



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 20, 2009

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


Dear Mr. Secretary:

I hereby transmit:

House File 266, an Act relating to recording proceedings before a magistrate.

The above House File is hereby approved this date.

Sincerely,


Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 266

AN ACT

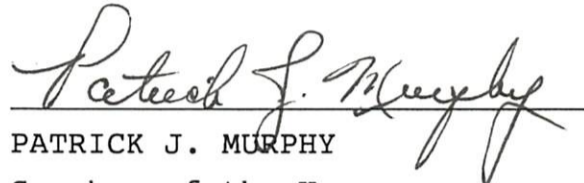
RELATING TO RECORDING PROCEEDINGS BEFORE A MAGISTRATE.


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

Section 1. Section 631.11, subsection 3, Code 2009, is amended to read as follows:


3. RECORD. Upon the trial, the judicial magistrate shall make detailed minutes of the testimony of each witness and append the exhibits or copies thereof to the record. The proceedings upon trial shall not be reported by a certified court reporter, unless the party provides the reporter at such party's expense. ~~The~~ If the proceedings are not reported by a certified court reporter, the ~~magistrate,--in-the-magistrate's discretion,--may~~ shall cause the proceedings upon trial to be ~~reported~~ recorded electronically. ~~--if-the-proceedings-are being-electronically-recorded~~ and both parties shall be notified in advance of that recording. If the proceedings have been ~~reported~~ recorded electronically the recording shall be retained under the jurisdiction of the magistrate unless appealed, and upon appeal shall be transcribed only by a

person designated by the court under the supervision of the magistrate.

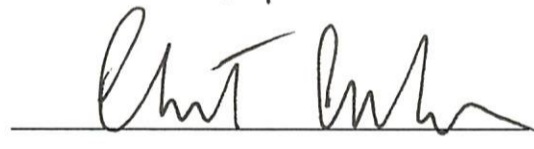

PATRICK J. MURPHY
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 266, Eighty-third General Assembly.


MARK BRANDSGARD
Chief Clerk of the House

Approved April 20th, 2009


CHESTER J. CULVER
Governor