



HOUSE FILE 2579

AN ACT

RELATING TO DISPOSITION OF AN AWARD OF DAMAGES IN A CONDEMNATION PROCEEDING PENDING APPEAL OF THE AWARD TO DISTRICT COURT AND THE AWARD OF INTEREST EARNED ON THE DAMAGES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 6B.23, Code 2003, is amended to read as follows:

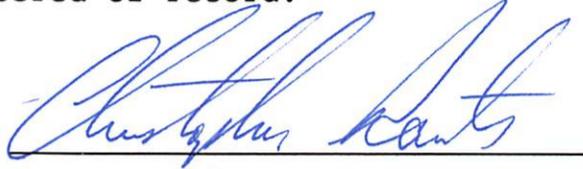
6B.23 QUESTION DETERMINED.

On the trial of the appeal, no judgment shall be rendered except for costs and allocation of interest earned pursuant to section 6B.25, but the amount of damages shall be ascertained and entered of record.

Sec. 2. Section 6B.25, Code 2003, is amended by adding the following new unnumbered paragraph:

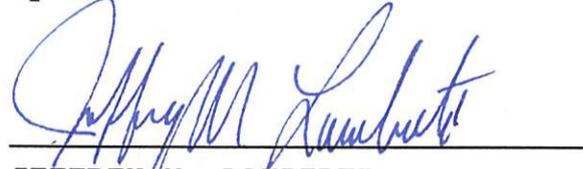
NEW UNNUMBERED PARAGRAPH. If an award of damages is appealed to district court, the amount deposited with the sheriff, if any, less the amount paid by the sheriff to the claimant, shall be transferred to the clerk of district court where the appeal was filed and the clerk shall deposit the money in an interest-bearing account. The district court in its judgment rendered pursuant to section 6B.23 shall award

the interest earned on the account in proportion to the amount of damages ascertained and entered of record.



CHRISTOPHER C. RANTS

Speaker of the House



JEFFREY M. LAMBERTI

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2579, Eightieth General Assembly.



MARGARET THOMSON

Chief Clerk of the House

Approved April 28, 2004



THOMAS J. VILSACK

Governor