

House File 2770

H-8451

1 Amend the amendment, H-8414, to House File 2770, as follows:

2 1. Page 1, line 20, by striking <11,837,266> and inserting
3 <11,672,266>

4 2. Page 1, after line 21 by inserting:

5 <The appropriation in this lettered paragraph shall be
6 increased by \$165,000 if 2026 Iowa Acts, Senate File 639, is
7 not enacted.>

8 3. Page 1, line 35, by striking <\$150,000> and inserting
9 <\$225,000>

10 4. Page 8, line 2, by striking <6,380,000> and inserting
11 <6,275,000>

12 5. Page 8, after line 2 by inserting:

13 <The appropriation in this subsection shall be increased by
14 \$105,000 if 2026 Iowa Acts, Senate File 639, is not enacted.>

15 6. Page 17, line 11, by striking <3,660,000> and inserting
16 <3,430,000>

17 7. Page 17, after line 11 by inserting:

18 <The appropriation in this subsection shall be increased by
19 \$230,000 if 2026 Iowa Acts, Senate File 639, is not enacted.>

20 8. Page 19, after line 32 by inserting:

21 <DIVISION ____

22 ATTORNEY LOAN REPAYMENT PROGRAM — COURT FILING FEES

23 Sec. ____ . NEW SECTION. 256.232 Attorney loan repayment
24 program — fund.

25 1. *Program established.* The college student aid commission
26 shall establish an attorney loan repayment program to encourage
27 attorneys to remain and practice law in this state.

28 2. *Eligibility.* An individual is eligible to apply to
29 enter into a program agreement with the college student aid
30 commission pursuant to subsection 3 if the individual meets all
31 of the following requirements:

32 a. Is a graduate of an accredited law school within five
33 years of the time of application to the program.

34 b. Is licensed to practice law in Iowa.

35 c. Is practicing law in Iowa at the time of application or

1 commits to begin practicing law in this state upon execution
2 of a program agreement.

3 3. *Program agreements.* An agreement must be entered into by
4 an eligible attorney and the college student aid commission.
5 Under the agreement, to receive loan repayments pursuant to
6 subsection 5, an eligible attorney shall agree to and fulfill
7 all of the following requirements:

8 a. Remain and practice law in Iowa in the area designated
9 pursuant to the attorney's preference determination during each
10 year for which loan repayment assistance is received.

11 b. Provide not less than the number of hours per year of
12 legal services as an indigent defense attorney as designated
13 pursuant to the attorney's preference determination.

14 4. *Priority.*

15 a. In awarding loan repayment assistance under this section,
16 the commission shall give priority to attorneys who practice
17 law in this state in the following order, with preference
18 within each of the following subparagraphs to attorneys who
19 graduated from an Iowa law school, an Iowa high school, or
20 completed private instruction pursuant to chapter 299A:

21 (1) Attorneys who reside and practice law in rural areas
22 of the state and provide a minimum of fifty hours of indigent
23 defense services annually.

24 (2) Attorneys who practice law in rural areas of the state
25 and provide a minimum of one hundred hours of indigent defense
26 services annually.

27 (3) Attorneys who practice law in Iowa and provide two
28 hundred hours of indigent defense services annually.

29 b. For purposes of this subsection, "*rural area*" means
30 a county or municipality that has a population of less than
31 twenty-six thousand and is located more than twenty miles from
32 a city with a population of at least fifty thousand, based on
33 the most recent federal decennial census.

34 5. *Loan repayment assistance.* An eligible attorney
35 who enters into and remains in compliance with a program

1 agreement pursuant to subsection 3 shall receive loan repayment
2 assistance in an amount not to exceed ten thousand dollars per
3 year or the outstanding balance of the attorney's eligible
4 loans, whichever is less. In the event an attorney who
5 receives loan repayment assistance under this section ceases
6 to practice law in accordance with the program agreement, the
7 loan repayment assistance shall terminate immediately, the
8 loan repayment assistance shall be prorated for the months the
9 attorney complied with the agreement, and no further payment
10 shall be made. Loan repayment assistance may be provided for
11 each year of eligible practice during a period of not more than
12 six consecutive years. The total amount of loan repayment
13 assistance an attorney may receive under the program shall
14 not exceed the total outstanding balance of the attorney's
15 eligible student loans at the time the program agreement is
16 executed. For purposes of this subsection, "*eligible loan*"
17 means the attorney's total federally guaranteed Stafford loan
18 amount under the federal family education loan program or the
19 federal direct loan program, the attorney's federal graduate
20 plus loans, or the attorney's federal Perkins loan, including
21 principal and interest. Loan payment assistance received
22 pursuant to this section is not subject to Iowa income tax.

23 6. *Trust fund established.* An attorney loan repayment
24 program trust fund is created in the state treasury under
25 the control of the college student aid commission. The
26 commission may accept gifts, grants, bequests, and other
27 private contributions, as well as state or federal moneys, for
28 deposit in the fund. All moneys deposited in the trust fund
29 are appropriated and made available to the commission to be
30 used for purposes of meeting the requirements of this section.
31 Notwithstanding section 8.33, moneys in the fund shall not
32 revert but shall remain available for purposes of this section
33 and to provide loan repayment assistance to attorneys in this
34 state. Notwithstanding section 12C.7, subsection 2, interest
35 or earnings on moneys in the fund shall be credited to the

1 fund and are appropriated to the commission for purposes of
2 administering the attorney loan repayment program under this
3 section.

4 7. *Rules.* The college student aid commission shall adopt
5 rules to administer this section.

6 8. *Limitation.* The program shall not provide assistance for
7 more than twenty-five attorneys in a single year, and shall not
8 provide assistance to more than one hundred fifty attorneys at
9 any time.

10 9. *Repeal.* This section is repealed July 1, 2041.

11 Sec. _____. Section 331.424, subsection 1, paragraph a,
12 subparagraph (6), Code 2026, is amended to read as follows:

13 (6) The maintenance and operation of the courts, including
14 but not limited to the salary and expenses of the clerk of the
15 district court and other employees of the clerk's office, and
16 bailiffs, court costs if the prosecution fails or if the costs
17 cannot be collected from the person liable, costs and expenses
18 of prosecution under [section 189A.17](#), salaries and expenses
19 of juvenile court officers under [chapter 602](#), court-ordered
20 costs in domestic abuse cases under [section 236.5](#), sexual abuse
21 cases under [section 236A.7](#), and elder abuse cases under section
22 235F.6, the county's expense for confinement of prisoners under
23 chapter 356A, temporary assistance to the county attorney,
24 county contributions to a retirement system for bailiffs,
25 reimbursement for judicial magistrates under [section 602.6501](#),
26 ~~claims filed under [section 622.93](#)~~, sign language interpreters'
27 fees under [section 622B.7](#), uniform citation and complaint
28 supplies under [section 805.6](#), and costs of prosecution under
29 section 815.13.

30 Sec. _____. Section 422.7, Code 2026, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 46. a. Subtract, to the extent included,
33 income resulting from the payment of the amount of any loan
34 repayment assistance received pursuant to section 256.232,
35 whether paid to the taxpayer or the lender, not to exceed ten

1 thousand dollars in any tax year.

2 *b.* If the taxpayer has a deduction in computing federal
3 taxable income under section 221 of the Internal Revenue Code
4 for interest on a qualified education loan, the taxpayer shall
5 recompute for purposes of this subsection the amount of the
6 deduction under paragraph "a" by not subtracting any amount of
7 income resulting from the loan repayment assistance received
8 pursuant to section 256.232 that was also deducted by the
9 taxpayer under section 221 of the Internal Revenue Code.

10 *c.* A taxpayer is eligible to receive a deduction pursuant to
11 this subsection for not more than six consecutive tax years in
12 the taxpayer's lifetime.

13 Sec. _____. Section 602.8102, subsection 98, Code 2026, is
14 amended to read as follows:

15 98. Carry out duties relating to trials and judgments as
16 provided in [sections 624.8 624.9 through 624.20](#) and [624.37](#).

17 Sec. _____. Section 602.8105, subsections 1 and 2, Code 2026,
18 are amended to read as follows:

19 1. The clerk of the district court shall collect the
20 following fees:

21 *a.* Except as otherwise provided in [this subsection](#), for
22 filing and docketing a petition, ~~one hundred ninety-five~~ two
23 hundred fifteen dollars. ~~In counties having a population of~~
24 ~~ninety-eight thousand or over, an additional five dollars shall~~
25 ~~be charged and collected to be known as the journal publication~~
26 ~~fee and used for the purposes provided for in [section 618.13](#).~~

27 *b.* For filing and docketing a petition for dissolution
28 of marriage, which includes the docketing of any dissolution
29 decree, ~~two hundred sixty-five~~ eighty-five dollars. ~~It is the~~
30 ~~intent of the general assembly that twenty percent of the funds~~
31 ~~generated from these fees be appropriated and used for sexual~~
32 ~~assault and domestic violence centers and eighty percent of the~~
33 ~~funds generated from these fees be appropriated to the general~~
34 ~~fund of the state.~~

35 *c.* For filing and docketing a petition pursuant to chapter

1 598 other than a dissolution of marriage petition, one hundred
2 ~~ten~~ thirty dollars.

3 *d.* For filing and docketing an application for modification
4 of a dissolution decree to which a written stipulation is
5 attached at the time of filing containing the agreement of the
6 parties to the terms of modification, one hundred ~~ten~~ thirty
7 dollars.

8 *e.* For filing and docketing a petition for adoption pursuant
9 to [chapter 600](#), zero dollars.

10 *f.* For filing and docketing a small claims action, the
11 amounts specified in [section 631.6](#).

12 *g.* For an appeal from a judgment in small claims or for
13 filing and docketing a writ of error, ~~one hundred ninety-five~~
14 two hundred fifteen dollars.

15 *h.* For a motion to show cause in a civil case, ~~sixty~~ eighty
16 dollars.

17 *i.* For filing and docketing a transcript of the judgment in
18 a civil case, ~~sixty~~ eighty dollars.

19 *j.* For filing a tribal judgment, one hundred ~~ten~~ thirty
20 dollars.

21 *k.* For a civil claim for reimbursement under [section 356.7](#),
22 zero dollars.

23 2. The clerk of the district court shall collect the
24 following fees for miscellaneous services:

25 *a.* For filing and entering any other statutory lien, ~~sixty~~
26 eighty dollars.

27 *b.* For a certificate and seal, ~~thirty~~ fifty dollars.
28 However, there shall be no charge for a certificate and seal to
29 an application to procure a pension, bounty, or back pay for a
30 member of the armed services or other person.

31 *c.* For certifying a change in title of real estate, ~~sixty~~
32 eighty dollars.

33 *d.* For filing a praecipe to issue execution under chapter
34 626, ~~thirty-five~~ fifty-five dollars. The fee shall be
35 recoverable by the creditor from the debtor against whom the

1 execution is issued. A fee payable by a political subdivision
2 of the state under this paragraph shall be collected by the
3 clerk of the district court as provided in [section 602.8109](#).
4 However, the fee shall be waived and shall not be collected
5 from a political subdivision of the state if a county attorney
6 or county attorney's designee is collecting a delinquent
7 judgment pursuant to [section 602.8107, subsection 4](#).

8 *e.* For filing a praecipe to issue execution under chapter
9 654, sixty eighty dollars.

10 *f.* For filing a confession of judgment under [chapter 676](#),
11 sixty eighty dollars if the judgment is five thousand dollars
12 or less, and one hundred ~~ten~~ thirty dollars if the judgment
13 exceeds five thousand dollars.

14 *g.* For filing a lis pendens, sixty eighty dollars.

15 *h.* For applicable convictions under [section 692A.110](#) on
16 or after June 25, 2020, a civil penalty of two hundred sixty
17 dollars.

18 *i.* Other fees provided by law.

19 Sec. _____. Section 602.8108, Code 2026, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 12. *a.* The clerk of the district court
22 shall remit to the state court administrator, not later than
23 the fifteenth day of each month, all moneys collected from the
24 filing and miscellaneous fees provided in section 602.8105,
25 subsections 1 and 2, except moneys collected from the sex
26 offender civil penalty in section 602.8105, subsection 2,
27 paragraph "h", shall be remitted and distributed pursuant to
28 subsection 10. The clerk shall report to the state court
29 administrator the total number of fees that were paid, and
30 the number of filing fees that were paid for dissolution of
31 marriage pursuant to section 602.8105, subsection 1, paragraph
32 "b".

33 *b.* The state court administrator shall total the number of
34 fees reported pursuant to paragraph "a" each month and shall
35 calculate the amount equal to twenty dollars multiplied by the

1 number of fees that were paid statewide during that month. The
2 state court administrator shall exclude from the number of
3 fees, fees ordered pursuant to section 602.8105, subsection 2,
4 paragraph "h".

5 c. Of the amount calculated pursuant to paragraph "b", the
6 state court administrator shall deposit fifty percent into the
7 indigent defense fund established in section 815.11.

8 d. The state court administrator shall deposit the remaining
9 fifty percent of the amount calculated pursuant to paragraph "b"
10 each fiscal year in the attorney loan repayment program trust
11 fund established in section 256.232.

12 e. Following the deposits required in paragraphs "c" and
13 "d", the state court administrator shall deposit the remaining
14 filing and miscellaneous fee moneys received under paragraph
15 "a" in the general fund of the state; provided, however, that
16 filing fees paid pursuant to section 602.8105, subsection 1,
17 paragraph "b", for the dissolution of marriage, be appropriated
18 as follows:

19 (1) Through the close of the fiscal year beginning July
20 1, 2026, twenty percent of the moneys generated from these
21 fees are appropriated and shall be used for sexual assault and
22 domestic violence centers and eighty percent of the moneys
23 generated from these fees shall be deposited in the general
24 fund of the state.

25 (2) For the fiscal year beginning July 1, 2027, and for each
26 fiscal year thereafter, twenty percent of the moneys generated
27 from these fees are appropriated and shall be used for the
28 sexual assault forensic examination center grant program
29 established in section 915.47, if enacted by 2026 Iowa Acts,
30 House File 2794, or another 2026 Act of the general assembly,
31 and eighty percent of the moneys generated from these fees
32 shall be deposited in the general fund of the state.

33 Sec. _____. Section 631.6, subsection 1, paragraph a, Code
34 2026, is amended to read as follows:

35 a. Fees for filing and docketing shall be ~~ninety-five~~ one

1 hundred fifteen dollars.

2 Sec. _____. REPEAL. Sections 618.13, 622.93, and 624.8, Code
3 2026, are repealed.

4 Sec. _____. APPLICABILITY. The following apply to fees paid
5 on and after July 1, 2026:

6 1. The section of this division of this Act amending section
7 602.8105.

8 2. The section of this division of this Act amending section
9 602.8108.>

10 _____. Title page, line 2, after <system> by inserting <,
11 providing fees, and including applicability provisions>>

12 9. By renumbering as necessary.

LOHSE of Polk