
6 18 section 272D.3, or at any time after service of notice
6 19 of suspension, revocation, denial of issuance, or
6 20 nonrenewal of a license from a licensing authority, to
6 21 challenge the unit's actions under this chapter.

6 22 2. The request for a conference shall be made to
6 23 the unit, in writing, and, if requested after mailing
6 24 of the notice pursuant to section 272D.3, shall be
6 25 received by the unit within twenty days following
6 26 mailing of the notice.

6 27 3. The unit shall notify the person of the date,
6 28 time, and location of the conference by regular mail,
6 29 with the date of the conference to be no earlier than
6 30 ten days following issuance of notice of the
6 31 conference by the unit. If the person fails to appear
6 32 at the conference, the unit shall issue a certificate
6 33 of noncompliance.

6 34 4. Following the conference, the unit shall issue
6 35 a certificate of noncompliance unless any of the
6 36 following applies:

6 37 a. The unit finds a mistake in the identity of the
6 38 person.

6 39 b. The unit finds a mistake in determining the
6 40 amount of the liability.

6 41 c. The unit determines the amount of the liability
6 42 is not greater than one thousand dollars.

6 43 d. The obligor enters into an acceptable payment
6 44 plan.

6 45 e. Issuance of a certificate of noncompliance is
6 46 not appropriate under other criteria established in
6 47 accordance with rules adopted by the department of
6 48 revenue pursuant to chapter 17A.

6 49 5. The unit shall grant the person a stay of the
6 50 issuance of a certificate of noncompliance upon
7 1 receiving a timely written request for a conference,
7 2 and if a certificate of noncompliance has previously
7 3 been issued, shall issue a withdrawal of a certificate
7 4 of noncompliance if the obligor enters into a written
7 5 agreement with the unit to pay the liability.

7 6 6. If the person does not timely request a
7 7 conference or does not pay the total amount of
7 8 liability owed within twenty days of mailing of the
7 9 notice pursuant to section 272D.3, the unit shall
7 10 issue a certificate of noncompliance.

7 11 Sec. 11. NEW SECTION. 272D.5 WRITTEN AGREEMENT.

7 12 1. The obligor and the unit may enter into a
7 13 written agreement for payment of the liability owed
7 14 which takes into consideration the obligor's ability
7 15 to pay and other criteria established by rule of the
7 16 department of revenue. The written agreement shall
7 17 include all of the following:

7 18 a. The method, amount, and dates of payments by
7 19 the obligor.

7 20 b. A statement that upon breach of the written
7 21 agreement by the obligor, the unit shall issue a
7 22 certificate of noncompliance to any appropriate
7 23 licensing authority.

7 24 2. A written agreement entered into pursuant to
7 25 this section does not preclude any other remedy
7 26 provided by law.

7 27 3. Following issuance of a certificate of
7 28 noncompliance, if the obligor enters into a written
7 29 agreement with the unit, the unit shall issue a
7 30 withdrawal of the certificate of noncompliance to any
7 31 appropriate licensing authority and shall forward a
7 32 copy of the withdrawal by regular mail to the obligor.

7 33 Sec. 12. NEW SECTION. 272D.6 DECISION OF THE
7 34 UNIT.

7 35 1. If the unit mails a notice to a person pursuant
7 36 to section 272D.3, and the person requests a
7 37 conference pursuant to section 272D.4, the unit shall
7 38 issue a written decision if any of the following
7 39 conditions exist:

7 40 a. The person fails to appear at a scheduled
7 41 conference under section 272D.4.

7 42 b. A conference is held under section 272D.4.

7 43 c. The obligor fails to comply with a written
7 44 agreement entered into by the obligor and the unit
7 45 under section 272D.5.

7 46 2. The unit shall send a copy of the written
7 47 decision to the person by regular mail at the person's
7 48 most recent address of record. If the decision is
7 49 made to issue a certificate of noncompliance or to
7 50 withdraw the certificate of noncompliance, a copy of
8 1 the certificate of noncompliance or of the withdrawal
8 2 of the certificate of noncompliance shall be attached
8 3 to the written decision. The written decision shall
8 4 state all of the following:

8 5 a. That the certificate of noncompliance or
8 6 withdrawal of the certificate of noncompliance has
8 7 been provided to the licensing authorities named in
8 8 the notice provided pursuant to section 272D.3.

8 9 b. That upon receipt of a certificate of
8 10 noncompliance, the licensing authority shall initiate
8 11 proceedings to suspend, revoke, deny issuance, or deny
8 12 renewal of a license, unless the licensing authority
8 13 is provided with a withdrawal of a certificate of
8 14 noncompliance from the unit.

8 15 c. That in order to obtain a withdrawal of a
8 16 certificate of noncompliance from the unit, the
8 17 obligor shall enter into a written agreement with the
8 18 unit, comply with an existing written agreement with
8 19 the unit, or pay the total amount of liability owed.

8 20 d. That if the unit issues a written decision
8 21 which includes a certificate of noncompliance, the
8 22 person may request a hearing as provided in section
8 23 272D.9, before the district court. The person may
8 24 retain an attorney at the person's own expense to
8 25 represent the person at the hearing. The review of
8 26 the district court shall be limited to demonstration
8 27 of a mistake of fact related to the amount of the
8 28 liability owed or the identity of the person.

8 29 3. If the unit issues a certificate of
8 30 noncompliance, the unit shall only issue a withdrawal
8 31 of the certificate of noncompliance if any of the
8 32 following applies:

8 33 a. The unit or the court finds a mistake in the
8 34 identity of the person.

8 35 b. The unit or the court finds a mistake in the
8 36 amount owed.

8 37 c. The obligor enters into a written agreement
8 38 with the unit to pay the liability owed, the obligor
8 39 complies with an existing written agreement, or the
8 40 obligor pays the total amount of liability owed.

8 41 d. Issuance of a withdrawal of the certificate of
8 42 noncompliance is appropriate under other criteria in
8 43 accordance with rules adopted by the department of
8 44 revenue pursuant to chapter 17A.

8 45 Sec. 13. NEW SECTION. 272D.7 CERTIFICATE OF
8 46 NONCOMPLIANCE == CERTIFICATION TO LICENSING AUTHORITY.

8 47 1. If a person fails to respond to a notice of
8 48 potential license sanction provided pursuant to

8 49 section 272D.3 or the unit issues a written decision
8 50 under section 272D.6 which states that the person is
9 1 not in compliance, the unit shall issue a certificate
9 2 of noncompliance to any appropriate licensing
9 3 authority.

9 4 2. The certificate of noncompliance shall contain
9 5 the person's name and social security number.

9 6 3. The certificate of noncompliance shall require
9 7 all of the following:

9 8 a. That the licensing authority initiate
9 9 procedures for the revocation or suspension of the
9 10 person's license, or for the denial of the issuance or
9 11 renewal of a license using the licensing authority's
9 12 procedures.

9 13 b. That the licensing authority provide notice to
9 14 the person, as provided in section 272D.8, of the
9 15 intent to suspend, revoke, deny issuance, or deny
9 16 renewal of a license including the effective date of
9 17 the action. The suspension, revocation, or denial
9 18 shall be effective no sooner than thirty days
9 19 following provision of notice to the person.

9 20 Sec. 14. NEW SECTION. 272D.8 REQUIREMENTS AND
9 21 PROCEDURES OF LICENSING AUTHORITY.

9 22 1. A licensing authority shall maintain records of
9 23 licensees by name, current known address, and social
9 24 security number. The records shall be made available
9 25 to the unit in an electronic format in order for the
9 26 unit to match the names of the persons with any
9 27 liability placed with the unit for collection.

9 28 2. In addition to other grounds for suspension,
9 29 revocation, or denial of issuance or renewal of a
9 30 license, a licensing authority shall include in rules
9 31 adopted by the licensing authority as grounds for
9 32 suspension, revocation, or denial of issuance or
9 33 renewal of a license, the receipt of a certificate of
9 34 noncompliance from the unit.

9 35 3. The supreme court shall prescribe rules for
9 36 admission of persons to practice as attorneys and
9 37 counselors pursuant to chapter 602, article 10, which
9 38 include provisions, as specified in this chapter, for
9 39 the denial, suspension, or revocation of the admission
9 40 for failure to pay a liability placed with the unit.

9 41 4. a. A licensing authority that is issued a
9 42 certificate of noncompliance shall initiate procedures
9 43 for the suspension, revocation, or denial of issuance
9 44 or renewal of licensure to a person. The licensing
9 45 authority shall utilize existing rules and procedures
9 46 for suspension, revocation, or denial of the issuance
9 47 or renewal of a license.

9 48 b. In addition, the licensing authority shall
9 49 provide notice to the person of the licensing
9 50 authority's intent to suspend, revoke, or deny
10 1 issuance or renewal of a license under this chapter.
10 2 The suspension, revocation, or denial shall be
10 3 effective no sooner than thirty days following
10 4 provision of notice to the person. The notice shall
10 5 state all of the following:

10 6 (1) The licensing authority intends to suspend,
10 7 revoke, or deny issuance or renewal of a person's
10 8 license due to the receipt of a certificate of
10 9 noncompliance from the unit.

10 10 (2) The person must contact the unit to schedule a
10 11 conference or to otherwise obtain a withdrawal of a
10 12 certificate of noncompliance.

10 13 (3) Unless the unit furnishes a withdrawal of a
10 14 certificate of noncompliance to the licensing
10 15 authority within thirty days of the issuance of the
10 16 notice under this section, the person's license will
10 17 be revoked, suspended, or denied.

10 18 (4) If the licensing authority's rules and
10 19 procedures conflict with the additional requirements
10 20 of this section, the requirements of this section
10 21 shall apply. Notwithstanding section 17A.18, the
10 22 person does not have a right to a hearing before the
10 23 licensing authority to contest the authority's actions
10 24 under this chapter but may request a court hearing
10 25 pursuant to section 272D.9 within thirty days of the
10 26 provision of notice under this section.

10 27 5. If the licensing authority receives a
10 28 withdrawal of a certificate of noncompliance from the
10 29 unit, the licensing authority shall immediately

10 30 reinstate, renew, or issue a license if the person is
10 31 otherwise in compliance with licensing requirements
10 32 established by the licensing authority.

10 33 Sec. 15. NEW SECTION. 272D.9 DISTRICT COURT
10 34 HEARING.

10 35 1. Following the issuance of a written decision by
10 36 the unit under section 272D.6 which includes the
10 37 issuance of a certificate of noncompliance, or
10 38 following provision of notice to the person by a
10 39 licensing authority pursuant to section 272D.8, a
10 40 person may seek review of the decision and request a
10 41 hearing before the district court by filing an
10 42 application with the district court in the county
10 43 where the majority of the liability was incurred, and
10 44 sending a copy of the application to the unit by
10 45 regular mail.

10 46 2. An application shall be filed to seek review of
10 47 the decision by the unit or following issuance of
10 48 notice by the licensing authority no later than within
10 49 thirty days after the issuance of the notice pursuant
10 50 to section 272D.8. The clerk of the district court
11 1 shall schedule a hearing and mail a copy of the order
11 2 scheduling the hearing to the person and the unit and
11 3 shall also mail a copy of the order to the licensing
11 4 authority, if applicable. The unit shall certify a
11 5 copy of its written decision and certificate of
11 6 noncompliance, indicating the date of issuance, and
11 7 the licensing authority shall certify a copy of a
11 8 notice issued pursuant to section 272D.8, to the court
11 9 prior to the hearing.

11 10 3. The filing of an application pursuant to this
11 11 section shall automatically stay the actions of a
11 12 licensing authority pursuant to section 272D.8. The
11 13 hearing on the application shall be scheduled and held
11 14 within thirty days of the filing of the application.
11 15 However, if the person fails to appear at the
11 16 scheduled hearing, the stay shall be lifted and the
11 17 licensing authority shall continue procedures pursuant
11 18 to section 272D.8.

11 19 4. The scope of review by the district court shall
11 20 be limited to demonstration of the amount of the
11 21 liability owed or the identity of the person.

11 22 5. If the court finds that the unit was in error
11 23 in issuing a certificate of noncompliance, or in
11 24 failing to issue a withdrawal of a certificate of
11 25 noncompliance, the unit shall issue a withdrawal of a
11 26 certificate of noncompliance to the appropriate
11 27 licensing authority.

11 28 DIVISION III
11 29 COLLECTION OF DEBT

11 30 Sec. 16. Section 96.11, subsection 6, paragraph b,
11 31 subparagraph (3), Code Supplement 2007, is amended to
11 32 read as follows:

11 33 (3) Information obtained from an employing unit or
11 34 individual in the course of administering this chapter
11 35 and an initial determination made by a representative
11 36 of the department under section 96.6, subsection 2, as
11 37 to benefit rights of an individual shall not be used
11 38 in any action or proceeding, except in a contested
11 39 case proceeding or judicial review under chapter 17A.
11 40 However, the department shall make information, which
11 41 is obtained from an employing unit or individual in
11 42 the course of administering this chapter and which
11 43 relates to the employment and wage history of the
11 44 individual, available to a county attorney for the
11 45 county attorney's use in the performance of duties
11 46 under section 331.756, subsection 5, or section
11 47 602.8107. The department shall make such information
11 48 electronically accessible to the county attorney at
11 49 the county attorney's office, if requested, provided
11 50 the county attorney's office pays the cost of the
12 1 installation of the equipment to provide such access.

12 2 Information in the department's possession which may
12 3 affect a claim for benefits or a change in an
12 4 employer's rating account shall be made available to
12 5 the interested parties. The information may be used
12 6 by the interested parties in a proceeding under this
12 7 chapter to the extent necessary for the proper
12 8 presentation or defense of a claim.

12 9 Sec. 17. NEW SECTION. 321.11A PERSONAL
12 10 INFORMATION DISCLOSURE == EXCEPTION.

12 11 1. Notwithstanding section 321.11, the department,
12 12 upon request, shall provide personal information that
12 13 identifies a person by the social security number of
12 14 the person to the following:

12 15 a. The department of revenue for the purpose of
12 16 collecting debt.

12 17 b. The judicial branch for the purpose of
12 18 collecting court debt pursuant to section 602.8107.

12 19 c. The department of administrative services for
12 20 the purpose of administering the setoff program
12 21 pursuant to section 8A.504.

12 22 2. The social security number obtained by the
12 23 department of revenue or the judicial branch shall
12 24 retain its confidentiality and shall only be used for
12 25 the purposes provided in this section.

12 26 Sec. 18. Section 321.40, Code Supplement 2007, is
12 27 amended by adding the following new subsection:

12 28 NEW SUBSECTION. 9. a. The clerk of the district
12 29 court shall notify the county treasurer of any
12 30 delinquent court debt, as defined in section 602.8107,
12 31 which is being collected by the county attorney
12 32 pursuant to section 602.8107, subsection 4. The
12 33 county treasurer shall refuse to renew the vehicle
12 34 registration of the applicant upon such notification
12 35 from the clerk of the district court in regard to such
12 36 applicant.

12 37 b. If the applicant enters into or renews a
12 38 payment plan that is satisfactory to the county
12 39 attorney or the county attorney's designee, the county
12 40 attorney shall provide the county treasurer with
12 41 written or electronic notice of the payment plan
12 42 within five days of entering into such a plan. The
12 43 county treasurer shall temporarily lift the
12 44 registration hold on an applicant for a period of ten
12 45 days if the treasurer receives such notice in order to
12 46 allow the applicant to register a vehicle for the
12 47 year. If the applicant remains current with the
12 48 payment plan entered into with the county attorney or
12 49 the county attorney's designee, subsequent lifts of
12 50 registration holds shall be granted without additional
13 1 restrictions.

13 2 Sec. 19. Section 321.210A, subsection 2, Code
13 3 Supplement 2007, is amended to read as follows:

13 4 2. If after suspension, the person enters into an
13 5 installment agreement with the county attorney, the
13 6 county attorney's designee, or the centralized
13 7 collection unit of the department of revenue in
13 8 accordance with section 321.210B to pay the fine,
13 9 penalty, court cost, or surcharge, the person's
13 10 license shall be reinstated by the department upon
13 11 receipt of a report of an executed installment
13 12 agreement.

13 13 Sec. 20. Section 321.210A, Code Supplement 2007,
13 14 is amended by adding the following new subsection:

13 15 NEW SUBSECTION. 3. If the county attorney or the
13 16 county attorney's designee, while collecting
13 17 delinquent court debt pursuant to section 602.8107,
13 18 determines that the person has been convicted of an
13 19 additional violation of a law regulating the operation
13 20 of a motor vehicle, the county attorney or the county
13 21 attorney's designee shall notify the clerk of the
13 22 district court of the appropriate case numbers, and
13 23 the clerk of the district court shall notify the
13 24 department for the purpose of instituting suspension
13 25 procedures pursuant to this section.

13 26 Sec. 21. Section 321.210B, Code Supplement 2007,
13 27 is amended to read as follows:

13 28 321.210B INSTALLMENT AGREEMENT.

13 29 1. If a person's fine, penalty, surcharge, or
13 30 court cost is deemed delinquent as provided in section
13 31 602.8107, subsection 3 ~~2~~, and the person's driver's
13 32 license has been suspended pursuant to section
13 33 321.210A, the person may execute an installment
13 34 agreement with the county attorney, ~~or~~ the county
13 35 attorney's designee, or the centralized collection
13 36 unit of the department of revenue to pay the
13 37 delinquent amount and the fee assessed in subsection 7
13 38 in installments. Prior to execution of the
13 39 installment agreement, the person shall provide the
13 40 county attorney, ~~or~~ the county attorney's designee, ~~or~~
13 41 the centralized collection unit of the department of

13 42 revenue with a financial statement in order for the
13 43 parties to the agreement to determine the amount of
13 44 the installment payments.

13 45 2. ~~¶~~ If the person enters into an installment
13 46 agreement with the county attorney or the county
13 47 attorney's designee, the person shall execute an
13 48 installment agreement in the county where the fine,
13 49 penalty, surcharge, or court cost was imposed. If the
13 50 county where the fine, penalty, surcharge, or court
14 1 cost was imposed does not have an installment
14 2 agreement program, the person shall execute an
14 3 installment agreement in the person's county of
14 4 residence. If the county of residence does not have
14 5 an installment agreement program, the person may
14 6 execute an installment agreement with any county
14 7 attorney or county attorney's designee.

14 8 3. The county attorney, or the county attorney's
14 9 designee, or the centralized collection unit of the
14 10 department of revenue shall file the installment
14 11 agreement with the clerk of the district court in the
14 12 county where the fine, penalty, surcharge, or court
14 13 cost was imposed, within five days of execution of the
14 14 agreement.

14 15 4. Upon receipt of an executed installment
14 16 agreement and after the first installment payment, the
14 17 clerk of the district court shall report the receipt
14 18 of the executed installment agreement to the
14 19 department of transportation.

14 20 5. Upon receipt of the report from the clerk of
14 21 the district court and payment of the reinstatement
14 22 fee as provided in section 321.191, the department
14 23 shall immediately reinstate the driver's license of
14 24 the person unless the driver's license of the person
14 25 is otherwise suspended, revoked, denied, or barred
14 26 under another provision of law.

14 27 6. If a driver's license is reinstated upon
14 28 receipt of a report of an executed installment
14 29 agreement the driver shall provide proof of financial
14 30 responsibility pursuant to section 321A.17, if
14 31 otherwise required by law.

14 32 7. The civil penalty, if assessed pursuant to
14 33 section 321.218A, shall be added to the amount owing
14 34 under the installment agreement. The clerk of the
14 35 district court shall transmit to the department, from
14 36 the first moneys collected, an amount equal to the
14 37 amount of any civil penalty assessed and added to the
14 38 installment agreement. The department shall transmit
14 39 the money received from the clerk of the district
14 40 court pursuant to this subsection to the treasurer of
14 41 state for deposit in the juvenile detention home fund
14 42 created in section 232.142.

14 43 8. Upon determination by the county attorney, ~~or~~
14 44 the county attorney's designee, or the centralized
14 45 collection unit of the department of revenue that the
14 46 person is in default, the county attorney, ~~or~~ the
14 47 county attorney's designee, or the centralized
14 48 collection unit shall notify the clerk of the district
14 49 court.

14 50 9. The clerk of the district court, upon receipt
15 1 of a notification of a default from the county
15 2 attorney, ~~or~~ the county attorney's designee, or the
15 3 centralized collection unit of the department of
15 4 revenue shall report the default to the department of
15 5 transportation.

15 6 10. Upon receipt of a report of a default from the
15 7 clerk of the district court, the department shall
15 8 suspend the driver's license of a person as provided
15 9 in section 321.210A. For purposes of suspension and
15 10 reinstatement of the driver's license of a person in
15 11 default, the suspension and any subsequent
15 12 reinstatement shall be considered a suspension
15 13 pursuant to section 321.210A.

15 14 11. If a new fine, penalty, surcharge, or court
15 15 cost is imposed on a person after the person has
15 16 executed an installment agreement with the county
15 17 attorney, ~~or~~ the county attorney's designee, the
15 18 centralized collection unit of the department of
15 19 revenue, and the new fine, penalty, surcharge, or
15 20 court cost is deemed delinquent as provided in section
15 21 602.8107, subsection 3 2, and the person's driver's
15 22 license has been suspended pursuant to section

15 23 321.210A, the person may enter into a second
15 24 installment agreement with the county attorney, or
15 25 county attorney's designee, or the centralized
15 26 collection unit of the department of revenue to pay
15 27 the delinquent amount and the fee, if assessed, in
15 28 subsection 7 in installments.
15 29 12. If an installment agreement is in default, the
15 30 fine, penalty, surcharge, or court cost covered under
15 31 the agreement shall not become part of any new
15 32 installment agreement.
15 33 13. A person is eligible to enter into five
15 34 installment agreements in the person's lifetime.
15 35 14. Except for the civil penalty if assessed and
15 36 collected pursuant to subsection 7, any amount
15 37 collected under the installment agreement by the
15 38 county attorney or the county attorney's designee
15 39 shall be distributed as provided in section 602.8107,
15 40 subsection 4, and any amount collected by the
15 41 centralized collection unit of the department of
15 42 revenue shall be deposited with the clerk of the
15 43 district court for distribution under section
15 44 602.8108.

15 45 Sec. 22. Section 331.756, subsection 5, paragraph
15 46 e, Code Supplement 2007, is amended by striking the
15 47 paragraph.

15 48 Sec. 23. Section 602.8102, Code Supplement 2007,
15 49 is amended by adding the following new subsection:
15 50 NEW SUBSECTION. 105B. Facilitate the collection
16 1 of court debt pursuant to section 602.8107.

16 2 Sec. 24. Section 602.8107, Code Supplement 2007,
16 3 is amended by striking the section and inserting in
16 4 lieu thereof the following:

16 5 602.8107 COLLECTION OF COURT DEBT.

16 6 1. As used in this section, "court debt" means all
16 7 fines, penalties, court costs, fees, forfeited bail,
16 8 surcharges under chapter 911, victim restitution,
16 9 restitution for court-appointed attorney fees or for
16 10 expenses of a public defender, or fees charged
16 11 pursuant to section 356.7 or 904.108.

16 12 2. CLERK OF THE DISTRICT COURT COLLECTION. Court
16 13 debt shall be owed and payable to the clerk of the
16 14 district court. All amounts collected shall be
16 15 distributed pursuant to sections 602.8106 and 602.8108
16 16 or as otherwise provided by this Code. The clerk may
16 17 accept payment of an obligation or a portion thereof
16 18 by credit card. Any fees charged to the clerk with
16 19 respect to payment by credit card may be paid from
16 20 receipts collected by credit card.

16 21 a. If the clerk receives payment from a person who
16 22 is an inmate at a correctional institution or who is
16 23 under the supervision of a judicial district
16 24 department of correctional services, the payment shall
16 25 be applied to the balance owed under the identified
16 26 case number of the case which has resulted in the
16 27 placement of the person at a correctional institution
16 28 or under the supervision of the judicial district
16 29 department of correctional services.

16 30 b. If a case number is not identified, the clerk
16 31 shall apply the payment to the balance owed in the
16 32 criminal case with the oldest judgment against the
16 33 person.

16 34 c. Payments received under this section shall be
16 35 applied in the following priority order:

16 36 (1) Pecuniary damages as defined in section 910.1,
16 37 subsection 3.

16 38 (2) Fines or penalties and criminal penalty and
16 39 law enforcement initiative surcharges.

16 40 (3) Crime victim compensation program
16 41 reimbursement.

16 42 (4) Court costs, including correctional fees
16 43 assessed pursuant to sections 356.7 and 904.108,
16 44 court-appointed attorney fees, or public defender
16 45 expenses.

16 46 d. The court debt is deemed delinquent if it is
16 47 not paid within thirty days after the date it is
16 48 assessed. An amount which was ordered by the court to
16 49 be paid on a date fixed in the future pursuant to
16 50 section 909.3 is deemed delinquent if it is not
17 1 received by the clerk within thirty days after the
17 2 fixed future date set out in the court order. If an
17 3 amount was ordered to be paid by installments, and an

17 4 installment is not received within thirty days after
17 5 the date it is due, the entire amount of the court
17 6 debt is deemed delinquent.

17 7 3. COLLECTION BY CENTRALIZED COLLECTION UNIT OF
17 8 DEPARTMENT OF REVENUE. Thirty days after court debt
17 9 has been assessed, or if an installment payment is not
17 10 received within thirty days after the date it is due,
17 11 the judicial branch may assign a case to the
17 12 centralized collection unit of the department of
17 13 revenue or its designee to collect debts owed to the
17 14 clerk of the district court for a period of sixty
17 15 days. In addition, court debt which is being
17 16 collected under an installment agreement pursuant to
17 17 section 321.210B which is in default that remains
17 18 delinquent may also be assigned to the centralized
17 19 collection unit of the department of revenue or its
17 20 designee.

17 21 a. The department of revenue may impose a fee
17 22 established by rule to reflect the cost of processing
17 23 which shall be added to the debt owed to the clerk of
17 24 the district court. Any amounts collected by the unit
17 25 shall first be applied to the processing fee. The
17 26 remaining amounts shall be remitted to the clerk of
17 27 the district court for the county in which the debt is
17 28 owed. The judicial branch may prescribe rules to
17 29 implement this subsection. These rules may provide
17 30 for remittance of processing fees to the department of
17 31 revenue or its designee.

17 32 b. Satisfaction of the outstanding court debt
17 33 occurs only when all fees or charges and the
17 34 outstanding court debt is paid in full. Payment of
17 35 the outstanding court debt only shall not be
17 36 considered payment in full for satisfaction purposes.

17 37 c. The department of revenue or its collection
17 38 designee shall file with the clerk of the district
17 39 court a notice of the satisfaction of each portion of
17 40 the court debt to the full extent of the moneys
17 41 collected in satisfaction of the court debt. The
17 42 clerk of the district court shall record the notice
17 43 and enter a satisfaction for the amounts collected.

17 44 4. COUNTY ATTORNEY COLLECTION. The county
17 45 attorney or the county attorney's designee may collect
17 46 court debt sixty days after the court debt is deemed
17 47 delinquent pursuant to subsection 2. In order to
17 48 receive a percentage of the amounts collected pursuant
17 49 to this subsection, the county attorney must file
17 50 annually with the clerk of the district court on or
18 1 before July 1 a notice of full commitment to collect
18 2 delinquent court debt and must file on the first day
18 3 of each month a list of the cases in which the county
18 4 attorney or the county attorney's designee is pursuing
18 5 the collection of delinquent court debt. The list
18 6 shall include a list of cases where delinquent court
18 7 debt is being collected under an installment agreement
18 8 pursuant to section 321.210B, and a list of cases in
18 9 default which are no longer being collected under an
18 10 installment agreement but remain delinquent. The
18 11 annual notice shall contain a list of procedures which
18 12 will be initiated by the county attorney.

18 13 a. This subsection does not apply to amounts
18 14 collected for victim restitution, the victim
18 15 compensation fund, the criminal penalty surcharge,
18 16 drug abuse resistance education surcharge, the law
18 17 enforcement initiative surcharge, county enforcement
18 18 surcharge, amounts collected as a result of procedures
18 19 initiated under subsection 5 or under section 8A.504,
18 20 or fees charged pursuant to section 356.7.

18 21 b. Amounts collected by the county attorney or the
18 22 county attorney's designee shall be distributed in
18 23 accordance with paragraphs "c" and "d".

18 24 c. (1) Forty percent of the amounts collected by
18 25 the county attorney or the person procured or
18 26 designated by the county attorney shall be deposited
18 27 in the general fund of the county if the county
18 28 attorney has filed the notice required by this
18 29 subsection, unless the county attorney has
18 30 discontinued collection efforts on a particular
18 31 delinquent amount.

18 32 (2) Of the remaining sixty percent, the following
18 33 amounts shall be paid each fiscal year to the clerk of
18 34 the district court for distribution under section

18 35 602.8108:

18 36 (a) For a county with a population greater than
18 37 one hundred fifty thousand, an amount up to five
18 38 hundred thousand dollars.

18 39 (b) For a county with a population greater than
18 40 one hundred thousand but not more than one hundred
18 41 fifty thousand, an amount up to four hundred thousand
18 42 dollars.

18 43 (c) For a county with a population greater than
18 44 fifty thousand but not more than one hundred thousand,
18 45 an amount up to two hundred fifty thousand dollars.

18 46 (d) For a county with a population greater than
18 47 twenty-six thousand but not more than fifty thousand,
18 48 an amount up to one hundred thousand dollars.

18 49 (e) For a county with a population greater than
18 50 fifteen thousand but not more than twenty-six
19 1 thousand, an amount up to fifty thousand dollars.

19 2 (f) For a county with a population equal to or
19 3 less than fifteen thousand, an amount up to
19 4 twenty-five thousand dollars.

19 5 (3) After the threshold amount has been
19 6 distributed pursuant to subparagraph (2), any
19 7 additional moneys collected shall be distributed to
19 8 the individual county as provided in paragraph "d".

19 9 d. Any additional moneys collected by an
19 10 individual county after the threshold amount in
19 11 paragraph "c" has been distributed shall be
19 12 distributed by the state court administrator as
19 13 follows: forty percent of any additional moneys
19 14 collected by the county attorney or the person
19 15 procured or designated by the county attorney shall be
19 16 deposited in the general fund of the county where the
19 17 moneys were collected; twenty percent of the remaining
19 18 sixty percent collected by the county attorney or the
19 19 person procured or designated by the county attorney
19 20 shall be deposited with the office of the county
19 21 attorney that collected the moneys; and the remainder
19 22 shall be paid to the clerk of the district court for
19 23 distribution under section 602.8108 or the state court
19 24 administrator may distribute the remainder under
19 25 section 602.8108 if the additional moneys have already
19 26 been received by the state court administrator.

19 27 e. (1) A county may enter into an agreement
19 28 pursuant to chapter 28E with one or more other
19 29 counties for the purpose of collecting delinquent
19 30 court debt pursuant to this subsection.

19 31 (2) Notwithstanding paragraph "c", if a county
19 32 subject to the threshold amount in paragraph "c",
19 33 subparagraph (2), subparagraph subdivision (e) or (f)
19 34 enters into such an agreement exclusively with a
19 35 county or counties subject to the threshold amount in
19 36 paragraph "c", subparagraph (2), subparagraph
19 37 subdivision (e) or (f), the threshold amount
19 38 applicable to all of the counties combined shall be a
19 39 single threshold amount, equal to the threshold amount
19 40 attributable to the county with the largest
19 41 population.

19 42 f. The county attorney shall file with the clerk
19 43 of the district court a notice of the satisfaction of
19 44 each portion of the court debt to the full extent of
19 45 the moneys collected in satisfaction of the court
19 46 debt. The clerk of the district court shall record
19 47 the notice and enter a satisfaction for the amounts
19 48 collected.

19 49 5. ASSIGNMENT TO PRIVATE COLLECTION DESIGNEE.

19 50 a. The judicial branch may contract with a private
20 1 collection designee for the collection of court debt
20 2 sixty days after the court debt in a case is deemed
20 3 delinquent pursuant to subsection 2 if the county
20 4 attorney is not collecting the court debt in a case
20 5 pursuant to subsection 4. The judicial branch shall
20 6 solicit requests for proposals prior to entering into
20 7 any contract pursuant to this subsection.

20 8 b. The contract shall provide for a collection fee
20 9 equal to twenty-five percent of the amount of the
20 10 court debt in a case deemed delinquent. The
20 11 collection fee as calculated shall be added to the
20 12 amount of the court debt deemed delinquent. The
20 13 amount of the court debt deemed delinquent and the
20 14 collection fee shall be owed by and collected from the
20 15 defendant. The collection fee shall be used to

20 16 compensate the private collection designee. The
20 17 contract may also assess the private collection
20 18 designee an initial fee for entering into the
20 19 contract.

20 20 c. The judicial branch may consult with the
20 21 department of revenue and the department of
20 22 administrative services when entering into the
20 23 contract with the private collection designee.

20 24 d. Subject to the provisions of paragraph "b", the
20 25 amounts collected pursuant to this subsection shall be
20 26 distributed as provided in subsection 2. Any initial
20 27 fee collected by the judicial branch shall be
20 28 deposited into the general fund of the state.

20 29 e. The judicial branch or the private collection
20 30 designee shall file with the clerk of the district
20 31 court a notice of the satisfaction of each portion of
20 32 the court debt to the full extent of the moneys
20 33 collected in satisfaction of the court debt. The
20 34 clerk of the district court shall record the notice
20 35 and enter a satisfaction for the amounts collected.

20 36 6. WRITE OFF OF OLD DEBT. If any portion of the
20 37 court debt in a case remains uncollected after
20 38 sixty-five years from the date of imposition, the
20 39 judicial branch shall write off the debt as
20 40 uncollectible and close the case file for the purposes
20 41 of collection pursuant to this section.

20 42 7. REPORTS. The judicial branch shall prepare a
20 43 report aging the court debt. The report shall include
20 44 the amounts collected by the private collection
20 45 designee, the distribution of these amounts, and the
20 46 amount of the fee collected by the private collection
20 47 designee. In addition, the report shall include the
20 48 amounts written off pursuant to subsection 6. The
20 49 judicial branch shall provide the report to the
20 50 co-chairpersons and ranking members of the joint
21 1 appropriations subcommittee on the justice system, the
21 2 legislative services agency, and the department of
21 3 management by December 15 of each year.

21 4 Sec. 25. NEW SECTION. 901.5C PRONOUNCEMENT OF
21 5 JUDGMENT AND SENTENCE == SOCIAL SECURITY NUMBER.

21 6 1. Prior to pronouncement of judgment and sentence
21 7 pursuant to section 901.5, or prior to pleading guilty
21 8 for an offense that does not require a court
21 9 appearance, the defendant shall provide the
21 10 defendant's social security number to the clerk of the
21 11 district court or the court.

21 12 2. The clerk of the district court shall duly note
21 13 the social security number in the case file.

21 14 3. The defendant's social security number shall be
21 15 considered a confidential record exempted from public
21 16 access under section 22.7, but shall be disclosed by
21 17 the clerk of the district court for the limited
21 18 purpose of collecting court debt pursuant to section
21 19 602.8107.

21 20 4. Failure or refusal to provide a social security
21 21 number pursuant to this section shall not delay the
21 22 pronouncement of judgment and sentence pursuant to
21 23 section 901.5.

21 24 Sec. 26. Section 907.7, Code 2007, is amended to
21 25 read as follows:

21 26 907.7 LENGTH OF PROBATION.

21 27 1. The length of the probation shall be for a term
21 28 as the court shall fix but not to exceed five years if
21 29 the offense is a felony or not to exceed two years if
21 30 the offense is a misdemeanor.

21 31 2. The length of the probation shall not be less
21 32 than one year if the offense is a misdemeanor and
21 33 shall not be less than two years if the offense is a
21 34 felony.

21 35 3. ~~However, the~~ The court may subsequently reduce
21 36 the length of the probation if the court determines
21 37 that the purposes of probation have been fulfilled and
21 38 the fees imposed under section 905.14 have been paid
21 39 to or waived by the judicial district department of
21 40 correctional services and that court debt collected
21 41 pursuant to section 602.8107 has been paid. The
21 42 purposes of probation are to provide maximum
21 43 opportunity for the rehabilitation of the defendant
21 44 and to protect the community from further offenses by
21 45 the defendant and others.

21 46 4. In determining the length of the probation, the

21 47 court shall determine what period is most likely to
21 48 provide maximum opportunity for the rehabilitation of
21 49 the defendant, to allow enough time to determine
21 50 whether or not rehabilitation has been successful, and
22 1 to protect the community from further offenses by the
22 2 defendant and others.

22 3 Sec. 27. Section 907.9, subsections 1, 2, and 4,
22 4 Code 2007, are amended to read as follows:

22 5 1. At any time that the court determines that the
22 6 purposes of probation have been fulfilled and ~~any~~ fees
22 7 imposed under ~~sections 815.9 and section 905.14 and~~
22 8 ~~court debt collected pursuant to section 602.8107~~ have
22 9 been paid, the court may order the discharge of a
22 10 person from probation.

22 11 2. At any time that a probation officer determines
22 12 that the purposes of probation have been fulfilled and
22 13 ~~any~~ fees imposed under ~~sections 815.9 and section~~
22 14 ~~905.14 and court debt collected pursuant to section~~
22 15 ~~602.8107~~ have been paid, the officer may order the
22 16 discharge of a person from probation after approval of
22 17 the district director and notification of the
22 18 sentencing court and the county attorney who
22 19 prosecuted the case.

22 20 4. At the expiration of the period of probation
22 21 ~~and if the fees imposed under sections 815.9 and~~
22 22 ~~section 905.14 and court debt collected pursuant to~~
22 23 ~~section 602.8107 have been paid or on condition that~~
22 24 ~~unpaid supervision fees be paid, the court shall order~~
22 25 the discharge of the person from probation, ~~and the~~
22 26 ~~If portions of the court debt remain unpaid, the~~
22 27 ~~person shall establish a payment plan with the clerk~~
22 28 ~~of the district court prior to the discharge. The~~

22 29 court shall forward to the governor a recommendation
22 30 for or against restoration of citizenship rights to
22 31 that person upon discharge. A person who has been
22 32 discharged from probation shall no longer be held to
22 33 answer for the person's offense. Upon discharge from
22 34 probation, if judgment has been deferred under section
22 35 907.3, the court's criminal record with reference to
22 36 the deferred judgment shall be expunged. The record
22 37 maintained by the state court administrator as
22 38 required by section 907.4 shall not be expunged. The
22 39 court's record shall not be expunged in any other
22 40 circumstances.

22 41 Sec. 28. Section 909.8, Code 2007, is amended to
22 42 read as follows:

22 43 909.8 PAYMENT AND COLLECTION PROVISIONS APPLY TO
22 44 SURCHARGE.

22 45 The provisions of this chapter governing the
22 46 payment and collection of a fine, except section
22 47 909.3A, also apply to the payment and collection of
22 48 surcharges imposed pursuant to chapter 911. ~~However,~~
22 49 ~~section 909.10 shall not apply to surcharges assessed~~
22 50 ~~under sections 911.3 and 911.4.~~

23 1 Sec. 29. Section 909.10, Code 2007, is repealed.

23 2 Sec. 30. DEPARTMENT OF REVENUE == COLLECTION
23 3 SYSTEM UPGRADE. The director of the department of
23 4 revenue shall enhance the computer assisted
23 5 collections system of the department to the current
23 6 web-based technical version and implement related
23 7 process and procedure improvements that will generate
23 8 revenue and cost benefits. The director shall procure
23 9 the enhancements from the current vendor, and such
23 10 enhancements shall be considered as an upgrade to that
23 11 vendor's contract with the department.

23 12 Sec. 31. COLLECTION OF DELINQUENT DEBT ==
23 13 PROCESSING OR COLLECTION FEE. If court debt is being
23 14 collected pursuant to section 602.8107, as amended by
23 15 this Act, for court debt imposed, assessed, or deemed
23 16 delinquent prior to the effective date of this Act, a
23 17 processing fee or collection fee shall be added to the
23 18 court debt as provided in this Act.

23 19 Sec. 32. LEGISLATIVE INTENT. It is the intent of
23 20 the general assembly that the judicial branch enter
23 21 into a contract with a private collection designee by
23 22 August 1, 2008, and begin collection efforts pursuant
23 23 to section 602.8107, as amended by this Act, on August
23 24 1, 2008.>

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