

FILED FEB 09 1987

SENATE FILE 141

BY COMMITTEE ON TRANSPORTATION

(formerly SSB 35)

*Approved 2/4 (p. 289)*

Passed Senate, Date 2-14-87 (p. 399) Passed House, Date 3-19-87 (p. 695)

Vote: Ayes 48 Nays 0 Vote: Ayes 94 Nays 0

Approved April 2, 1987 (p. 10-14)

A BILL FOR

1 An Act relating to relief under bankruptcy for a judgment debtor  
2 from suspension of license, registration, or nonresident  
3 operating privilege under the motor vehicle financial  
4 responsibility requirements.

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

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SF141

1 Section 1. Section 321A.14, subsection 2, Code 1987, is  
2 amended by striking the subsection.

3 EXPLANATION

4 Section 321A.14 states that a discharge in bankruptcy does  
5 not relieve the judgment debtor of the motor vehicle financial  
6 responsibility provisions in sections 321A.12 to 321A.29. The  
7 provision is no longer being enforced because of its conflict  
8 with the holding of the United States supreme court case of  
9 Perez v. Campbell 91 S.Ct. 1704(1971). In that case, the  
10 court held a similar Arizona law unconstitutional on the  
11 grounds that under the supremacy clause of the United States  
12 Constitution the Arizona law was in conflict with the federal  
13 Bankruptcy Act which provided that receipt of a discharge in  
14 bankruptcy fully discharges all but certain specified  
15 judgments.

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SSB # 35  
Transportation

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SF 41*

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PREFILED OFFICE OF  
CITIZENS' AIDE BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to relief under bankruptcy for a judgment debtor  
2 from suspension of license, registration, or nonresident  
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SUB COMMITTEE ASSIGNMENTS

*Ch. Doyle*  
COMMITTEE: *Transportation*

*1-22-87*

TLSB 1135DF 72

mf/jw/5

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AN ACT

RELATING TO RELIEF UNDER BANKRUPTCY FOR A JUDGMENT DEBTOR FROM  
SUSPENSION OF LICENSE, REGISTRATION, OR NONRESIDENT OPERATING  
PRIVILEGE UNDER THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY  
REQUIREMENTS.

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

Section 1. Section 321A.14, subsection 2, Code 1987, is  
amended by striking the subsection.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 141, Seventy-second General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 2, 1987

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TERRY E. BRANSTAD  
Governor