

FEB 9 1990

Place On Calendar

HOUSE FILE 2364
BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(SUCCESSOR TO HF 2161)

Passed House, Date 2/19/90 (p.446) Passed Senate, Date 3/13/90 (p.1045)
Vote: Ayes 92 Nays 0 Vote: Ayes 45 Nays 2
Approved March 23, 1990

A BILL FOR

1 An Act relating to increasing the penalty for failure to file a
2 release and satisfaction when a judgment is paid in full.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2364

1 Section 1. Section 624.37, Code 1989, is amended to read
2 as follows:

3 624.37 SATISFACTION OF JUDGMENT -- PENALTY.

4 When the amount due upon judgment is paid off, or satisfied
5 in full, the party entitled to the proceeds thereof, or those
6 acting for that party, must acknowledge satisfaction thereof
7 upon the record of such judgment, or by the execution of an
8 instrument referring to it, duly acknowledged and filed in the
9 office of the clerk in every county wherein the judgment is a
10 lien. A failure to do so ~~for~~ within thirty days after having
11 been requested in writing shall subject the delinquent party
12 to a penalty of fifty one hundred dollars plus reasonable
13 attorney fees incurred by the party aggrieved, to be recovered
14 in an action ~~therefor~~ for the satisfaction or acknowledgment
15 by the party aggrieved.

16 EXPLANATION

17 This bill increases the penalty for a party who fails to
18 file a release and satisfaction when a judgment is paid in
19 full from \$50 to \$100 plus reasonable attorney fees incurred
20 by the party aggrieved.

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HOUSE FILE 2365

S-5494

1 Amend House File 2365, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 15 through 18 and
4 inserting the following:

5 "A person shall not initiate the unsolicited
6 transmission of telefacsimile messages promoting goods
7 or services for purchase by the recipient of such
8 messages, nor shall a person initiate any
9 telefacsimile message to a recipient who has
10 previously sent a written or telefacsimile message to
11 the person clearly indicating that the recipient does
12 not want to receive such transmissions from the
13 person. For purposes of this section, "telefacsimile"
14 shall mean every process in which electronic signals
15 are transmitted by telephone lines for conversion into
16 written text or other print. This section does not
17 apply to telefacsimile messages sent to a recipient
18 with whom the initiator has had a prior contractual or
19 business relationship nor shall it apply to
20 transmissions not exceeding five pages received by a
21 recipient between the hours of 9:00 p.m. and 6:00 a.m.
22 local time."

23 2. Page 1, line 23, by striking the word "two"
24 and inserting the following: "one".

25 3. Page 1, line 29, by inserting after the word
26 "harm." the following: "This paragraph includes the
27 transmission by facsimile of obscene material as
28 defined in section 728.1."

By MARK R. HAGERLA

S-5494 FILED MARCH 14, 1990

in an action therefor for the satisfaction or acknowledgment
by the party aggrieved.

HOUSE FILE 2364

AN ACT

RELATING TO INCREASING THE PENALTY FOR FAILURE TO FILE A
RELEASE AND SATISFACTION WHEN A JUDGMENT IS PAID IN FULL.

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

Section 1. Section 624.37, Code 1989, is amended to read
as follows:

624.37 SATISFACTION OF JUDGMENT -- PENALTY.

When the amount due upon judgment is paid off, or satisfied
in full, the party entitled to the proceeds thereof, or those
acting for that party, must acknowledge satisfaction thereof
upon the record of such judgment, or by the execution of an
instrument referring to it, duly acknowledged and filed in the
office of the clerk in every county wherein the judgment is a
lien. A failure to do so for within thirty days after having
been requested in writing shall subject the delinquent party
to a penalty of fifty one hundred dollars plus reasonable
attorney fees incurred by the party aggrieved, to be recovered

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 2364, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 23, 1990

TERRY E. BRANSTAD
Governor