

for Judiciary of the Debates 4/2/91 (p. 1159)

MAR 22 1991

Print On Calendar

HOUSE FILE 598

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(SUCCESSOR TO HSB 299)

Passed House, Date 4/1/91 (p. 982) Passed Senate, Date 4/12/91 (p. 1281)

Vote: Ayes 85 Nays 0 Vote: Ayes 48 Nays 0

Approved April 23, 1991 (p. 1473)

A BILL FOR

1 An Act relating to the payment of certain court filing fees by
2 the United States.

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

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HF 598

1 Section 1. Section 602.8105, subsection 1, paragraph s,
2 Code 1991, is amended to read as follows:

3 s. For filing and docketing a transcript of judgment from
4 another county, two dollars. However, transcripts of
5 judgments submitted by the United States shall be docketed
6 without payment of the fee at the time of filing, and the fee
7 shall be paid by the judgment debtor at the time of filing the
8 satisfaction of judgment.

9 EXPLANATION

10 The bill provides that the United States is not required to
11 pay the \$2.00 fee for filing and docketing a transcript of
12 judgment from another county at the time of filing. Rather,
13 the fee shall be paid by the judgment debtor at the time of
14 filing the satisfaction of judgment, thus absolving the
15 federal government from paying the fee in advance and later
16 receiving reimbursement from the clerk of the district court.

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HOUSE FILE 598
FISCAL NOTE

REQ. BY SENATOR DELUHERY

A fiscal note for House File 598 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 598 provides that the United States government shall not have to pay the \$2.00 fee for filing and docketing a transcript of judgement from another county at the time of filing. Rather, the fee shall be paid by the judgement debtor at the time of filing the statement of satisfaction of judgement, thus absolving the federal government from paying the fee in advance and later receiving reimbursement from the clerk of the District Court.

FISCAL EFFECT: The net effect of this bill would be no or minimal cost to the General Fund and result in less work for the Courts in registering payment of the fee and then refunding payment. However, if the debtor fails to satisfy the judgement then the filing fee would not be collected. It is impossible to determine an expected default rate in cases in which the federal government is the payee, however it is likely to be an infrequent occurrence.

(SOURCE: Judicial Department)

(LSB 2719hv, DPW)

LED APRIL 10, 1991

BY DENNIS PROUTY, FISCAL DIRECTOR

Hansen-Chair, Peterson of Carroll, Hibbard
Millage, McNeal **HSB 299**

Judiciary & Law Enforcement
HOUSE FILE 578
BY (PROPOSED COMMITTEE ON
JUDICIARY AND LAW ENFORCEMENT
BILL BY CHAIRPERSON JAY)

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

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ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 598, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *April 23*, 1991

TERRY E. BRANSTAD
Governor

HOUSE FILE 598

AN ACT

RELATING TO THE PAYMENT OF CERTAIN COURT FILING FEES BY THE UNITED STATES.

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

Section 1. Section 602.8105, subsection 1, paragraph s, Code 1991, is amended to read as follows:

s. For filing and docketing a transcript of judgment from another county, two dollars. However, transcripts of judgments submitted by the United States shall be docketed without payment of the fee at the time of filing, and the fee