



OFFICE OF THE GOVERNOR

CHESTER J. CULVER
GOVERNOR

PATTY JUDGE
LT. GOVERNOR

March 30, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

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.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chester J. Culver".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





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.

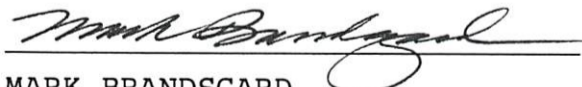
Sec. 3. Section 805.6, subsection 1, unnumbered paragraph 3, Code 2007, is amended to read as follows:

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.

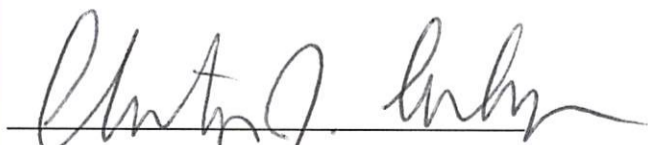

PATRICK J. MURPHY
Speaker of the House


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 March 30th, 2007


CHESTER J. CULYER
Governor