

FEB 10 1971

Judiciary

*Pass per amendment 4/8
Sen. " 4/28, Pass 4/29*

HOUSE FILE

215

By DUNTON

Passed House, Date 4-26-71 Passed Senate, Date 5-11-71

Vote: Ayes 94 Nays 0 Vote: Ayes 42 Nays 0

Approved 5-20-71

A BILL FOR

1 An Act relating to notice of compensation commission appraisal
2 of damages and appeal from the damages award.

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

4 Section 1. Section four hundred seventy-two point eighteen
5 (472.18), Code 1971, is amended by striking the section and
6 inserting in lieu thereof the following:

7 472.18 NOTICE OF APPRAISEMENT - APPEAL OF AWARD. After the
8 appraisement of damages has been delivered to the sheriff by
9 the compensation commission, the sheriff shall give written
10 notice, by ordinary mail, to the condemnor and the condemnee of
11 the date on which the assessment of damages was made, the amount
12 of the assessment, and that any interested party may, within
13 thirty days from the date of the assessment of damages, appeal
14 to the district court. At the time of appeal, the appellant
15 shall give written notice that the appeal has been taken to the
16 adverse party, his agent or attorney, lienholders, and the
17 sheriff.

18 EXPLANATION

19 The bill retains the present provisions of section 472.18
20 which provides that an assessment of damages may be appealed to
21 the district court within 30 days of the assessment of damages,
22 by giving written notice to the adverse party, his agent or
23 attorney, lienholders, and the sheriff.

24 The bill also provides that the sheriff shall give written
25 notice, by ordinary mail, to the interested parties. The notice

1 shall state the date of the assessment of damages, the amount
2 of the award, and that any interested party may appeal the
3 assessment of damages to the district court within 30 days
4 from the date of the assessment of damages.

5 Presently, many persons are unaware of the limitation upon
6 the time in which an appeal may be filed.

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- 1 Amend House File 215 as follows:
2 1. Page 1, by striking the word "assessment" in lines 11,
3 12, and 13, and inserting in lieu thereof the word "appraise-
4 ment".
5 2. Page 1, line 13, by inserting after the first word "of"
6 the words "mailing the notice of".
7 3. Page 1, line 14, by inserting after the word "court."
8 the following: "The sheriff shall endorse the date of
9 mailing of notice upon the original appraisement of
10 damages."
11 4. Page 1, line 16, by inserting after the first comma
12 the word "or".

Filed - *Adopted 4/26*
April 8, 1971

By COMMITTEE ON JUDICIARY
PELTON, Chairman

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