



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 30, 2006

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 2775**, an Act relating to the judicial branch including the assessment of court fees and costs.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 2775

AN ACT

RELATING TO THE JUDICIAL BRANCH INCLUDING THE ASSESSMENT OF  
COURT FEES AND COSTS.

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

Section 1. Section 321.20B, subsection 4, paragraph a, subparagraph (2), Code 2005, is amended to read as follows:

(2) Issue a citation to the driver. ~~If a citation is issued, the citation shall be issued under this subparagraph unless the driver has been previously charged and cited for a violation of subsection 1. A citation which is issued and subsequently dismissed shall be disregarded for purposes of determining if the driver has been previously charged and cited.~~

Sec. 2. Section 321.20B, subsection 4, paragraph c, Code 2005, is amended to read as follows:

c. An owner or driver cited for a violation of subsection 1, who produces to the clerk of court prior to the date of the ~~individual's~~ person's court appearance as indicated on the citation proof that financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited, shall not be convicted of such violation and the citation issued shall be dismissed by the court. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 3. Section 321.20B, subsection 5, paragraph b, Code 2005, is amended to read as follows:

b. Issue a citation. An owner or driver who produces to the clerk of court prior to the date of the ~~individual's~~ person's court appearance as indicated on the citation proof that the financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited, or if the driver is not the owner of the motor vehicle, proof that liability coverage was in effect for the driver with

respect to the motor vehicle being driven at the time the driver was stopped and cited in the same manner as if the motor vehicle were owned by the driver, shall be given a receipt indicating that proof was provided, and the citation issued shall be dismissed by the court. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 4. Section 321.174, subsection 3, Code 2005, is amended to read as follows:

3. A licensee shall have the licensee's driver's license in immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a judicial magistrate, district associate judge, district judge, peace officer, or examiner of the department. However, a person charged with violating this subsection shall not be convicted and the citation shall be dismissed by the court if the person produces to the clerk of the district court, prior to the licensee's court date indicated on the citation, a driver's license issued to that person and valid for the vehicle operated at the time of the person's arrest or at the time the person was charged with a violation of this section. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 5. Section 327B.1, subsection 7, Code Supplement 2005, is amended by striking the subsection and inserting in lieu thereof the following:

7. A motor carrier owner or driver charged with failure to have proper evidence of interstate authority shall not be convicted of such violation and the citation shall be dismissed by the court if the person produces to the clerk of court prior to the date of such person's court appearance as indicated on the citation, proof of interstate authority issued to that person and valid at the time the person was charged with the violation under this section. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 6. Section 582.4, Code 2005, is amended to read as follows:

582.4 LIEN BOOK DOCKET -- FEES.

Every clerk of the district court shall, ~~at the expense of the county, provide a suitable well-bound book to be called the~~ maintain a hospital lien docket in which, upon the filing

of any lien claim under the provisions of this chapter, the clerk shall enter the name of the injured person, the date of the accident, and the name of the hospital or other institution making the claim. The clerk shall make a proper index of the same in the name of the injured person and the clerk shall collect a fee ~~of ten dollars~~ in the amount provided for in section 602.8105 for filing each lien claim.

Sec. 7. Section 602.8105, subsection 1, Code Supplement 2005, is amended by adding the following new paragraph:

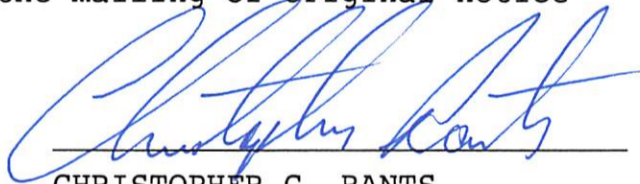
NEW PARAGRAPH. g. For filing and docketing a transcript of the judgment in a civil case, fifty dollars.

Sec. 8. Section 602.8105, subsection 2, paragraph b, Code Supplement 2005, is amended to read as follows:

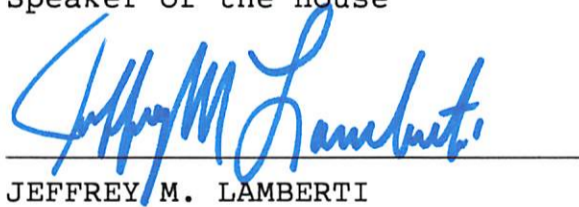
b. For filing and entering ~~an agricultural supply dealer's lien and~~ any other statutory lien, twenty dollars.

Sec. 9. Section 631.6, subsection 1, paragraph c, Code 2005, is amended to read as follows:

c. Postage charged for the mailing of original notice shall be ~~eight~~ ten dollars.



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 2775, Eighty-first General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved May 30, 2006



THOMAS J. VILSACK  
Governor