

MAR 12 1987

Place On Calendar

HOUSE FILE 487
BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

Sub for S. F. 352 4/10/87

(Formerly House Study Bill 192)

Passed House, Date 3-17-87 (p. 1260) Passed Senate, Date 4-13-87 (p. 1260)

Vote: Ayes 71 Nays Vote: Ayes 46 Nays 4

Approved April 29, 1987 (p. 1761)

A BILL FOR

1 An Act relating to the payment and collection of the criminal
2 penalty surcharge.

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

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HF 487

1 Section 1. NEW SECTION. 909.8 PAYMENT AND COLLECTION
2 PROVISIONS APPLY TO CRIMINAL PENALTY SURCHARGE.

3 The provisions of this chapter governing the payment and
4 collection of a fine also apply to the payment and collection
5 of a criminal penalty surcharge imposed pursuant to chapter
6 911.

7 Sec. 2. Section 911.2, Code 1987, is amended to read as
8 follows:

9 911.2 SURCHARGE.

10 When a court imposes a fine or forfeiture for a violation
11 of a state law, or of a city or county ordinance except an
12 ordinance regulating the parking of motor vehicles, the court
13 shall assess an additional penalty in the form of a surcharge
14 equal to fifteen percent of the fine or forfeiture imposed.
15 In the event of multiple offenses, the surcharge shall be
16 based upon the total amount of fines or forfeitures imposed
17 for all offenses. When a fine or forfeiture is suspended in
18 whole or in part, the surcharge shall be reduced in proportion
19 to the amount suspended. ~~This section applies only with~~
20 ~~respect to criminal actions commenced on or after July 1,~~
21 ~~1982.~~

22 The surcharge is subject to the provisions of chapter 909
23 governing the payment and collection of fines, as provided in
24 section 909.8.

25 EXPLANATION

26 This bill expressly states that the fifteen percent
27 criminal penalty surcharge imposed pursuant to chapter 911 is
28 subject to the provisions of chapter 909 which govern the
29 payment and collection of fines.

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Open
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SENATE/HOUSE FILE _____
BY (PREFILED DEPARTMENT OF
JUSTICE BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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2 penalty surcharge.
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SUB COMMITTEE ASSIGNMENTS,
CHAIR: *Hanson*
COMMITTEE: *Judiciary*
2/26/87

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23 PARAGRAPH DIVIDED. This section applies only with respect
24 to criminal actions commenced on or after July 1, 1982.

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HOUSE FILE 487

AN ACT
RELATING TO THE PAYMENT AND COLLECTION OF THE CRIMINAL PENALTY
SURCHARGE.

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

Section 1. ~~NEW SECTION.~~ 909.8 PAYMENT AND COLLECTION
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The provisions of this chapter governing the payment and
collection of a fine also apply to the payment and collection
of a criminal penalty surcharge imposed pursuant to chapter
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Sec. 2. Section 911.2, Code 1987, is amended to read as
follows:

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of a state law, or of a city or county ordinance except an
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shall assess an additional penalty in the form of a surcharge
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for all offenses. When a fine or forfeiture is suspended in
whole or in part, the surcharge shall be reduced in proportion
to the amount suspended. ~~This section applies only with
respect to criminal actions commenced on or after July 1,
1982.~~

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 487, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 29, 1987

TERRY E. BRANSTAD
Governor