

House Amendment to
Senate File 457

S-5155

1 Amend Senate File 457, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <DIVISION I

6 SURCHARGES ADDED TO CRIMINAL PENALTIES AND DISTRIBUTION OF
7 SURCHARGE MONEYS

8 Section 1. Section 331.301, subsection 16, Code 2020, is
9 amended by striking the subsection.

10 Sec. 2. Section 331.302, subsection 2, Code 2020, is amended
11 to read as follows:

12 2. For a violation of an ordinance a county shall not
13 provide a penalty in excess of the maximum fine and term of
14 imprisonment for a simple misdemeanor under section 903.1,
15 subsection 1, paragraph "a". The ~~criminal penalty crime~~
16 services surcharge required by [section 911.1](#) shall be added to
17 a county fine and is not a part of the county's penalty.

18 Sec. 3. Section 356.7, subsection 5, paragraph a, Code 2020,
19 is amended to read as follows:

20 a. Of the moneys collected and credited to the county
21 general fund as provided in [this section](#) and [section 602.8106,](#)
22 subsection 4, paragraph "b", subparagraph (2), sixty percent of
23 the moneys collected shall be used for the following purposes:

24 (1) Courthouse security equipment and law enforcement
25 personnel costs.

26 (2) Infrastructure improvements of a jail, including new or
27 remodeling costs.

28 (3) Infrastructure improvements of juvenile detention
29 facilities, including new or remodeling costs.

30 (4) Medical and prescription drug costs of inmates in jail.

31 Sec. 4. Section 364.3, subsection 2, Code 2020, is amended
32 to read as follows:

33 2. For a violation of an ordinance a city shall not
34 provide a penalty in excess of the maximum fine and term of
35 imprisonment for a simple misdemeanor under section 903.1,

1 subsection 1, paragraph "a". An amount equal to ~~ten~~ twenty
2 percent of all fines collected by cities shall be deposited
3 in the account established in [section 602.8108](#). However, one
4 hundred percent of all fines collected by a city pursuant to
5 section 321.236, subsection 1, shall be retained by the city.
6 ~~The eriminal penalty crime services~~ crime services surcharge required by
7 section 911.1 shall be added to a city fine and is not a part
8 of the city's penalty.

9 Sec. 5. Section 602.8102, subsection 135A, Code 2020, is
10 amended to read as follows:

11 135A. Assess the surcharges provided by [sections 911.1,](#)
12 [911.2, 911.2A, 911.2B, 911.2C, 911.3,](#) and [911.4](#) and 911.5.

13 Sec. 6. Section 602.8106, subsection 1, paragraphs d and e,
14 Code 2020, are amended to read as follows:

15 *d.* For court costs in scheduled violation cases where a
16 court appearance is required, ~~sixty~~ fifty-five dollars.

17 *e.* For court costs in scheduled violation cases where a
18 court appearance is not required, ~~sixty~~ fifty-five dollars.

19 Sec. 7. Section 602.8106, subsections 2, 3, and 4, Code
20 2020, are amended to read as follows:

21 2. The clerk of the district court shall remit ~~ninety~~ eighty
22 percent of all fines and forfeited bail to the city that was
23 the plaintiff in any action, and shall provide that city with a
24 statement showing the total number of cases, the total of all
25 fines and forfeited bail collected, and the total of all cases
26 dismissed. The remaining ~~ten~~ twenty percent shall be submitted
27 to the state court administrator.

28 3. The clerk of the district court shall remit all fines
29 and forfeited bail for violation of a county ordinance, ~~except~~
30 ~~an ordinance relating to vehicle speed or weight restrictions,~~
31 to the county treasurer of the county that was the plaintiff
32 in the action, and shall provide that county with a statement
33 showing the total number of cases, the total of all fines and
34 forfeited bail collected, and the total of all cases dismissed,
35 except all fines and forfeited bail for violation of a county

1 ordinance relating to vehicle speed or weight restrictions
2 shall be distributed pursuant to subsection 4, paragraph
3 "b". ~~However, if~~ If a county ordinance provides a penalty
4 for a violation which is also penalized under state law, the
5 finer and forfeited bail collected for the violation shall be
6 ~~submitted to the state court administrator~~ distributed pursuant
7 to subsection 4, paragraph "b".

8 4. a. The Except as provided in paragraph "b", the clerk of
9 the district court shall submit all other fines, fees, costs,
10 and forfeited bail received from a magistrate to the state
11 court administrator.

12 b. The fine amount for a violation that occurred within the
13 boundaries of the county shall be distributed as follows:

14 (1) Ninety-one percent to the state court administrator.

15 (2) Nine percent to the county treasurer for deposit in the
16 county general fund where the violation occurred.

17 Sec. 8. Section 602.8107, subsection 1, paragraph b, Code
18 2020, is amended to read as follows:

19 b. (1) "Installment agreement" means an agreement made for
20 the payment of court debt in excess of one hundred dollars in
21 installments.

22 (2) The judicial branch may establish a threshold
23 amount that is lower than the threshold amount specified in
24 subparagraph (1) by court rule.

25 Sec. 9. Section 602.8107, subsection 2, paragraph c,
26 subparagraph (2), Code 2020, is amended to read as follows:

27 (2) Fines or penalties and ~~criminal penalty and law~~
28 ~~enforcement initiative surcharges~~ the crime services surcharge.

29 Sec. 10. Section 602.8107, subsection 4, paragraph a, Code
30 2020, is amended to read as follows:

31 a. This subsection does not apply to amounts collected
32 for victim restitution, the victim compensation fund, the
33 ~~criminal penalty~~ crime services surcharge, sex offender civil
34 ~~penalty, drug abuse resistance education surcharge, the law~~
35 ~~enforcement initiative surcharge, county enforcement surcharge,~~

1 agricultural theft surcharge, amounts collected as a result
2 of procedures initiated under [subsection 5](#) or under section
3 8A.504, or fees charged pursuant to [section 356.7](#).

4 Sec. 11. Section 602.8108, subsections 3 and 7, Code 2020,
5 are amended to read as follows:

6 3. The clerk of the district court shall remit to the state
7 court administrator, not later than the fifteenth day of each
8 month, ~~ninety-five percent~~ of all moneys collected from the
9 ~~criminal penalty~~ surcharge provided in [section 911.1](#) during the
10 preceding calendar month. ~~The clerk shall remit the remainder~~
11 ~~to the county treasurer of the county that was the plaintiff~~
12 ~~in the action or to the city that was the plaintiff in the~~
13 ~~action. Of the amount received from the clerk, the state~~
14 court administrator shall allocate seventeen and deposit each
15 month forty-six percent in the juvenile detention home fund
16 in section 232.142, thirty-two percent to be deposited in the
17 victim compensation fund established in [section 915.94](#), and
18 ~~eighty-three percent to be deposited in the general fund~~ twenty
19 percent in the criminalistics laboratory fund established in
20 section 691.9, and two percent in the drug abuse resistance
21 education fund established in section 80E.4.

22 7. The clerk of the district court shall remit all moneys
23 collected from the assessment of the ~~surcharges~~ surcharge
24 provided in ~~sections~~ section 911.2B and ~~911.2C~~ to the state
25 court administrator for deposit in the address confidentiality
26 program revolving fund created in [section 9.8](#).

27 Sec. 12. Section 602.8108, subsection 4, Code 2020, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 4. The clerk of the district court shall remit to the
31 state court administrator, not later than the fifteenth day of
32 each month, ninety-one percent of all moneys collected from
33 county enforcement as provided section 602.8106, subsection 4,
34 paragraph "b", subparagraph (1), during the preceding calendar
35 month. Of the amount received from the clerk, the state court

1 administrator shall allocate and deposit one and three-tenths
2 percent in the emergency medical services fund in section
3 135.25, and shall allocate and deposit the remainder in the
4 general fund of the state.

5 Sec. 13. Section 602.8108, subsections 5 and 8, Code 2020,
6 are amended by striking the subsections.

7 Sec. 14. Section 602.8108, Code 2020, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 13. The clerk of the district court
10 shall remit all moneys collected from the agricultural
11 theft surcharge provided in section 911.5 to the state court
12 administrator no later than the fifteenth day of each month
13 for deposit in the general fund of the state, and the amount
14 deposited is appropriated to the department of agriculture and
15 land stewardship to support the Iowa emergency food purchase
16 program fund established in section 190B.201.

17 Sec. 15. Section 805.8, subsection 1, Code 2020, is amended
18 to read as follows:

19 1. *Application.* Except as otherwise indicated, violations
20 of sections of the Code specified in [sections 805.8A, 805.8B,](#)
21 [and 805.8C](#) are scheduled violations, and the scheduled fine
22 for each of those violations is as provided in those sections,
23 whether the violation is of state law or of a county or city
24 ordinance. ~~The criminal penalty~~ crime services surcharge
25 required by [section 911.1](#) ~~and the county enforcement surcharge~~
26 ~~required by [section 911.4](#), if applicable,~~ shall be added to the
27 scheduled fine.

28 Sec. 16. Section 902.9, subsection 2, Code 2020, is amended
29 to read as follows:

30 2. The surcharges required by [sections 911.1, ~~911.2,~~911.2A,](#)
31 [and ~~911.3~~ 911.5](#) shall be added to a fine imposed on a class "C"
32 or class "D" felon, as provided by those sections, and are not
33 a part of or subject to the maximums set in [this section](#).

34 Sec. 17. Section 903.1, subsection 4, Code 2020, is amended
35 to read as follows:

1 4. The surcharges required by [sections 911.1, ~~911.2~~, 911.2A,](#)
2 [911.3, and ~~911.4~~](#) and [911.5](#) shall be added to a fine imposed on a
3 misdemeanor as provided in those sections, and are not a part
4 of or subject to the maximums set in [this section](#).

5 Sec. 18. Section 911.1, Code 2020, is amended to read as
6 follows:

7 **911.1 ~~Criminal penalty~~ Crime services surcharge.**

8 1. A ~~criminal penalty~~ crime services surcharge shall be
9 levied against law violators as provided in [this section](#).
10 When a court imposes a fine or forfeiture for a violation of
11 state law, or a city or county ordinance, except an ordinance
12 regulating the parking of motor vehicles, the court ~~or the~~
13 ~~clerk of the district court~~ shall assess an additional penalty
14 in the form of a ~~criminal penalty~~ crime services surcharge
15 equal to ~~thirty-five~~ fifteen percent of the fine or forfeiture
16 imposed.

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

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

23 4. The surcharge is subject to the provisions of chapter
24 909 governing the payment and collection of fines, as provided
25 in [section 909.8](#).

26 5. The surcharge shall be remitted by the clerk of court as
27 provided in [section 602.8108, subsection 3](#).

28 Sec. 19. Section 911.2A, subsection 1, Code 2020, is amended
29 to read as follows:

30 1. In addition to any other surcharge, the court ~~or clerk~~
31 ~~of the district court~~ shall assess a human trafficking victim
32 surcharge of one thousand dollars if an adjudication of
33 guilt or a deferred judgment has been entered for a criminal
34 violation of [section 725.1, subsection 2](#), or [section 710A.2,](#)
35 [725.2](#), or [725.3](#).

1 Sec. 20. Section 911.2B, Code 2020, is amended to read as
2 follows:

3 **911.2B Domestic abuse assault, or sexual abuse, stalking, and**
4 **human trafficking victim related crimes surcharge.**

5 1. In addition to any other surcharge, the court ~~or clerk~~
6 ~~of the district court~~ shall assess a domestic abuse assault,
7 domestic abuse protective order contempt, sexual abuse,
8 stalking, and human trafficking victim surcharge of one hundred
9 ninety dollars if an adjudication of guilt or a deferred
10 judgment has been entered for a violation of [section 708.2A](#),
11 [708.11](#), or [710A.2](#), or [chapter 709](#), or if a defendant is held
12 in contempt of court for violating a domestic abuse protective
13 order issued pursuant to chapter 236.

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

16 3. The surcharge shall be remitted by the clerk of court as
17 provided in [section 602.8108, subsection 7](#).

18 Sec. 21. NEW SECTION. **911.5 Agricultural theft surcharge.**

19 1. In addition to any other surcharge, the court or clerk of
20 the district court shall assess an agricultural theft surcharge
21 equal to five hundred dollars, if an adjudication of guilt or
22 a deferred judgment has been entered for a criminal violation
23 involving any of the following:

24 a. Theft of agricultural property under section 714.2,
25 subsection 1, 2, or 3.

26 b. Criminal mischief under section 716.3, 716.4, or 716.5,
27 by damaging, defacing, altering, or destroying agricultural
28 property.

29 2. As used in this section, agricultural property means any
30 of the following:

31 a. A crop as defined in section 717A.1.

32 b. Livestock as defined in section 717.1.

33 c. (1) A colony or package as defined in section 160.1A,
34 or a hive where bees are kept as described in section 160.5,
35 if the department of agriculture and land stewardship is

1 authorized by that chapter to inspect the colony, package, or
2 hive or to regulate the movement of the colony, package, or
3 hive.

4 (2) A queen bee that is part of a colony or is being moved
5 to be part of a colony as described in subparagraph (1).

6 3. The surcharge shall be remitted by the clerk of the
7 district court as provided in section 602.8108, subsection 13.

8 Sec. 22. REPEAL. Sections 911.2, 911.2C, 911.3, and 911.4,
9 Code 2020, are repealed.

10 DIVISION II

11 COURT FUNDS

12 Sec. 23. Section 602.1302, subsection 1, Code 2020, is
13 amended to read as follows:

14 1. Except as otherwise provided by [sections 602.1303](#)~~7~~
15 ~~602.1304~~7, and [602.8108](#) or other applicable law, the expenses of
16 operating and maintaining the judicial branch shall be paid out
17 of the general fund of the state from funds appropriated by the
18 general assembly for the judicial branch. State funding shall
19 be phased in as provided in [section 602.11101](#).

20 Sec. 24. Section 602.1304, subsection 1, Code 2020, is
21 amended to read as follows:

22 1. Except as provided in [article 8](#) and ~~subsection 2~~ of this
23 ~~section~~, all fees and other revenues collected by judicial
24 officers and court employees shall be paid into the general
25 fund of the state.

26 Sec. 25. Section 602.1304, subsection 2, Code 2020, is
27 amended by striking the subsection.

28 Sec. 26. Section 602.8108, subsection 9, Code 2020, is
29 amended by striking the subsection and inserting in lieu
30 thereof the following:

31 9. a. A court technology and modernization fund is
32 established as a separate fund in the state treasury. The
33 state court administrator shall allocate seven million dollars
34 of the moneys received under subsection 2 to be deposited in
35 the fund, which shall be administered by the judicial branch.

1 Sec. 28. Section 602.8105, subsections 1 and 2, Code 2020,
2 are amended to read as follows:

3 1. The clerk of the district court shall collect the
4 following fees:

5 *a.* Except as otherwise provided in [this subsection](#), for
6 filing and docketing a petition, one hundred ~~eighty-five~~
7 ninety-five dollars. In counties having a population of
8 ninety-eight thousand or over, an additional five dollars shall
9 be charged and collected to be known as the journal publication
10 fee and used for the purposes provided for in [section 618.13](#).

11 *Ob.* For filing and docketing a petition for dissolution
12 of marriage, which includes the docketing of any dissolution
13 decree, two hundred sixty-five dollars. It is the intent of
14 the general assembly that twenty percent of the funds generated
15 from these fees be appropriated and used for sexual assault
16 and domestic violence centers and eighty percent of the funds
17 generated from these fees be appropriated to the general fund
18 of the state.

19 *b.* For filing and docketing a petition pursuant to chapter
20 598 other than a dissolution of marriage petition, one hundred
21 ten dollars.

22 *c.* For filing and docketing an application for modification
23 of a dissolution decree to which a written stipulation is
24 attached at the time of filing containing the agreement of the
25 parties to the terms of modification, one hundred ten dollars.

26 ~~*d.* For entering a final decree of dissolution of marriage,~~
27 ~~fifty dollars. It is the intent of the general assembly that~~
28 ~~the funds generated from the dissolution fees be appropriated~~
29 ~~and used for sexual assault and domestic violence centers.~~

30 ~~*e.* *d.* For filing and docketing a petition for adoption~~
31 ~~pursuant to [chapter 600](#), one hundred zero dollars. For~~
32 ~~multiple adoption petitions filed at the same time by the same~~
33 ~~petitioner under [section 600.3](#), the filing fee and any court~~
34 ~~costs for any petition filed in addition to the first petition~~
35 ~~filed are waived.~~

1 ~~f.~~ e. For filing and docketing a small claims action, the
2 amounts specified in [section 631.6](#).
3 ~~g.~~ f. For an appeal from a judgment in small claims or for
4 filing and docketing a writ of error, one hundred ~~eighty-five~~
5 ninety-five dollars.
6 ~~h.~~ g. For a motion to show cause in a civil case, ~~fifty~~
7 sixty dollars.
8 ~~i.~~ h. For filing and docketing a transcript of the judgment
9 in a civil case, ~~fifty~~ sixty dollars.
10 ~~j.~~ i. For filing a tribal judgment, one hundred ten
11 dollars.
12 2. The clerk of the district court shall collect the
13 following fees for miscellaneous services:
14 a. For filing and entering any other statutory lien, ~~fifty~~
15 sixty dollars.
16 b. For a certificate and seal, ~~twenty~~ thirty dollars.
17 However, there shall be no charge for a certificate and seal to
18 an application to procure a pension, bounty, or back pay for a
19 member of the armed services or other person.
20 c. For certifying a change in title of real estate, ~~fifty~~
21 sixty dollars.
22 d. For filing a praecipe to issue execution under chapter
23 626, ~~twenty-five~~ thirty-five dollars. The fee shall be
24 recoverable by the creditor from the debtor against whom the
25 execution is issued. A fee payable by a political subdivision
26 of the state under this paragraph shall be collected by the
27 clerk of the district court as provided in [section 602.8109](#).
28 However, the fee shall be waived and shall not be collected
29 from a political subdivision of the state if a county attorney
30 or county attorney's designee is collecting a delinquent
31 judgment pursuant to [section 602.8107, subsection 4](#).
32 e. For filing a praecipe to issue execution under chapter
33 654, ~~fifty~~ sixty dollars.
34 f. For filing a confession of judgment under [chapter 676](#),
35 ~~fifty~~ sixty dollars if the judgment is five thousand dollars or

1 less, and one hundred ten dollars if the judgment exceeds five
2 thousand dollars.

3 *g.* For filing a lis pendens, ~~fifty~~ sixty dollars.

4 *h.* For applicable convictions under [section 692A.110](#) prior
5 to July 1, 2009, a civil penalty of two hundred ten dollars,
6 and for applicable convictions under [section 692A.110](#) on or
7 after July 1, 2009, a civil penalty of two hundred ~~fifty~~ sixty
8 dollars.

9 *i.* Other fees provided by law.

10 Sec. 29. Section 602.8106, subsection 1, paragraph d, Code
11 2020, is amended to read as follows:

12 *d.* For court costs in scheduled violation cases where a
13 court appearance is required, ~~sixty~~ fifty-five dollars.

14 Sec. 30. Section 631.6, subsection 1, paragraphs a and c,
15 Code 2020, are amended to read as follows:

16 *a.* Fees for filing and docketing shall be ~~eighty-five~~
17 ninety-five dollars.

18 *c.* Postage charged for the mailing of original notice shall
19 be ~~ten~~ twenty dollars.

20 DIVISION IV

21 SCHEDULED VIOLATIONS

22 Sec. 31. Section 321.24, subsection 12, Code 2020, is
23 amended to read as follows:

24 12. A person who violates [this section](#) commits a simple
25 misdemeanor punishable as a scheduled violation under section
26 805.8A, subsection 2, paragraph "b".

27 Sec. 32. Section 321.260, subsection 2, Code 2020, is
28 amended to read as follows:

29 2. It shall be unlawful for any person to have in the
30 person's possession any official traffic-control device
31 except by legal right or authority. Any person convicted
32 of unauthorized possession of any official traffic-control
33 device shall upon conviction be guilty of a simple misdemeanor
34 punishable as a scheduled violation under section 805.8A,
35 subsection 8, paragraph "c". ~~In addition to any other~~

1 ~~penalties, the punishment imposed for a violation of this~~
2 ~~subsection shall include assessment of a fine of not less than~~
3 ~~two hundred fifty dollars.~~

4 Sec. 33. Section 321.262, subsection 2, Code 2020, is
5 amended to read as follows:

6 2. The driver shall remain at the scene of the accident
7 until the driver has fulfilled the requirements of section
8 321.263. Any person failing to remain at the scene of the
9 accident or fulfill the requirements of **section 321.263** under
10 such circumstances shall be guilty of a simple misdemeanor
11 ~~and punished as provided in **section 321.482** punishable as~~
12 a scheduled violation under section 805.8A, subsection 14,
13 paragraph "m".

14 Sec. 34. Section 321.264, Code 2020, is amended to read as
15 follows:

16 **321.264 Striking unattended vehicle.**

17 The driver of any vehicle which collides with any vehicle
18 which is unattended shall immediately stop and shall then and
19 there either locate and notify the operator or owner of such
20 vehicle of the name and address of the driver and owner of the
21 vehicle striking the unattended vehicle or shall leave in a
22 conspicuous place in the vehicle struck a written notice giving
23 the name and address of the driver and of the owner of the
24 vehicle doing the striking and a statement of the circumstances
25 thereof. A person who violates this section commits a simple
26 misdemeanor punishable as a scheduled violation under section
27 805.8A, subsection 14, paragraph "n".

28 Sec. 35. Section 321.265, Code 2020, is amended to read as
29 follows:

30 **321.265 Striking fixtures upon a highway.**

31 The driver of a vehicle involved in an accident resulting
32 in damage to property legally upon or adjacent to a highway
33 shall take reasonable steps to locate and notify the owner,
34 a peace officer, or person in charge of the damaged property
35 of the damage and shall inform the person of the driver's name

1 and address and the registration number of the vehicle causing
2 the damage and shall, upon request and if available, exhibit
3 the driver's license of the driver of the vehicle and shall
4 report the accident when and as required in [section 321.266](#). A
5 person who violates this section commits a simple misdemeanor
6 punishable as a scheduled violation under section 805.8A,
7 subsection 14, paragraph "o".

8 Sec. 36. Section 321.324A, Code 2020, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 4. A person who violates this section
11 commits a simple misdemeanor punishable as a scheduled
12 violation under section 805.8A, subsection 6, paragraph "os".

13 Sec. 37. Section 321.371, subsection 2, Code 2020, is
14 amended to read as follows:

15 2. A person who violates [this section](#) commits a simple
16 misdemeanor punishable as a scheduled violation under section
17 805.8A, subsection 14, paragraph "p".

18 Sec. 38. Section 321.372, subsection 5, paragraph b,
19 subparagraph (1), Code 2020, is amended to read as follows:

20 (1) For a first offense under [subsection 3](#), the person is
21 guilty of a simple misdemeanor punishable by a fine of at least
22 ~~two hundred fifty~~ three hundred forty-five dollars but not more
23 than ~~six hundred seventy-five~~ nine hundred thirty dollars or
24 by imprisonment for not more than thirty days, or by both. The
25 department may require the person to attend and successfully
26 complete, at the person's own expense, a driver improvement
27 program approved by the department in lieu of driver's license
28 suspension for the offense pursuant to section 321.210.

29 Sec. 39. Section 321.383, subsection 4, Code 2020, is
30 amended to read as follows:

31 4. Any Except as provided in subsection 5, any person
32 who violates any provision of [this section](#) shall be fined as
33 provided in [commits a simple misdemeanor punishable as a](#)
34 scheduled violation under [section 805.8A, subsection 3.](#)

35 Sec. 40. Section 321.383, Code 2020, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 5. A person who operates a self-propelled
3 implement of husbandry at a speed which exceeds the limit
4 of thirty-five miles per hour commits a simple misdemeanor
5 punishable as a scheduled violation under section 805.8A,
6 subsection 5.

7 Sec. 41. Section 321.431, subsection 6, Code 2020, is
8 amended to read as follows:

9 6. A person who violates [this section](#) commits a simple
10 misdemeanor punishable as a scheduled violation under section
11 805.8A, subsection 3, paragraph "ad".

12 Sec. 42. Section 805.8A, Code 2020, is amended to read as
13 follows:

14 **805.8A Motor vehicle and transportation scheduled violations.**

15 1. *Parking violations.*

16 a. For parking violations under [sections 321.236, 321.239,](#)
17 [321.358, 321.360,](#) and [321.361,](#) the scheduled fine is five
18 dollars, except if the local authority has established the
19 fine by ordinance. The scheduled fine for a parking violation
20 pursuant to [section 321.236](#) increases by five dollars if
21 authorized by ordinance and if the parking violation is not
22 paid within thirty days of the date upon which the violation
23 occurred. For purposes of calculating the unsecured appearance
24 bond required under [section 805.6,](#) the scheduled fine shall
25 be five dollars, or if the amount of the fine is greater than
26 five dollars, the unsecured appearance bond shall be the amount
27 of the fine established by the local authority. However,
28 violations charged by a city or county upon simple notice of a
29 fine instead of a uniform citation and complaint required by
30 [section 321.236, subsection 1, paragraph "b"](#), are not scheduled
31 violations, and this section shall not apply to any offense
32 charged in that manner. For a parking violation under section
33 [461A.38,](#) the scheduled fine is ten dollars. For a parking
34 violation under [section 321.362,](#) the scheduled fine is twenty
35 dollars.

1 **b.** For a parking violation under section 321L.2A, subsection
2 2, the scheduled fine is twenty dollars.

3 **c.** For violations under [section 321L.2A, subsection 3](#),
4 sections [321L.3](#), [321L.4, subsection 2](#), and [section 321L.7](#), the
5 scheduled fine is two hundred dollars.

6 **2. Title and registration violations.** For title or
7 registration violations under the following sections, the
8 scheduled fine is as follows:

9	a.	Section 321.17	\$ 50	<u>\$ 70.</u>
10	b.	Section 321.24		<u>\$135.</u>
11	b.	c. Section 321.25	\$100	<u>\$135.</u>
12	e.	d. Section 321.32	\$ 20	<u>\$ 30.</u>
13	d.	e. Section 321.34	\$ 20	<u>\$ 30.</u>
14	e.	f. Section 321.37	\$ 20	<u>\$ 30.</u>
15	f.	g. Section 321.38	\$ 20	<u>\$ 30.</u>
16	g.	h. Section 321.41	\$ 20	<u>\$ 30.</u>
17	h.	i. Section 321.45	\$100	<u>\$135.</u>
18	i.	j. Section 321.46	\$100	<u>\$135.</u>
19	j.	k. Section 321.47	\$100	<u>\$135.</u>
20	k.	l. Section 321.48	\$100	<u>\$135.</u>
21	l.	m. Section 321.52	\$100	<u>\$135.</u>
22	m.	n. Section 321.55	\$ 50	<u>\$ 70.</u>
23	n.	o. Section 321.57	\$100	<u>\$135.</u>
24	o.	p. Section 321.62	\$100	<u>\$135.</u>
25	p.	q. Section 321.67	\$100	<u>\$135.</u>
26	q.	r. Section 321.98	\$ 50	<u>\$ 70.</u>
27	r.	s. Section 321.99	\$200	<u>\$260.</u>
28	s.	t. Section 321.104	\$100	<u>\$135.</u>
29	t.	u. Section 321.115	\$ 30	<u>\$ 45.</u>
30	u.	v. Section 321.115A	\$ 30	<u>\$ 45.</u>

31 **3. Equipment violations.** For equipment violations under the
32 following sections, the scheduled fine is as follows:

33	a.	Section 321.234A	\$ 50	<u>\$ 70.</u>
34	b.	Section 321.247	\$100	<u>\$135.</u>
35	c.	Section 321.317	\$ 20	<u>\$ 30.</u>

1	<i>d.</i>	Section 321.381.....	\$100	\$135.
2	<i>e.</i>	Section 321.381A.....	\$100	\$135.
3	<i>f.</i>	Section 321.382.....	\$ 25	\$ 35.
4	<i>g.</i>	Section 321.383, <u>subsection 4</u>	\$ 30	\$ 45.
5	<i>h.</i>	Section 321.384.....	\$ 30	\$ 45.
6	<i>i.</i>	Section 321.385.....	\$ 30	\$ 45.
7	<i>j.</i>	Section 321.386.....	\$ 30	\$ 45.
8	<i>k.</i>	Section 321.387.....	\$ 20	\$ 30.
9	<i>l.</i>	Section 321.388.....	\$ 20	\$ 30.
10	<i>m.</i>	Section 321.389.....	\$ 20	\$ 30.
11	<i>n.</i>	Section 321.390.....	\$ 20	\$ 30.
12	<i>o.</i>	Section 321.392.....	\$ 20	\$ 30.
13	<i>p.</i>	Section 321.393.....	\$ 20	\$ 30.
14	<i>q.</i>	Section 321.398.....	\$ 30	\$ 45.
15	<i>r.</i>	Section 321.402.....	\$ 30	\$ 45.
16	<i>s.</i>	Section 321.403.....	\$ 30	\$ 45.
17	<i>t.</i>	Section 321.404.....	\$ 30	\$ 45.
18	<i>u.</i>	Section 321.404A.....	\$ 25	\$ 35.
19	<i>v.</i>	Section 321.409.....	\$ 30	\$ 45.
20	<i>w.</i>	Section 321.415.....	\$ 30	\$ 45.
21	<i>x.</i>	Section 321.419.....	\$ 30	\$ 45.
22	<i>y.</i>	Section 321.420.....	\$ 30	\$ 45.
23	<i>z.</i>	Section 321.421.....	\$ 30	\$ 45.
24	<i>aa.</i>	Section 321.422.....	\$ 20	\$ 30.
25	<i>ab.</i>	Section 321.423.....	\$ 30	\$ 45.
26	<i>ac.</i>	Section 321.430.....	\$100	\$135.
27	<i>ad.</i>	Section 321.431.....	\$135.	
28	<i>ad.</i> <i>ae.</i>	Section 321.432.....	\$ 20	\$ 30.
29	<i>ae.</i> <i>af.</i>	Section 321.433.....	\$ 30	\$ 45.
30	<i>af.</i> <i>ag.</i>	Section 321.436.....	\$ 20	\$ 30.
31	<i>ag.</i> <i>ah.</i>	Section 321.438.....	\$ 50	\$ 70.
32	<i>ah.</i> <i>ai.</i>	Section 321.439.....	\$ 20	\$ 30.
33	<i>ai.</i> <i>aj.</i>	Section 321.440.....	\$ 20	\$ 30.
34	<i>aj.</i> <i>ak.</i>	Section 321.441.....	\$ 20	\$ 30.
35	<i>ak.</i> <i>al.</i>	Section 321.442.....	\$ 20	\$ 30.

1 ~~at~~ am. Section 321.444.....~~\$ 20~~ \$ 30.
2 4. *Driver's license violations.* For driver's license
3 violations under the following sections, the scheduled fine is
4 as follows:

- 5 a. Section 321.174.....~~\$ 200~~ \$ 260.
- 6 b. Section 321.174A.....~~\$ 50~~ \$ 70.
- 7 c. Section 321.178, subsection 2,
8 paragraph "a", subparagraph (2).....~~\$ 30~~ \$ 45.
- 9 d. Section 321.180.....~~\$ 50~~ \$ 70.
- 10 e. Section 321.180B.....~~\$ 50~~ \$ 70.
- 11 f. Section 321.193.....~~\$ 50~~ \$ 70.
- 12 g. Section 321.194.....~~\$ 50~~ \$ 70.
- 13 h. Section 321.216.....~~\$ 100~~ \$ 135.
- 14 i. Section 321.216B.....~~\$ 200~~ \$ 260.
- 15 j. Section 321.216C.....~~\$ 200~~ \$ 260.
- 16 k. Section 321.219.....~~\$ 200~~ \$ 260.
- 17 l. Section 321.220.....~~\$ 200~~ \$ 260.

18 5. *Speed violations.*
19 a. For excessive speed violations in excess of the limit
20 under section 321.236, subsections 5 and 11, sections section
21 321.285, section 321.383, subsection 5, and section 461A.36, the
22 scheduled fine shall be the following:

- 23 (1) ~~Twenty~~ thirty dollars for speed not more than five miles
24 per hour in excess of the limit.
- 25 (2) ~~Forty~~ fifty-five dollars for speed greater than five but
26 not more than ten miles per hour in excess of the limit.
- 27 (3) ~~Eighty~~ One hundred five dollars for speed greater than
28 ten but not more than fifteen miles per hour in excess of the
29 limit.
- 30 (4) ~~Ninety~~ One hundred twenty dollars for speed greater
31 than fifteen but not more than twenty miles per hour in excess
32 of the limit.
- 33 (5) One hundred thirty-five dollars plus five dollars for
34 each mile per hour of excessive speed over twenty miles per
35 hour over the limit.

1 *b.* Excessive speed by a school bus is punishable as provided
2 in [subsection 10](#).

3 *c.* Excessive speed in conjunction with a violation of
4 section 321.278 is not a scheduled violation, whatever the
5 amount of excess speed.

6 *d.* For a violation under [section 321.295](#), the scheduled fine
7 is ~~fifty~~ seventy dollars.

8 6. *Operating violations.* For operating violations under the
9 following sections, the scheduled fine is as follows:

10 *a.* Section 321.236, subsections 3, 4, 9,
11 and 12.....~~\$ 20~~ \$ 30.

12 *b.* Section 321.275, subsections 1
13 through 7.....~~\$ 35~~ \$ 50.

14 *c.* Section [321.277A](#).....~~\$ 35~~ \$ 50.

15 *d.* Section [321.288](#).....~~\$100~~ \$135.

16 *e.* Section [321.297](#).....~~\$100~~ \$135.

17 *f.* Section [321.299](#).....~~\$100~~ \$135.

18 *g.* Section [321.302](#).....~~\$100~~ \$135.

19 *h.* Section [321.303](#).....~~\$100~~ \$135.

20 *i.* Section 321.304, subsections 1
21 and 2.....~~\$100~~ \$135.

22 *j.* Section [321.305](#).....~~\$100~~ \$135.

23 *k.* Section [321.306](#).....~~\$100~~ \$135.

24 *l.* Section [321.311](#).....~~\$100~~ \$135.

25 *m.* Section [321.312](#).....~~\$100~~ \$135.

26 *n.* Section [321.314](#).....~~\$100~~ \$135.

27 *o.* Section [321.315](#).....~~\$ 35~~ \$ 50.

28 *p.* Section [321.316](#).....~~\$ 35~~ \$ 50.

29 *q.* Section [321.318](#).....~~\$ 35~~ \$ 50.

30 *r.* Section [321.323](#).....~~\$100~~ \$135.

31 *os.* Section 321.324A.....\$135.

32 *s.* Section [321.340](#).....~~\$100~~ \$135.

33 *t.* Section [321.353](#).....~~\$100~~ \$135.

34 *u.* Section [321.354](#).....~~\$100~~ \$135.

35 *v.* Section [321.363](#).....~~\$ 35~~ \$ 50.

- 1 *w.* Section 321.365.....~~\$ 35~~ \$ 50.
- 2 *x.* Section 321.366.....~~\$100~~ \$135.
- 3 *y.* Section 321.395.....~~\$100~~ \$135.
- 4 7. *Failure to yield or obey violations.* For failure to yield
- 5 or obey violations under the following sections, the scheduled
- 6 fine is as follows:
- 7 *a.* Section 321.257, subsection 2, for a violation by an
- 8 operator of a motor vehicle.....~~\$100~~ \$135.
- 9 *b.* Section 321.298.....~~\$100~~ \$135.
- 10 *c.* Section 321.307.....~~\$100~~ \$135.
- 11 *d.* Section 321.313.....~~\$100~~ \$135.
- 12 *e.* Section 321.319.....~~\$100~~ \$135.
- 13 *f.* Section 321.320.....~~\$100~~ \$135.
- 14 *g.* Section 321.321.....~~\$100~~ \$135.
- 15 *h.* Section 321.327.....~~\$100~~ \$135.
- 16 *i.* Section 321.329.....~~\$100~~ \$135.
- 17 *j.* Section 321.333.....~~\$100~~ \$135.
- 18 8. *Traffic sign or signal violations.* For traffic sign or
- 19 signal violations under the following sections, the scheduled
- 20 fine is as follows:
- 21 *a.* Section 321.236, subsections 2 and 6.~~\$ 35~~ \$ 50.
- 22 *b.* Section 321.256.....~~\$100~~ \$135.
- 23 *c.* Section 321.260, subsection 2.....\$455.
- 24 ~~*e.*~~ *d.* Section 321.294.....~~\$100~~ \$135.
- 25 ~~*d.*~~ *e.* Section 321.304, subsection 3...~~\$100~~ \$135.
- 26 ~~*e.*~~ *f.* Section 321.322.....~~\$100~~ \$135.
- 27 9. *Bicycle or pedestrian violations.* For bicycle or
- 28 pedestrian violations under the following sections, the
- 29 scheduled fine for a pedestrian or bicyclist is as follows:
- 30 *a.* Section 321.234, subsections 3 and 4.~~\$ 25~~ \$ 35.
- 31 *b.* Section 321.236, subsection 10.....~~\$ 15~~ \$ 25.
- 32 *c.* Section 321.257, subsection 2.....~~\$ 25~~ \$ 35.
- 33 *d.* Section 321.275, subsection 8.....~~\$ 25~~ \$ 35.
- 34 *e.* Section 321.325.....~~\$ 25~~ \$ 35.
- 35 *f.* Section 321.326.....~~\$ 25~~ \$ 35.

1 scheduled fine is two hundred sixty dollars.

2 *d.* For violations under [section 321.466](#), the scheduled fine
3 is ~~twenty~~ twenty-five dollars for each two thousand pounds or
4 fraction thereof of overweight.

5 *e.* (1) Violations of the schedule of axle and tandem axle
6 and gross or group of axle weight violations in [section 321.463](#)
7 shall be scheduled violations subject to the provisions,
8 procedures, and exceptions contained in sections 805.6 through
9 805.11, irrespective of the amount of the fine under that
10 schedule.

11 (a) Violations of the schedule of weight violations shall be
12 chargeable, where the fine charged does not exceed one thousand
13 dollars, only by uniform citation and complaint.

14 (b) Violations of the schedule of weight violations, where
15 the fine charged exceeds one thousand dollars shall, when the
16 violation is admitted and [section 805.9](#) applies, be chargeable
17 upon uniform citation and complaint, indictment, or county
18 attorney's information, but otherwise shall be chargeable only
19 upon indictment or county attorney's information.

20 (2) In all cases of charges under the schedule of weight
21 violations, the charge shall specify the amount of fine charged
22 under the schedule. Where a defendant is convicted and the
23 fine under the foregoing schedule of weight violations exceeds
24 one thousand dollars, the conviction shall be of an indictable
25 offense although [section 805.9](#) is employed and whether the
26 violation is charged upon uniform citation and complaint,
27 indictment, or county attorney's information.

28 *f.* For a violation under [section 321E.16](#), other than the
29 provisions relating to weight, the scheduled fine is two
30 hundred sixty dollars.

31 13. *Motor carrier and other operator violations.*

32 *a.* (1) For a violation under [section 321.54](#), the scheduled
33 fine is ~~thirty~~ forty-five dollars.

34 (2) For violations under [sections 326.22](#) and [326.23](#), the
35 scheduled fine is fifty seventy dollars.

1 *b.* For a violation under [section 321.449](#), [321.449A](#), or
2 [321.449B](#), the scheduled fine is ~~five~~ seventy dollars.

3 *c.* For violations under [sections 321.364](#), [321.450](#), [321.460](#),
4 and [452A.52](#), the scheduled fine is two hundred sixty dollars.

5 *d.* For violations of [section 325A.3](#), [subsection 6](#), or
6 [section 325A.8](#), the scheduled fine is one hundred thirty-five
7 dollars.

8 *e.* For violations of [chapter 325A](#), other than a violation of of
9 [section 325A.3](#), [subsection 6](#), or [section 325A.8](#), the scheduled
10 fine is ~~two~~ three hundred ~~fifty~~ twenty-five dollars.

11 *f.* For violations of [section 327B.1](#), [subsection 1 or 3](#), the
12 scheduled fine is ~~two~~ three hundred ~~fifty~~ twenty-five dollars.

13 14. *Miscellaneous violations.*

14 *a. Failure to obey a peace officer.* For a violation under
15 [section 321.229](#), the scheduled fine is one hundred thirty-five
16 dollars.

17 *b. Abandoning a motor vehicle.* For a violation under
18 [section 321.91](#), the scheduled fine is two hundred sixty
19 dollars.

20 *c. Seat belt or restraint violations.*

21 (1) For a violation under [section 321.445](#), the scheduled
22 fine is ~~five~~ seventy dollars.

23 (2) For a violation under [section 321.446](#), the scheduled
24 fine is one hundred thirty-five dollars.

25 *d. Litter and debris violations.* For violations under
26 [sections 321.369](#) and [321.370](#), the scheduled fine is ~~seventy~~
27 ninety dollars.

28 *e. Open container violations.* For violations under [sections](#)
29 [321.284](#) and [321.284A](#), the scheduled fine is two hundred sixty
30 dollars.

31 *f. Proof of financial responsibility.* If, in connection
32 with a motor vehicle accident, a person is charged and found
33 guilty of a violation of [section 321.20B](#), [subsection 1](#),
34 the scheduled fine is ~~five~~ six hundred ~~forty~~ forty-five dollars;
35 otherwise, the scheduled fine for a violation of [section](#)

1 321.20B, subsection 1, is ~~two~~ three hundred fifty twenty-five
2 dollars. Notwithstanding [section 805.12](#), fines collected
3 pursuant to this paragraph shall be submitted to the state
4 court administrator and distributed fifty percent to the victim
5 compensation fund established in [section 915.94](#), twenty-five
6 percent to the county in which such fine is imposed, and
7 twenty-five percent to the general fund of the state.

8 *g. Speed detection jamming devices.* For a violation under
9 [section 321.232](#), the scheduled fine is one hundred thirty-five
10 dollars.

11 *h. Railroad crossing violations.* For violations under
12 [sections 321.341](#), [321.342](#), [321.343](#), and [321.344](#), and [321.344B](#),
13 the scheduled fine is two hundred sixty dollars.

14 *i. Road work zone violations.* The scheduled fine for any
15 moving traffic violation under [chapter 321](#), as provided in
16 this section, shall be doubled if the violation occurs within
17 any road work zone, as defined in [section 321.1](#). However,
18 notwithstanding [subsection 5](#), the scheduled fine for violating
19 the speed limit in a road work zone is as follows:

20 (1) One hundred fifty ninety-five dollars for speed not more
21 than ten miles per hour over the posted speed limit.

22 (2) Three hundred ninety dollars for speed greater than ten
23 but not more than twenty miles per hour over the posted speed
24 limit.

25 (3) ~~Five~~ Six hundred forty-five dollars for speed greater
26 than twenty but not more than twenty-five miles per hour over
27 the posted speed limit.

28 (4) One thousand two hundred eighty-five dollars for speed
29 greater than twenty-five miles per hour over the posted speed
30 limit.

31 *j. Vehicle component parts records violations.* For
32 violations under [section 321.95](#), the scheduled fine is ~~forty~~
33 seventy dollars.

34 *k. Actions against a person on a bicycle.* For violations
35 under [section 321.281](#), the scheduled fine is ~~two~~ three hundred

1 ~~fifty~~ twenty-five dollars.

2 1. *Writing, sending, or viewing an electronic message while*
3 *driving violations.* For violations under [section 321.276](#), the
4 scheduled fine is ~~thirty~~ forty-five dollars.

5 *m. Leaving scene of traffic accident.* For violations under
6 [section 321.262](#), the scheduled fine is one hundred thirty-five
7 dollars.

8 *n. Striking unattended vehicle.* For violations under
9 [section 321.264](#), the scheduled fine is one hundred thirty-five
10 dollars.

11 *o. Striking fixtures upon highway.* For violations under
12 [section 321.265](#), the scheduled fine is one hundred thirty-five
13 dollars.

14 *p. Clearing up wrecks.* For violations under [section](#)
15 [321.371](#), the scheduled fine is thirty-five dollars.

16 Sec. 43. Section 805.8B, Code 2020, is amended to read as
17 follows:

18 **805.8B Navigation, recreation, hunting, and fishing scheduled**
19 **violations.**

20 1. *Navigation violations.*

21 a. For violations of registration, inspections,
22 identification, and record provisions under [sections 462A.5](#),
23 [462A.35](#), and [462A.37](#), and for unused or improper or defective
24 lights and warning devices under [section 462A.9](#), subsections 3,
25 4, 5, 9, and 10, the scheduled fine is ~~ten~~ twenty dollars.

26 b. For violations of registration, identification, and
27 record provisions under [sections 462A.4](#) and [462A.10](#), and for
28 unused or improper or defective equipment under [section 462A.9](#),
29 subsections 2, 6, 7, 8, 13, and 14, and [section 462A.11](#), and
30 for operation violations under [sections 462A.26](#), [462A.31](#), and
31 [462A.33](#), the scheduled fine is ~~twenty~~ thirty dollars.

32 c. For operating violations under [sections 462A.12](#), [462A.15](#),
33 subsection 1, [sections 462A.24](#), and [462A.34](#), the scheduled fine
34 is ~~twenty-five~~ thirty-five dollars. However, a violation of
35 [section 462A.12](#), subsection 2, is not a scheduled violation.

1 *d.* For violations of use, location, and storage of vessels,
2 devices, and structures under [sections 462A.27, 462A.28,](#) and
3 [462A.32,](#) the scheduled fine is ~~fifteen~~ twenty-five dollars.

4 *e.* For violations of all subdivision ordinances under
5 section [462A.17,](#) subsection 2, except those relating to
6 matters subject to regulation by authority of section [462A.31,](#)
7 subsection 5, the scheduled fine is the same as prescribed for
8 similar violations of state law. For violations of subdivision
9 ordinances for which there is no comparable state law, the
10 scheduled fine is ~~ten~~ twenty dollars.

11 2. *Snowmobile violations.*

12 *a.* For registration or user permit violations under section
13 [321G.3,](#) subsection 1, or [section 321G.4B,](#) the scheduled fine is
14 ~~fifty~~ sixty-five dollars.

15 *b.* (1) For operating violations under [section 321G.9,](#) the
16 scheduled fine is ~~fifty~~ seventy dollars.

17 (2) For operating violations under [sections 321G.11](#) and
18 [321G.13,](#) subsection 1, paragraph “*d*”, the scheduled fine is
19 ~~twenty~~ thirty dollars.

20 (3) For operating violations under section [321G.13,](#)
21 subsection 1, paragraphs “*a*”, “*b*”, “*e*”, “*f*”, “*g*”, “*h*”, and “*i*”,
22 and [section 321G.13, subsections 2 and 3,](#) the scheduled fine is
23 one hundred thirty-five dollars.

24 *c.* For improper or defective equipment under section
25 [321G.12,](#) the scheduled fine is ~~twenty~~ thirty dollars.

26 *d.* For violations of [section 321G.19,](#) the scheduled fine is
27 ~~twenty~~ thirty dollars.

28 *e.* For decal violations under [section 321G.5,](#) the scheduled
29 fine is ~~twenty~~ thirty dollars.

30 *f.* For stop signal violations under [section 321G.17,](#) the
31 scheduled fine is one hundred thirty-five dollars.

32 *g.* For violations of [section 321G.20](#) and for education
33 certificate violations under [section 321G.24, subsection 1,](#) the
34 scheduled fine is ~~fifty~~ seventy dollars.

35 *h.* For violations of [section 321G.21,](#) the scheduled fine is

1 one hundred thirty-five dollars.

2 2A. *All-terrain vehicle violations.*

3 a. For registration or user permit violations under section
4 321I.3, subsection 1, the scheduled fine is ~~forty~~ seventy
5 dollars.

6 b. (1) For operating violations under [sections 321I.12](#) and
7 [321I.14](#), subsection 1, paragraph "d", the scheduled fine is
8 ~~twenty~~ thirty dollars.

9 (2) For operating violations under section [321I.10](#),
10 subsections 1 and 4, the scheduled fine is ~~forty~~ seventy
11 dollars.

12 (3) For operating violations under section [321I.14](#),
13 subsection 1, paragraphs "a", "e", "f", "g", and "h", and
14 section [321I.14](#), subsections 2, 3, 4, and 5, the scheduled fine
15 is one hundred thirty-five dollars.

16 c. For improper or defective equipment under section
17 [321I.13](#), the scheduled fine is ~~twenty~~ thirty dollars.

18 d. For violations of [section 321I.20](#), the scheduled fine is
19 ~~twenty~~ thirty dollars.

20 e. For decal violations under [section 321I.6](#), the scheduled
21 fine is ~~twenty~~ thirty dollars.

22 f. For stop signal violations under [section 321I.18](#), the
23 scheduled fine is one hundred thirty-five dollars.

24 g. For violations of [section 321I.21](#) and for education
25 certificate violations under [section 321I.26](#), subsection 1, the
26 scheduled fine is ~~forty~~ seventy dollars.

27 h. For violations of [section 321I.22](#), the scheduled fine is
28 one hundred thirty-five dollars.

29 3. *Hunting and fishing violations.*

30 a. For violations of [section 484A.2](#), the scheduled fine is
31 ~~ten~~ twenty dollars.

32 b. For violations of [sections 481A.54](#), [481A.69](#), [481A.71](#),
33 [481A.72](#), [482.6](#), [483A.3](#), [483A.6](#), [483A.8A](#), [483A.19](#), [483A.27](#), and
34 [483A.27A](#), the scheduled fine is ~~twenty~~ thirty dollars.

35 c. For violations of [sections 481A.6](#), [481A.21](#), [481A.22](#),

1 481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,
2 481A.84, 481A.92, 481A.123, 481A.145, subsection 3, sections
3 483A.6A, 483A.7, 483A.8, 483A.23, 483A.24, and 483A.28, the
4 scheduled fine is ~~twenty-five~~ thirty-five dollars.

5 *d.* For violations of sections 481A.7, 481A.24, 481A.47,
6 481A.52, 481A.53, 481A.55, 481A.58, 481A.76, 481A.90, 481A.91,
7 481A.97, 481A.122, 481A.126, 481A.142, 481A.145, subsection
8 2, sections 482.5, 482.7, 482.8, 482.10, and 483A.37, the
9 scheduled fine is fifty seventy dollars.

10 *e.* For violations of sections 481A.57, 481A.85, 481A.93,
11 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and
12 483A.42, the scheduled fine is one hundred thirty-five dollars.

13 *f.* For violations of section 481A.38 relating to the taking,
14 pursuing, killing, trapping or ensnaring, buying, selling,
15 possessing, or transporting any game, protected nongame
16 animals, fur-bearing animals, or fur or skin of the animals,
17 mussels, frogs, or fish or part of them, the scheduled fines
18 are as follows:

19 (1) For deer or turkey, the scheduled fine is one hundred
20 thirty-five dollars.

21 (2) For protected nongame, the scheduled fine is one hundred
22 thirty-five dollars.

23 (3) For mussels, frogs, spawn, or fish, the scheduled fine
24 is ~~twenty-five~~ thirty-five dollars.

25 (4) For other game, the scheduled fine is fifty seventy
26 dollars.

27 (5) For fur-bearing animals, the scheduled fine is
28 ~~seventy-five~~ one hundred dollars.

29 *g.* For violations of section 481A.38 relating to an attempt
30 to take, pursue, kill, trap, buy, sell, possess, or transport
31 any game, protected nongame animals, fur-bearing animals, or
32 fur or skin of the animals, mussels, frogs, or fish or part of
33 them, the scheduled fines are as follows:

34 (1) For game or fur-bearing animals, the scheduled fine is
35 fifty seventy dollars.

1 (2) For protected nongame, the scheduled fine is ~~fifty~~
2 seventy dollars.

3 (3) For mussels, frogs, spawn, or fish, the scheduled fine
4 is ~~ten~~ twenty dollars.

5 *h.* For violations of [section 481A.48](#) relating to
6 restrictions on game birds and animals, the scheduled fines are
7 as follows:

8 (1) For out-of-season, the scheduled fine is one hundred
9 thirty-five dollars.

10 (2) For over limit, the scheduled fine is one hundred
11 thirty-five dollars.

12 (3) For attempt to take, the scheduled fine is ~~fifty~~ seventy
13 dollars.

14 (4) For general waterfowl restrictions, the scheduled fine
15 is ~~fifty~~ seventy dollars.

16 (a) For no federal stamp, the scheduled fine is ~~fifty~~
17 seventy dollars.

18 (b) For unplugged shotgun, the scheduled fine is ~~ten~~ twenty
19 dollars.

20 (c) For possession of other than steel shot, the scheduled
21 fine is ~~twenty-five~~ thirty-five dollars.

22 (d) For early or late shooting, the scheduled fine is
23 ~~twenty-five~~ thirty-five dollars.

24 (5) For possession of a prohibited pistol or revolver while
25 hunting deer, the scheduled fine is one hundred thirty-five
26 dollars.

27 (6) For possession of a prohibited rifle while hunting
28 deer, the scheduled fine is ~~two~~ three hundred ~~fifty~~ twenty-five
29 dollars.

30 *i.* For violations of [section 481A.67](#) relating to general
31 violations of fishing laws, the scheduled fine is ~~twenty-five~~
32 thirty-five dollars.

33 (1) For over limit catch, the scheduled fine is ~~thirty~~
34 forty-five dollars.

35 (2) For under minimum length or weight, the scheduled fine

1 is ~~twenty~~ thirty dollars.

2 (3) For out-of-season fishing, the scheduled fine is ~~twenty~~
3 seventy dollars.

4 *j.* For violations of [section 481A.73](#) relating to trotlines
5 and throwlines:

6 (1) For trotline or throwline violations in legal waters,
7 the scheduled fine is ~~twenty-five~~ thirty-five dollars.

8 (2) For trotline or throwline violations in illegal waters,
9 the scheduled fine is ~~twenty~~ seventy dollars.

10 *k.* For violations of [section 481A.144, subsection 4](#), or
11 [section 481A.145, subsections 4, 5, and 6](#), relating to minnows:

12 (1) For general minnow violations, the scheduled fine is
13 ~~twenty-five~~ thirty-five dollars.

14 (2) For commercial purposes, the scheduled fine is ~~twenty~~
15 seventy dollars.

16 *l.* For violations of [section 481A.87](#) relating to the taking
17 or possessing of fur-bearing animals out of season:

18 (1) For red fox, gray fox, or mink, the scheduled fine is
19 one hundred thirty-five dollars.

20 (2) For all other furbearers, the scheduled fine is ~~twenty~~
21 seventy dollars.

22 *m.* For violations of [section 482.4](#) relating to gear tags:

23 (1) For commercial license violations, the scheduled fine
24 is one hundred thirty-five dollars.

25 (2) For no gear tags, the scheduled fine is ~~twenty-five~~
26 thirty-five dollars.

27 *n.* For violations of [section 482.11](#), the scheduled fine is
28 one hundred thirty-five dollars.

29 *o.* For violations of rules adopted pursuant to [section](#)
30 [483A.1](#) relating to licenses and permits, the scheduled fines
31 are as follows:

32 (1) For a license or permit costing ten dollars or less, the
33 scheduled fine is ~~twenty~~ thirty dollars.

34 (2) For a license or permit costing more than ten dollars
35 but not more than twenty dollars, the scheduled fine is ~~thirty~~

1 forty-five dollars.

2 (3) For a license or permit costing more than twenty dollars
3 but not more than forty dollars, the scheduled fine is ~~forty~~
4 seventy dollars.

5 (4) For a license or permit costing more than forty dollars
6 but not more than fifty dollars, the scheduled fine is ~~seventy~~
7 ninety-five dollars.

8 (5) For a license or permit costing more than fifty dollars
9 but less than one hundred dollars, the scheduled fine is one
10 hundred thirty-five dollars.

11 (6) For a license or permit costing one hundred dollars or
12 more, the scheduled fine is two times the cost of the original
13 license or permit.

14 *p.* For violations of [section 483A.26](#) relating to false
15 claims for licenses:

16 (1) For making a false claim for a license by a resident,
17 the scheduled fine is ~~forty~~ seventy dollars.

18 (2) For making a false claim for a license by a nonresident,
19 the scheduled fine is one hundred thirty-five dollars.

20 *q.* For violations of [section 483A.36](#) relating to the
21 conveyance of guns:

22 (1) For conveying an assembled, unloaded gun, the scheduled
23 fine is ~~twenty-five~~ thirty-five dollars.

24 (2) For conveying a loaded gun, the scheduled fine is ~~forty~~
25 seventy dollars.

26 4. *Ginseng violations.* For a violation of section 456A.24,
27 subsection 11, the scheduled fine is one hundred thirty-five
28 dollars.

29 5. *Aquatic invasive species violations.* For violations
30 of [section 456A.37, subsection 3](#), the scheduled fine is as
31 follows:

32 *a.* For violations of [section 456A.37, subsection 3](#),
33 paragraph "a", the scheduled fine is ~~five~~ six hundred forty-five
34 dollars.

35 *b.* For violations of [section 456A.37, subsection 3](#),

1 paragraph "b", the scheduled fine is ~~seventy-five~~ one hundred
2 dollars.

3 c. For repeat violations of [section 456A.37, subsection 3,](#)
4 paragraph "a" or "b", within the same twelve-month period, the
5 scheduled fine shall include an additional fine of ~~five~~ six
6 hundred forty-five dollars for each violation.

7 6. *Misuse of parks and preserves.*

8 a. For violations under [sections 461A.39, 461A.45,](#) and
9 [461A.50,](#) the scheduled fine is ~~ten~~ twenty dollars.

10 b. For violations under [sections 461A.40, 461A.46,](#) and
11 [461A.49,](#) the scheduled fine is ~~fifteen~~ twenty-five dollars.

12 c. For violations of [sections 461A.35, 461A.42,](#) and [461A.44,](#)
13 the scheduled fine is ~~fifty~~ seventy dollars.

14 d. For violations of [section 461A.48,](#) the scheduled fine is
15 ~~twenty-five~~ thirty-five dollars.

16 e. For violations under [section 461A.43,](#) the scheduled fine
17 is ~~thirty~~ forty-five dollars.

18 Sec. 44. Section 805.8C, Code 2020, is amended to read as
19 follows:

20 **805.8C Miscellaneous scheduled violations.**

21 1. *Energy emergency violations.* For violations of an
22 executive order issued by the governor under the provisions of
23 section 473.8, the scheduled fine is ~~fifty~~ seventy dollars.

24 2. *Alcoholic beverage violations.* For violations of section
25 123.49, subsection 2, paragraph "h", the scheduled fine for
26 a licensee or permittee is one thousand ~~five~~ nine hundred
27 twenty-five dollars, and the scheduled fine for a person who
28 is employed by a licensee or permittee is ~~five~~ six hundred
29 forty-five dollars.

30 3. *Violations related to smoking, tobacco, tobacco products,*
31 *alternative nicotine products, vapor products, and cigarettes.*

32 a. For violations described in [section 142D.9, subsection 1,](#)
33 the scheduled fine is fifty dollars, and is a civil penalty,
34 and the ~~criminal penalty~~ crime services surcharge under section
35 911.1 shall not be added to the penalty, and the court costs

1 pursuant to [section 805.9, subsection 6](#), shall not be imposed.
2 If the civil penalty assessed for a violation described in
3 section 142D.9, subsection 1, is not paid in a timely manner,
4 a citation shall be issued for the violation in the manner
5 provided in [section 804.1](#). However, a person under age
6 eighteen shall not be detained in a secure facility for failure
7 to pay the civil penalty. The complainant shall not be charged
8 a filing fee.

9 *b.* For violations of [section 453A.2, subsection 1](#), by an
10 employee of a retailer, the scheduled fine is as follows:

11 (1) If the violation is a first offense, the scheduled fine
12 is one hundred thirty-five dollars.

13 (2) If the violation is a second offense, the scheduled fine
14 is ~~two~~ three hundred fifty twenty-five dollars.

15 (3) If the violation is a third or subsequent offense, the
16 scheduled fine is ~~five~~ six hundred forty-five dollars.

17 *c.* For violations of [section 453A.2, subsection 2](#), the
18 scheduled fine is as follows and is a civil penalty, and the
19 ~~criminal penalty~~ crime services surcharge under [section 911.1](#)
20 shall not be added to the penalty, and the court costs pursuant
21 to [section 805.9, subsection 6](#), shall not be imposed:

22 (1) If the violation is a first offense, the scheduled fine
23 is ~~fifty~~ seventy dollars.

24 (2) If the violation is a second offense, the scheduled fine
25 is one hundred thirty-five dollars.

26 (3) If the violation is a third or subsequent offense, the
27 scheduled fine is ~~two~~ three hundred fifty twenty-five dollars.

28 *4. Electrical or mechanical amusement device violations.*

29 *a.* For violations of legal age for operating an electrical
30 or mechanical amusement device required to be registered
31 as provided in [section 99B.53](#), pursuant to [section 99B.57](#),
32 subsection 1, the scheduled fine is ~~two~~ three hundred fifty
33 twenty-five dollars. Failure to pay the fine by a person
34 under the age of eighteen shall not result in the person being
35 detained in a secure facility.

1 *b.* For first offense violations concerning electrical or
2 mechanical amusement devices as provided in section 99B.54,
3 subsection 2, the scheduled fine is ~~two~~ three hundred fifty
4 twenty-five dollars.

5 5. *Gambling violations.*

6 *a.* For violations of legal age for gambling wagering under
7 section 99D.11, subsection 7, [section 99F.9, subsection 5](#),
8 and [section 725.19, subsection 1](#), the scheduled fine is ~~five~~
9 six hundred forty-five dollars. Failure to pay the fine by a
10 person under the age of eighteen shall not result in the person
11 being detained in a secure facility.

12 *b.* For legal age violations for entering or attempting
13 to enter a facility under [section 99F.9, subsection 6](#), the
14 scheduled fine is ~~five~~ six hundred forty-five dollars. Failure
15 to pay the fine by a person under the age of eighteen shall not
16 result in the person being detained in a secure facility.

17 6. *Pseudoephedrine sales violations.* For violations of
18 section 126.23A, subsection 1, by an employee of a retailer, or
19 for violations of [section 126.23A, subsection 2](#), paragraph "a",
20 by a purchaser, the scheduled fine is as follows:

21 *a.* If the violation is a first offense, the scheduled fine
22 is two hundred sixty dollars.

23 *b.* If the violation is a second offense, the scheduled fine
24 is ~~two~~ three hundred fifty twenty-five dollars.

25 *c.* If the violation is a third or subsequent offense, the
26 scheduled fine is ~~five~~ six hundred forty-five dollars.

27 7. *Alcoholic beverage violations by persons eighteen,*
28 *nineteen, or twenty years of age.* For first offense violations
29 of [section 123.47, subsection 4](#), the scheduled fine is two
30 hundred sixty dollars.

31 8. *Unlicensed premises owner — under eighteen years of age*
32 *consumption or possession.* For first offense violations of
33 section 123.47, subsection 2, the scheduled fine is two hundred
34 sixty dollars.

35 9. *Notification violations.* For violations of section

1 229.22, subsection 6, the scheduled fine is one thousand
2 dollars for a first violation and two thousand dollars for a
3 second or subsequent violation. The scheduled fine under this
4 subsection is a civil penalty, and the ~~criminal penalty crime~~
5 services surcharge under [section 911.1](#) shall not be added to
6 the penalty.

7 10. *Scrap metal transaction violations.* For violations
8 of [section 714.27](#), the scheduled fine is one hundred dollars
9 for a first violation, five hundred dollars for a second
10 violation within two years, and one thousand dollars for a
11 third or subsequent violation within two years. The scheduled
12 fine under [this subsection](#) is a civil penalty which shall
13 be deposited into the general fund of the county or city if
14 imposed by a designated officer or employee of a county or
15 city, or deposited in the general fund of the state if imposed
16 by a state agency, and the ~~criminal penalty crime services~~
17 surcharge under [section 911.1](#) shall not be added to the
18 penalty.

19 11. *Trespassing violations.* For trespasses punishable under
20 section 716.8, subsection 1 or 5, the scheduled fine is two
21 hundred sixty dollars for a first violation, ~~five~~ six hundred
22 forty-five dollars for a second violation, and one thousand
23 two hundred eighty-five dollars for a third or subsequent
24 violation.

25 12. *Internet fantasy sports contest violations.* For
26 violations of legal age for entering an internet fantasy sports
27 contest under [section 99E.7](#), the scheduled fine is five hundred
28 dollars. Failure to pay the fine by a person under the age
29 of eighteen shall not result in the person being detained in
30 a secure facility.

31 DIVISION V

32 MISDEMEANOR AND FELONY FINES

33 Sec. 45. Section 902.9, subsection 1, paragraphs d and e,
34 Code 2020, are amended to read as follows:

35 *d.* A class "C" felon, not an habitual offender, shall be

1 confined for no more than ten years, and in addition shall be
2 sentenced to a fine of at least one thousand three hundred
3 seventy dollars but not more than ~~ten~~ thirteen thousand six
4 hundred sixty dollars.

5 e. A class "D" felon, not an habitual offender, shall be
6 confined for no more than five years, and in addition shall
7 be sentenced to a fine of at least ~~seven hundred fifty one~~
8 thousand twenty-five dollars but not more than ~~seven ten~~
9 thousand five two hundred forty-five dollars.

10 Sec. 46. Section 903.1, subsections 1 and 2, Code 2020, are
11 amended to read as follows:

12 1. If a person eighteen years of age or older is convicted
13 of a simple or serious misdemeanor and a specific penalty is
14 not provided for or if a person under eighteen years of age
15 has been waived to adult court pursuant to [section 232.45](#) on
16 a felony charge and is subsequently convicted of a simple,
17 serious, or aggravated misdemeanor, the court shall determine
18 the sentence, and shall fix the period of confinement or the
19 amount of fine, which fine shall not be suspended by the court,
20 within the following limits:

21 a. For a simple misdemeanor, there shall be a fine of at
22 least ~~sixty-five~~ one hundred five dollars but not to exceed ~~six~~
23 eight hundred twenty-five fifty-five dollars. The court may
24 order imprisonment not to exceed thirty days in lieu of a fine
25 or in addition to a fine.

26 b. For a serious misdemeanor, there shall be a fine of at
27 least ~~three~~ four hundred ~~fifteen~~ thirty dollars but not to
28 exceed ~~one two thousand eight~~ five hundred ~~seventy-five~~ sixty
29 dollars. In addition, the court may also order imprisonment
30 not to exceed one year.

31 2. When a person is convicted of an aggravated misdemeanor,
32 and a specific penalty is not provided for, the maximum penalty
33 shall be imprisonment not to exceed two years. There shall be
34 a fine of at least ~~six~~ eight hundred ~~twenty-five~~ fifty-five
35 dollars but not to exceed ~~six~~ eight thousand ~~two~~ five hundred

1 ~~fifty~~ forty dollars. When a judgment of conviction of an
2 aggravated misdemeanor is entered against any person and the
3 court imposes a sentence of confinement for a period of more
4 than one year the term shall be an indeterminate term.

5 DIVISION VI

6 CRIMINALISTICS LABORATORY FUND

7 Sec. 47. Section 691.9, Code 2020, is amended to read as
8 follows:

9 **691.9 Criminalistics laboratory fund.**

10 A criminalistics laboratory fund is created as a separate
11 fund in the state treasury under the control of the department
12 of public safety. The fund shall consist of appropriations
13 made to the fund and transfers of interest, moneys collected
14 from the crime services surcharge established in section 911.1,
15 and earnings. All moneys in the fund are appropriated to
16 the department of public safety for use by the department in
17 criminalistics laboratory equipment and supply purchasing,
18 maintenance, depreciation, ~~and~~ training, and payments of the
19 fees charged by the department of administrative services for
20 the criminalistics laboratory facility in Ankeny. Any balance
21 in the fund on June 30 of any fiscal year shall not revert to
22 any other fund of the state but shall remain available for the
23 purposes described in [this section](#).

24 DIVISION VII

25 DRUG ABUSE RESISTANCE EDUCATION FUND

26 Sec. 48. NEW SECTION. **80E.4 Drug abuse resistance education**
27 **fund.**

28 A drug abuse resistance education fund is created as a
29 separate fund in the state treasury under the control of the
30 governor's office of drug control policy for use by the drug
31 abuse resistance education program and other programs with a
32 similar purpose. The fund shall consist of appropriations made
33 to the fund and transfers of interest, moneys collected from
34 the crime services surcharge established in section 911.1,
35 and earnings. All moneys in the fund are appropriated to the

1 governor's office of drug control policy. Notwithstanding
2 section 8.33, any balance in the fund on June 30 of any fiscal
3 year shall not revert to any other fund of the state but shall
4 remain available for the purposes described in this section.

5 DIVISION VIII

6 EMERGENCY MEDICAL SERVICES FUND

7 Sec. 49. Section 135.25, Code 2020, is amended to read as
8 follows:

9 **135.25 Emergency medical services fund.**

10 An emergency medical services fund is created in the state
11 treasury under the control of the department. The fund
12 includes, but is not limited to, amounts appropriated by the
13 general assembly, amounts transferred pursuant to section
14 602.8108, subsection 4, and other moneys available from
15 federal or private sources which are to be used for purposes
16 of **this section**. Funds remaining in the fund at the end of
17 each fiscal year shall not revert to the general fund of the
18 state but shall remain in the emergency medical services fund,
19 notwithstanding **section 8.33**. The fund is established to
20 assist counties by matching, on a dollar-for-dollar basis,
21 moneys spent by a county for the acquisition of equipment for
22 the provision of emergency medical services and by providing
23 grants to counties for education and training in the delivery
24 of emergency medical services, as provided in **this section** and
25 section 422D.6. A county seeking matching funds under this
26 section shall apply to the emergency medical services division
27 of the department. The department shall adopt rules concerning
28 the application and awarding process for the matching funds and
29 the criteria for the allocation of moneys in the fund if the
30 moneys are insufficient to meet the emergency medical services
31 needs of the counties. Moneys allocated by the department to a
32 county for emergency medical services purposes may be used for
33 equipment or training and education as determined by the board
34 of supervisors pursuant to **section 422D.6**.

35 DIVISION IX

1 FUNDING FOR JUVENILE DETENTION HOME FUND

2 Sec. 50. Section 232.142, subsection 6, Code 2020, is
3 amended to read as follows:

4 6. A juvenile detention home fund is created in the state
5 treasury under the authority of the department. The fund shall
6 consist of moneys deposited in the fund pursuant to ~~sections~~
7 ~~321.218A and 321A.32A~~ section 602.8108. The moneys in the fund
8 shall be used for the costs of the establishment, improvement,
9 operation, and maintenance of county or multicounty juvenile
10 detention homes in accordance with annual appropriations made
11 by the general assembly from the fund for these purposes.

12 Sec. 51. Section 321.210B, subsection 7, Code 2020, is
13 amended to read as follows:

14 7. *a.* A civil penalty assessed pursuant to section
15 ~~321.218A, 321A.32A, or 321J.17~~ shall be added to the amount
16 owing under the installment agreement.

17 ~~*b.* The clerk of the district court shall transmit to the~~
18 ~~department, from the first moneys collected, an amount equal to~~
19 ~~the amount of any civil penalty assessed pursuant to section~~
20 ~~321.218A or 321A.32A and added to the installment agreement.~~
21 ~~The department shall transmit the money received from the~~
22 ~~clerk of the district court pursuant to this paragraph to the~~
23 ~~treasurer of state for deposit in the juvenile detention home~~
24 ~~fund created in section 232.142.~~

25 *e. b.* The clerk of the district court shall transmit to the
26 department, from the first moneys collected, an amount equal to
27 the amount of any civil penalty assessed pursuant to section
28 321J.17 and added to the installment agreement. The department
29 shall transmit the money received from the clerk of the
30 district court pursuant to this paragraph to the treasurer of
31 state who shall deposit one-half of the money in the separate
32 fund established in section 915.94 and one-half of the money in
33 the general fund of the state.

34 Sec. 52. Section 321M.9, subsection 1, Code 2020, is amended
35 to read as follows:

1 1. *Fees to counties.* Notwithstanding any other provision
2 in the Code to the contrary, the county treasurer of a county
3 authorized to issue driver's licenses under [this chapter](#) shall
4 retain for deposit in the county general fund seven dollars of
5 fees received for each issuance or renewal of driver's licenses
6 and nonoperator's identification cards, but shall not retain
7 any moneys for the issuance of any persons with disabilities
8 identification devices. The five dollar processing fee charged
9 by a county treasurer for collection of a civil penalty under
10 section ~~321.218A, 321A.32A, or~~ [321J.17](#) shall be retained for
11 deposit in the county general fund. The county treasurer
12 shall remit the balance of fees and all civil penalties to the
13 department.

14 Sec. 53. Section 331.557A, subsection 4, Code 2020, is
15 amended to read as follows:

16 4. Accept payment of the civil penalties penalty assessed
17 pursuant to ~~sections 321.218A, 321A.32A, and~~ section 321J.17
18 and remit the penalties penalty to the state department of
19 transportation.

20 Sec. 54. REPEAL. Sections 321.218A and 321A.32A, Code 2020,
21 are repealed.

22 DIVISION X

23 NONRESIDENT STATE PARK USER FEE PILOT PROGRAM

24 Sec. 55. Section 455A.14A, subsection 1, paragraph a, Code
25 2020, is amended to read as follows:

26 a. The department shall charge an entrance fee of five
27 dollars per vehicle ~~for a~~ if the vehicle is operated by a
28 nonresident of the state, which the nonresident operator shall
29 pay.

30 Sec. 56. Section 455A.14B, subsection 1, paragraph a, Code
31 2020, is amended to read as follows:

32 a. The department shall charge an entrance fee of five
33 dollars per vehicle ~~for a~~ if the vehicle is operated by a
34 nonresident of the state, which the nonresident operator shall
35 pay.

1 Sec. 57. Section 805.8C, Code 2020, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 13. *State park user fee violations.* For
4 failure to pay the entrance fee by a nonresident operator of a
5 vehicle under section 455A.14A, subsection 1, paragraph "a",
6 or under section 455A.14B, subsection 1, paragraph "a", the
7 scheduled fine is fifteen dollars.

8

DIVISION XI

9

IOWA EMERGENCY FOOD PURCHASE PROGRAM FUND

10 Sec. 58. NEW SECTION. 190B.201 Iowa emergency food purchase
11 program fund.

12 1. An Iowa emergency food purchase program fund is
13 established in the state treasury and shall be administered
14 by the department of agriculture and land stewardship. The
15 fund shall consist of moneys appropriated to the fund pursuant
16 to section 602.8108, subsection 13, and any other moneys
17 appropriated to the fund.

18 2. The purpose of the fund is to relieve situations of
19 emergency experienced by families or individuals who reside in
20 this state, including low-income families and individuals and
21 unemployed families and individuals, by distributing food to
22 those persons, and the department may contract with an Iowa
23 food bank association to manage the program.

24 3. The Iowa food bank association managing the program
25 shall distribute food under the program to emergency feeding
26 organizations in this state. The Iowa food bank association
27 shall report to the department as required by the department.

28 4. "*Iowa food bank association*" means a private nonprofit
29 entity that meets all of the following requirements:

30 a. The association is organized under chapter 504.

31 b. The association qualifies under section 501(c)(3) of the
32 Internal Revenue Code as an organization exempt from federal
33 income tax under section 501(a) of the Internal Revenue Code.

34 c. The association's members include food banks, or
35 affiliations of food banks, that together serve all counties

1 in this state.

2 *d.* The association's principal office is located in this
3 state.

4 5. Notwithstanding section 8.33, moneys in the fund
5 that remain unencumbered or unobligated at the close of
6 the fiscal year shall not revert but shall remain available
7 for expenditure for the purposes designated until two years
8 following the last day of the fiscal year in which the funds
9 were originally appropriated.

10

DIVISION XII

11

CIVIL CLAIMS FOR REIMBURSEMENT

12 Sec. 59. Section 331.659, subsection 1, paragraph a,
13 unnumbered paragraph 1, Code 2020, is amended to read as
14 follows:

15 A Except for a civil claim for reimbursement under section
16 356.7, a sheriff or a deputy sheriff shall not:

17 Sec. 60. Section 356.7, subsection 2, paragraph i, Code
18 2020, is amended by striking the paragraph.

19 Sec. 61. Section 356.7, subsection 4, Code 2020, is amended
20 by striking the subsection and inserting in lieu thereof the
21 following:

22 4. A claim for reimbursement shall be filed in a separate
23 civil action rather than as a claim in the underlying criminal
24 case.

25 Sec. 62. Section 602.8102, Code 2020, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 105C. Apply payments made to a civil claim
28 for reimbursement judgment under section 356.7 to court debt,
29 as defined in section 602.8107, in the priority order set out
30 in section 602.8107, subsection 2, if the debtor has delinquent
31 court debt.

32 Sec. 63. Section 602.8105, subsection 1, Code 2020, is
33 amended by adding the following new paragraph:

34 NEW PARAGRAPH. *k.* For a civil claim for reimbursement under
35 section 356.7, zero dollars.

1 the law enforcement initiative surcharge, county enforcement
2 surcharge, or amounts collected as a result of procedures
3 initiated under subsection 5 or under section 8A.504, ~~or fees~~
4 ~~charged pursuant to section 356.7~~.

5 Sec. 68. Section 909.3, subsection 1, Code 2020, is amended
6 to read as follows:

7 1. All Unless a plan of payment has been issued pursuant to
8 chapter 910, fines imposed by the court shall be paid on the
9 day the fine is imposed, and the person shall be instructed to
10 pay such fines with the office of the clerk of the district
11 court on the date of imposition.

12 Sec. 69. Section 910.1, Code 2020, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 01. "*Category "A" restitution*" means fines,
15 penalties, and surcharges.

16 NEW SUBSECTION. 001. "*Category "B" restitution*" means
17 the contribution of funds to a local anticrime organization
18 which provided assistance to law enforcement in an offender's
19 case, the payment of crime victim compensation program
20 reimbursements, payment of restitution to public agencies
21 pursuant to section 321J.2, subsection 13, paragraph "b",
22 court costs, court-appointed attorney fees ordered pursuant to
23 section 815.9, including the expense of a public defender, and
24 payment to the medical assistance program pursuant to chapter
25 249A for expenditures paid on behalf of the victim resulting
26 from the offender's criminal activities including investigative
27 costs incurred by the Medicaid fraud control unit pursuant to
28 section 249A.50.

29 NEW SUBSECTION. 1A. "*Financial affidavit*" means a signed
30 affidavit under penalty of perjury that provides financial
31 information about the offender to enable the sentencing court
32 or the department of corrections to make a determination
33 regarding the ability of the offender to pay category "B"
34 restitution. "*Financial affidavit*" includes the offender's
35 income, physical and mental health, age, education, employment,

1 inheritance, other debts, other amounts of restitution owed,
2 family circumstances, and any assets subject to execution,
3 including but not limited to cash, accounts at financial
4 institutions, stocks, bonds, and any other property which may
5 be applied to the satisfaction of judgments.

6 NEW SUBSECTION. 3A. "*Permanent restitution order*" means an
7 enforceable restitution order entered either at the time of
8 sentencing or at a later date determined by the court.

9 NEW SUBSECTION. 3B. "*Plan of payment*" or "*restitution plan*
10 *of payment*" means a plan for paying restitution wherein the
11 defendant is ordered to pay a certain amount of money each
12 month to repay outstanding restitution.

13 NEW SUBSECTION. 3C. "*Plan of restitution*" means a permanent
14 restitution order, restitution plan of payment, any other
15 court order relating to restitution, or any combination of the
16 foregoing.

17 Sec. 70. Section 910.1, subsection 4, Code 2020, is amended
18 by striking the subsection and inserting in lieu thereof the
19 following:

20 4. "*Restitution*" means pecuniary damages, category "A"
21 restitution, and category "B" restitution.

22 Sec. 71. Section 910.2, Code 2020, is amended by striking
23 the section and inserting in lieu thereof the following:

24 **910.2 Restitution or community service ordered by sentencing**
25 **court.**

26 1. a. In all criminal cases in which there is a plea of
27 guilty, verdict of guilty, or special verdict upon which a
28 judgment of conviction is rendered, the sentencing court shall
29 order that pecuniary damages be paid by each offender to the
30 victims of the offender's criminal activities, and that all
31 other restitution be paid to the clerk of court subject to the
32 following:

33 (1) Pecuniary damages and category "A" restitution shall be
34 ordered without regard to an offender's reasonable ability to
35 make payments.

1 (2) Category "B" restitution shall be ordered subject to
2 an offender's reasonable ability to make payments pursuant to
3 section 910.2A.

4 *b.* Pecuniary damages shall be paid to victims in full before
5 category "A" and category "B" restitution are paid.

6 *c.* In structuring a plan of restitution, the plan of payment
7 shall provide for payments in the following order of priority:

8 (1) Pecuniary damages to the victim.

9 (2) Category "A" restitution.

10 (3) Category "B" restitution in the following order:

11 (a) Crime victim compensation program reimbursement.

12 (b) Public agencies.

13 (c) Court costs.

14 (d) Court-appointed attorney fees ordered pursuant to
15 section 815.9, including the expense of a public defender.

16 (e) Contribution to a local anticrime organization.

17 (f) The medical assistance program.

18 2. *a.* When the offender is not reasonably able to pay
19 all or a part of category "B" restitution, the court may
20 require the offender in lieu of that portion of category "B"
21 restitution for which the offender is not reasonably able to
22 pay, to perform a needed public service for a governmental
23 agency or for a private nonprofit agency which provides a
24 service to the youth, elderly, or poor of the community.

25 *b.* When community service is ordered, the court shall set
26 a specific number of hours of service to be performed by the
27 offender. When calculating the amount of community service to
28 be performed in lieu of payment of court-appointed attorney
29 fees, the court shall determine the approximate equivalent
30 value of the expenses of the public defender. The judicial
31 district department of correctional services shall provide for
32 the assignment of the offender to a public agency or private
33 nonprofit agency to perform the required service.

34 Sec. 72. NEW SECTION. 910.2A Reasonable ability to pay —
35 category "B" restitution payments.

1 1. An offender is presumed to have the reasonable ability
2 to make restitution payments for the full amount of category
3 "B" restitution.

4 2. If an offender requests that the court determine the
5 amount of category "B" restitution payments the offender is
6 reasonably able to make toward paying the full amount of such
7 restitution, the court shall hold a hearing and make such a
8 determination, subject to the following provisions:

9 a. To obtain relief at such a hearing, the offender must
10 affirmatively prove by a preponderance of the evidence that the
11 offender is unable to reasonably make payments toward the full
12 amount of category "B" restitution.

13 b. The offender must furnish the prosecuting attorney and
14 sentencing court with a completed financial affidavit. Failure
15 to furnish a completed financial affidavit waives any claim
16 regarding the offender's reasonable ability to pay.

17 c. The prosecuting attorney, the attorney for the defendant,
18 and the court shall be permitted to question the offender
19 regarding the offender's reasonable ability to pay.

20 d. Based on the evidence offered at the hearing, including
21 but not limited to the financial affidavit, the court shall
22 determine the amount of category "B" restitution the offender
23 is reasonably able to make payments toward, and order the
24 offender to make payments toward that amount.

25 3. a. If an offender does not make a request as provided in
26 subsection 2 at the time of sentencing or within thirty days
27 after the court issues a permanent restitution order, the court
28 shall order the offender to pay the full amount of category "B"
29 restitution.

30 b. An offender's failure to request a determination
31 pursuant to this section waives all future claims regarding
32 the offender's reasonable ability to pay, except as provided
33 by section 910.7.

34 4. If an offender requests that the court make a
35 determination pursuant to subsection 2, the offender's

1 financial affidavit shall be filed of record in all criminal
2 cases for which the offender owes restitution and the affidavit
3 shall be accessible by a prosecuting attorney or attorney for
4 the offender without court order or appearance.

5 5. A court that makes a determination under this section is
6 presumed to have properly exercised its discretion. A court is
7 not required to state its reasons for making a determination.

8 **Sec. 73. NEW SECTION. 910.2B Conversion of existing**
9 **restitution orders.**

10 1. All of the following, if entered by a district court
11 prior to the effective date of this Act, shall be converted to
12 permanent restitution orders:

13 a. A temporary restitution order.

14 b. A supplemental restitution order.

15 c. A restitution order that does not contain a determination
16 of the defendant's reasonable ability to pay the restitution
17 ordered.

18 2. The only means by which a defendant may challenge the
19 conversion of a restitution order is through the filing of a
20 petition pursuant to section 910.7.

21 3. The provisions of this chapter, including but not limited
22 to the procedures in section 910.2A, shall apply to a challenge
23 to the conversion of an existing restitution order in the
24 district court and on appeal.

25 4. A challenge to the conversion of an existing restitution
26 order to a permanent restitution order shall be filed in the
27 district court no later than one year from the effective date
28 of this Act.

29 **Sec. 74. Section 910.3, Code 2020, is amended to read as**
30 **follows:**

31 **910.3 Determination of amount of restitution.**

32 1. The ~~county~~ prosecuting attorney shall prepare a
33 statement of pecuniary damages to victims of the defendant
34 and, if applicable, any award by the crime victim compensation
35 program and expenses incurred by public agencies pursuant to

1 section 321J.2, subsection 13, paragraph "b", and shall provide
2 the statement to the presentence investigator or submit the
3 statement to the court at the time of sentencing.

4 2. The clerk of court shall prepare a statement of
5 court-appointed attorney fees ordered pursuant to section
6 815.9, including the expense of a public defender, and court
7 costs ~~including correctional fees claimed by a sheriff or~~
8 ~~municipality pursuant to section 356.7~~, which shall be provided
9 to the presentence investigator or submitted to the court at
10 the time of sentencing.

11 3. If ~~these~~ the statements in subsection 1 or 2 are provided
12 to the presentence investigator, they shall become a part of
13 the presentence report.

14 4. If pecuniary damage amounts are not available or are
15 incomplete at the time of sentencing, the ~~county~~ prosecuting
16 attorney shall provide a statement of pecuniary damages
17 incurred up to that time to the clerk of court.

18 5. The statement of pecuniary damages shall ordinarily be
19 provided no later than thirty days after sentencing. However,
20 a prosecuting attorney may file a statement of pecuniary
21 damages within a reasonable time after the prosecuting attorney
22 is notified by a victim of any pecuniary damages incurred.

23 6. If a defendant believes no person suffered pecuniary
24 damages, the defendant shall so state.

25 7. If the defendant has any mental or physical impairment
26 which would limit or prohibit the performance of a public
27 service, the defendant shall so state. The court may order a
28 mental or physical examination, or both, of the defendant to
29 determine a proper course of action. ~~At the time of sentencing~~
30 ~~or at a later date to be determined by the court, the~~

31 8. The court shall ~~set out the~~ enter a permanent restitution
32 order setting out the amount of restitution including the
33 amount of public service to be performed as restitution and
34 the persons to whom restitution must be paid. A permanent
35 restitution order entered at the time of sentencing is part of

1 the final judgment of sentence as defined in section 814.6 and
2 shall be considered in a properly perfected appeal.

3 9. If the full amount of restitution cannot be determined
4 at the time of sentencing, the court shall issue a ~~temporary~~
5 permanent restitution order determining a reasonable amount
6 for setting forth the amount of restitution identified up to
7 that time. At a later date as determined by the court, the
8 court shall issue a permanent, supplemental order, setting the
9 full amount of restitution. The court shall enter further
10 supplemental orders, if necessary. These court orders shall be
11 known as the plan of restitution.

12 10. A permanent restitution order may be superseded by
13 subsequent orders if additional or different restitution is
14 ordered. A permanent restitution order entered after the time
15 of sentencing shall only be challenged pursuant to section
16 910.7.

17 Sec. 75. Section 910.4, subsection 1, paragraph b,
18 subparagraphs (1) and (2), Code 2020, are amended to read as
19 follows:

20 (1) If the court extends the period of probation, the period
21 of probation shall not be for more than the maximum period of
22 probation for the offense committed except for an extension of
23 a period of probation as authorized in [section 907.7](#). After
24 discharge from probation or after the expiration of the period
25 of probation, as extended if applicable, the failure of an
26 offender to comply with the plan of restitution ~~ordered by the~~
27 ~~court~~ shall constitute contempt of court.

28 (2) If an offender's probation is revoked, the offender's
29 assigned probation officer shall forward to the director of
30 the Iowa department of corrections, all known information
31 concerning the offender's restitution plan, restitution plan of
32 payment, the restitution payment balance obligations, including
33 but not limited to the plan of restitution, and any other
34 pertinent information concerning or affecting restitution by
35 the offender.

1 NEW SUBSECTION. 4. Notwithstanding any other provision
2 in this chapter, the plan of payment shall be based on all
3 information pertinent to the offender's reasonable ability to
4 pay. The first monthly payment under such a plan shall be made
5 within thirty days of the approval of the plan.

6 Sec. 78. Section 910.6, Code 2020, is amended to read as
7 follows:

8 **910.6 Payment plan — copy to victims.**

9 An office or individual preparing a restitution plan of
10 payment or modified ~~restitution plan of payment, when it is~~
11 ~~approved by the court if approval is required under section~~
12 ~~910.4, or when the plan is completed if court approval~~
13 ~~under section 910.4 is not required,~~ shall forward a copy to
14 the clerk of court in the county in which the offender was
15 sentenced. The clerk of court shall forward a copy of the
16 restitution plan of payment or modified plan of payment to the
17 victim or victims.

18 Sec. 79. Section 910.7, subsections 1 and 3, Code 2020, are
19 amended to read as follows:

20 1. At any time during the period of probation, parole, or
21 incarceration, the offender, the prosecuting attorney, or the
22 office or individual who prepared the offender's restitution
23 plan may petition the court on any matter related to the plan
24 of restitution or restitution plan of payment and the court
25 shall grant a hearing if on the face of the petition it appears
26 that a hearing is warranted.

27 3. If a petition related to a plan of restitution has been
28 filed, the offender, the ~~county~~ prosecuting attorney, the
29 department of corrections if the offender is currently confined
30 in a correctional institution, the office or individual who
31 prepared the offender's restitution plan, and the victim shall
32 receive notice prior to any hearing under this section.

33 Sec. 80. Section 910.7, Code 2020, is amended by adding the
34 following new subsections:

35 NEW SUBSECTION. 4. An appellate court shall not review

1 or modify an offender's plan of restitution, restitution
2 plan of payment, or any other issue related to an offender's
3 restitution under this subsection, unless the offender has
4 exhausted the offender's remedies under this section and
5 obtained a ruling from the district court prior to the issue
6 being raised in the appellate courts.

7 NEW SUBSECTION. 5. Appellate review of a district court
8 ruling under this section shall be by writ of certiorari.

9 Sec. 81. Section 910.9, subsection 3, Code 2020, is amended
10 to read as follows:

11 3. ~~Fines, penalties, and surcharges, crime victim~~
12 ~~compensation program reimbursement, public agency restitution,~~
13 ~~court costs including correctional fees claimed by a sheriff~~
14 ~~or municipality pursuant to [section 356.7](#), and court-appointed~~
15 ~~attorney fees ordered pursuant to [section 815.9](#), including the~~
16 ~~expenses for public defenders, Category "A" restitution and~~
17 ~~category "B" restitution shall not be withheld by the clerk of~~
18 ~~court until all pecuniary damages to victims have been paid in~~
19 ~~full. Payments to victims shall be made by the clerk of court~~
20 ~~at least quarterly. Payments by a clerk of court shall be made~~
21 ~~no later than the last business day of the quarter, but may be~~
22 ~~made more often at the discretion of the clerk of court. The~~
23 ~~clerk of court receiving final payment from an offender shall~~
24 ~~notify all victims that full restitution has been made. Each~~
25 ~~office or individual charged with supervising an offender who~~
26 ~~is required to perform community service as full or partial~~
27 ~~restitution shall keep records to assure compliance with the~~
28 ~~portions of the plan of restitution and restitution plan of~~
29 ~~payment relating to community service and, when the offender~~
30 ~~has complied fully with the community service requirement,~~
31 ~~notify the sentencing court.~~

32 Sec. 82. FINANCIAL AFFIDAVIT — SUPREME COURT RULES. The
33 supreme court shall adopt rules prescribing the form and
34 content of the financial affidavit.

35 Sec. 83. EFFECTIVE DATE. This division of this Act, being

1 deemed of immediate importance, takes effect upon enactment.

2

DIVISION XIV

3

COLLECTION OF COURT DEBT

4 Sec. 84. Section 321.40, subsection 10, Code 2020, is
5 amended to read as follows:

6 10. a. The clerk of the district court shall notify the
7 county treasurer of any delinquent court debt, as defined in
8 section 602.8107, which is being collected by the ~~private~~
9 ~~collection designee~~ department of revenue pursuant to section
10 602.8107, subsection 3, or the county attorney pursuant to
11 section 602.8107, subsection 4. The county treasurer shall
12 refuse to renew the vehicle registration of the applicant upon
13 such notification from the clerk of the district court in
14 regard to such applicant.

15 b. If the applicant enters into or renews an installment
16 agreement as defined in [section 602.8107](#), that is satisfactory
17 to the ~~private collection designee~~ department of revenue, the
18 county attorney, or the county attorney's designee, the ~~private~~
19 ~~collection designee~~ department of revenue, county attorney, or
20 a county attorney's designee shall provide the county treasurer
21 with written or electronic notice of the installment agreement
22 within five days of entering into the installment agreement.
23 The county treasurer shall temporarily lift the registration
24 hold on an applicant for a period of ten days if the treasurer
25 receives such notice in order to allow the applicant to
26 register a vehicle for the year. If the applicant remains in
27 compliance with the installment agreement entered into with
28 the ~~private collection designee~~ department of revenue or the
29 county attorney or the county attorney's designee, subsequent
30 lifts of registration holds shall be granted without additional
31 restrictions.

32 Sec. 85. Section 321.210A, subsection 2, Code 2020, is
33 amended to read as follows:

34 2. If after suspension, the person enters into an
35 installment agreement with the county attorney, the county

1 attorney's designee, or the ~~private collection designee~~
2 department of revenue in accordance with [section 321.210B](#) to
3 pay the fine, penalty, court cost, or surcharge, the person's
4 license shall be reinstated by the department upon receipt of a
5 report of an executed installment agreement.

6 Sec. 86. Section 321.210B, subsections 1, 3, 8, 9, 11, and
7 13, Code 2020, are amended to read as follows:

8 1. a. If a person's fine, penalty, surcharge, or court
9 cost is deemed delinquent as provided in section 602.8107,
10 subsection 2, and the person's driver's license has been
11 suspended pursuant to [section 321.210A](#), or the clerk of the
12 district court has reported the delinquency to the department
13 as required by [section 321.210A](#), the person may execute an
14 installment agreement as defined in [section 602.8107](#) with
15 the county attorney, the county attorney's designee, or the
16 ~~private collection designee under contract with the judicial~~
17 ~~branch pursuant to [section 602.8107, subsection 5](#)~~ department
18 of revenue, to pay the delinquent amount and the civil penalty
19 assessed in [subsection 7](#) in installments. Prior to execution
20 of the installment agreement, the person shall provide the
21 county attorney, the county attorney's designee, or the ~~private~~
22 ~~collection designee~~ department of revenue with a financial
23 statement in order for the parties to the agreement to
24 determine the amount of the installment payments.

25 b. Cases involving court debt assigned to a county attorney,
26 a county attorney's designee, or the ~~private collection~~
27 ~~designee~~ department of revenue shall remain so assigned.

28 3. The county attorney, the county attorney's designee, or
29 the ~~private collection designee~~ department of revenue shall
30 file or give notice of the installment agreement with the clerk
31 of the district court in the county where the fine, penalty,
32 surcharge, or court cost was imposed, within five days of
33 execution of the agreement.

34 8. a. Except as provided in paragraph "b", upon
35 determination by the county attorney, the county attorney's

1 designee, or the ~~private collection designee~~ department of
2 revenue that the person is in default, the county attorney, the
3 county attorney's designee, or the ~~private collection designee~~
4 department of revenue shall notify the clerk of the district
5 court.

6 *b.* (1) If the person is in default and the person
7 provides a new financial statement within fifteen days of
8 the determination made pursuant to paragraph "a" indicating
9 that the person's financial condition has changed to such an
10 extent that lower installment payments would have been required
11 prior to the execution of the initial installment agreement
12 under [subsection 1](#), the county attorney, the county attorney's
13 designee, or the ~~private collection designee~~ department of
14 revenue shall not notify the clerk of the district court,
15 and the person shall not be considered in default. The new
16 installment payments shall be based upon the new financial
17 statement filed in compliance with this subparagraph.

18 (2) A person making new installment payments after
19 complying with the provisions of subparagraph (1) shall not be
20 considered executing a new installment agreement for purposes
21 of calculating the number of installment agreements a person
22 may execute in a person's lifetime under [subsection 12](#).

23 9. The clerk of the district court, upon receipt of a
24 notification of a default from the county attorney, the
25 county attorney's designee, or the ~~private collection designee~~
26 department of revenue, shall report the default to the
27 department of transportation.

28 11. If a new fine, penalty, surcharge, or court cost
29 is imposed on a person after the person has executed an
30 installment agreement with the county attorney, the county
31 attorney's designee, or the ~~private collection designee~~
32 department of revenue, and the new fine, penalty, surcharge,
33 or court cost is deemed delinquent as provided in section
34 602.8107, subsection 2, and the person's driver's license
35 has been suspended pursuant to [section 321.210A](#), the person

1 may enter into a second installment agreement with the
2 county attorney, county attorney's designee, or the ~~private~~
3 ~~collection designee~~ department of revenue to pay the delinquent
4 amount and the civil penalty, if assessed, in [subsection 7](#) in
5 installments.

6 13. Except for a civil penalty assessed and collected
7 pursuant to [subsection 7](#), any amount collected under the
8 installment agreement by the county attorney or the county
9 attorney's designee shall be distributed as provided in section
10 602.8107, subsection 4, and any amount collected by the ~~private~~
11 ~~collection designee~~ department of revenue shall be deposited
12 with the clerk of the district court for distribution under
13 section 602.8108.

14 Sec. 87. Section 602.8107, subsection 3, Code 2020, is
15 amended to read as follows:

16 3. *Collection by ~~private collection designee under contract~~*
17 *~~with the judicial branch~~ department of revenue.*

18 a. (1) Thirty days after court debt has been assessed
19 and full payment has not been received, or if an installment
20 payment is not received within thirty days after the date it
21 is due, the judicial branch shall assign a case to the ~~private~~
22 ~~collection designee under contract with the judicial branch~~
23 ~~pursuant to [subsection 5](#) to collect debts owed to the clerk of~~
24 ~~the district court~~ department of revenue, unless the case has
25 been assigned to the county attorney under paragraph "c".

26 (2) The department of revenue may impose a fee established
27 by rule to reflect the cost of processing which shall be added
28 to the debt owed to the clerk of the district court.

29 b. In addition, court debt which is being collected under
30 an installment agreement pursuant to [section 321.210B](#) which is
31 in default that remains delinquent shall remain assigned to
32 the ~~private collection designee~~ department of revenue if the
33 installment agreement was executed with the ~~private collection~~
34 ~~designee~~ department of revenue; or to the county attorney
35 or county attorney's designee if the installment agreement

1 was executed with the county attorney or county attorney's
2 designee.

3 c. Thirty days after court debt has been assessed and full
4 payment has not been received, or if an installment payment is
5 not received within thirty days after the date it is due, and
6 if a county attorney has filed with the clerk of the district
7 court a notice of full commitment to collect delinquent court
8 debt pursuant to [subsection 4](#), the case shall be assigned
9 to the county attorney as provided in [subsection 4](#). The
10 judicial branch shall assign cases with delinquent court debt
11 to a county attorney in the same format and with the same
12 frequency as cases with delinquent court debt are assigned to
13 the ~~private collection designee~~ department of revenue under
14 paragraph "a", and a county attorney shall not be required
15 to file an individual notice of full commitment to collect
16 delinquent court debt for each assigned case. If the county
17 attorney or the county attorney's designee, while collecting
18 delinquent court debt pursuant to [subsection 4](#), determines that
19 a person owes additional court debt for which a case has not
20 been assigned by the judicial branch, the county attorney or
21 the county attorney's designee shall notify the clerk of the
22 district court of the appropriate case numbers and the judicial
23 branch shall assign these cases to the county attorney for
24 collection if the additional court debt is delinquent.

25 Sec. 88. Section 602.8107, subsection 4, unnumbered
26 paragraph 1, Code 2020, is amended to read as follows:

27 The county attorney or the county attorney's designee may
28 collect court debt after the court debt is deemed delinquent
29 pursuant to [subsection 2](#). In order to receive a percentage of
30 the amounts collected pursuant to [this subsection](#), the county
31 attorney must first file with the clerk of the district court
32 on or before July 1 of the first year the county attorney
33 collects court debt under [this subsection](#), a notice of full
34 commitment to collect delinquent court debt, and a memorandum
35 of understanding with the state court administrator for all

1 cases assigned to the county for collection by the court.
2 The notice shall contain a list of procedures which will be
3 initiated by the county attorney. For a county attorney
4 filing a notice of full commitment for the first time, the
5 cases involving delinquent court debt previously assigned to
6 the ~~private collection designee~~ department of revenue shall
7 remain assigned to the ~~private collection designee~~ department
8 of revenue. Cases involving delinquent court debt assigned
9 to the county attorney after the filing of a notice of full
10 commitment by the county attorney shall remain assigned to the
11 county attorney. A county attorney who chooses to discontinue
12 collection of delinquent court debt shall file with the clerk
13 of the district court on or before May 15 a notice of the intent
14 to cease collection of delinquent court debt at the start of
15 the next fiscal year. If a county attorney ceases collection
16 efforts, or if the state court administrator deems that a
17 county attorney collections program has become ineligible to
18 collect as specified in paragraph "f", all cases involving
19 delinquent court debt assigned to the county attorney shall
20 be transferred on July 1 to the ~~private collection designee~~
21 department of revenue for collection, except that debt
22 associated with any existing installment agreement shall remain
23 assigned to the county for collection unless an installment
24 payment becomes delinquent, after which the delinquent debt
25 associated with the installment agreement shall be transferred
26 promptly to the ~~private collection designee~~ department of
27 revenue for collection.

28 Sec. 89. Section 602.8107, subsection 4, paragraph f, Code
29 2020, is amended to read as follows:

30 f. Beginning July 1, 2017, within two years of beginning
31 to collect delinquent court debt, a county attorney shall be
32 required to collect one hundred percent of the applicable
33 threshold amount specified in paragraph "c". If a county
34 attorney collects more than eighty percent but less than one
35 hundred percent of the applicable threshold amount, the state

1 court administrator shall provide notice to the county attorney
2 specifying that in order to remain eligible to participate in
3 the county attorney collection program, the county attorney
4 must collect at least one hundred twenty-five percent of the
5 applicable threshold amount by the end of the next fiscal year.
6 If a county attorney who has been given such a notice fails
7 to collect one hundred twenty-five percent of the applicable
8 threshold amount, the state court administrator shall provide
9 notice to the county attorney that the county is ineligible to
10 participate in the county attorney collection program for the
11 next two fiscal years and all existing and future court cases
12 with delinquent court debt shall be assigned to the ~~private~~
13 ~~collection designee~~ department of revenue. The provisions of
14 this paragraph apply to all counties, including those counties
15 where delinquent court debt is collected pursuant to a chapter
16 28E agreement with one or more counties.

17 Sec. 90. Section 602.8107, subsection 5, Code 2020, is
18 amended by striking the subsection.

19 Sec. 91. Section 602.8107, subsection 7, Code 2020, is
20 amended to read as follows:

21 7. *Reports.* The judicial branch shall prepare a report
22 aging the court debt. ~~The report shall include the amounts~~
23 ~~collected by the private collection designee, the distribution~~
24 ~~of these amounts, and the amount of the fee collected by the~~
25 ~~private collection designee.~~ In addition, the report shall
26 include the amounts written off pursuant to [subsection 6](#). The
27 judicial branch shall provide the report to the co-chairpersons
28 and ranking members of the joint appropriations subcommittee on
29 the justice system, the legislative services agency, and the
30 department of management by December 15 of each year.

31 Sec. 92. EFFECTIVE DATE. This division of this Act takes
32 effect January 1, 2021.

33 DIVISION XV

34 EFFECTIVE DATE

35 Sec. 93. EFFECTIVE DATE. Unless otherwise provided, this

1 Act takes effect July 15, 2020.>

2 2. Title page, by striking lines 1 through 3 and inserting
3 <An Act relating to the criminal and juvenile justice system
4 by modifying criminal penalties, surcharges, fines, fees, and
5 costs, creating and modifying funds, making appropriations
6 and allocating revenues, modifying installment agreements,
7 modifying civil claims for reimbursement, restitution,
8 and collection of court debt, and providing effective date
9 provisions.>