

House File 579 - Enrolled

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HOUSE FILE 579

AN ACT

RELATING TO JUDICIAL BRANCH PRACTICES AND PROCEDURES, INCLUDING
EXPANDING THE DEFINITION OF A SEAL, INVOLVING THE DUTIES OF
THE CLERK OF THE SUPREME COURT, AND OBTAINING ELECTRONIC
SIGNATURES ON CITATIONS.

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

Section 1. Section 4.1, subsection 28, Code 2007, is
amended to read as follows:

28. SEAL. Where the seal of a court, public office ~~or~~,
~~public officer, or public or private corporation,~~ may be
required to be affixed to any paper, the word "seal" shall
include an impression upon the paper alone, ~~as well as or~~ upon
wax or a wafer affixed ~~thereto to the paper,~~ or an official
ink stamp if a notarial seal. If the seal of a court is
required, the word "seal" may also include a visible
electronic image of the seal on an electronic document.

Sec. 2. Section 602.4301, subsection 2, Code 2007, is
amended to read as follows:

2. The clerk of the supreme court shall have an office at
the seat of government, shall keep a complete record of the
proceedings of the court, and shall not allow an opinion filed
in the office to be removed. Opinions shall be open to
examination and, upon request, may be copied and certified.
The clerk promptly shall announce by ordinary or electronic
mail to one of the attorneys on each side any ruling made or
decision rendered, shall record every opinion rendered as soon
as filed, shall send by ordinary or electronic mail a copy of
each opinion rendered to each attorney of record and to each
party not represented by counsel, and shall perform all other
duties pertaining to the office of clerk.

Sec. 3. Section 805.6, subsection 1, unnumbered paragraph
3, Code 2007, is amended to read as follows:

Notwithstanding other contrary requirements of this
section, a uniform citation and complaint may be originated
from a computerized device. The officer issuing the citation
through a computerized device shall electronically sign and
date the citation or complaint and shall obtain electronically
the signature of the person cited as provided in section 805.3
and shall give two copies of the citation to the person cited
and shall provide a record of the citation to the court where
the person cited is to appear and to the law enforcement
agency of the officer by an electronic process which
accurately reproduces or forms a durable medium for accurately
and legibly reproducing an unaltered image or copy of the
citation.

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 579, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2007

CHESTER J. CULVER
Governor

