

... House 4/30/91 (S. 1915) Passed Senate 5/1/91 (S. 1577)

APR 22 1991

HOUSE FILE 697
BY COMMITTEE ON WAYS AND MEANS

WAYS & MEANS CALENDAR

(SUCCESSOR TO HSB 325)

Passed House, Date 4/30/91 (S. 1915) Passed Senate, Date 5/2/91 (S. 1617)

Vote: Ayes 95 Nays 3 Vote: Ayes 48 Nays 0

Approved May 21, 1991

Referred House & amended by Senate

5/6/91 (S. 211)

RS - 3

A BILL FOR

1 An Act relating to the collection of delinquent criminal fines by
2 counties.

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

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HF 697

1 Section 1. NEW SECTION. 909.9 COLLECTION OF DELINQUENT
2 FINES.

3 A fine remaining unpaid after six months from the date the
4 fine was imposed may be collected in accordance with section
5 331.756 by the county attorney of the county in which the
6 person subject to the fine resided at the time of the
7 imposition of the fine. Of the amount collected, sixty-five
8 percent shall be remitted to the treasurer of state for
9 deposit and disposition as otherwise provided by law. The
10 remaining thirty-five percent shall be retained by the county
11 and deposited in the general fund of the county,
12 notwithstanding the disposition provisions of sections
13 602.8106 and 911.3.

14 EXPLANATION

15 This bill allows counties to collect criminal fines and
16 surcharges, remaining delinquent after six months from the
17 date of imposition, through the county attorney's office.
18 Sixty-five percent of the amount collected will be remitted to
19 the state for disposition as otherwise provided by law and 35
20 percent will be retained by the county and deposited in the
21 county general fund.

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HOUSE FILE 697

S-3679

1 Amend House File 697, as passed by the House, as
2 follows:

3 1. Page 1, line 2, by inserting after the word
4 "FINES" the following: "AND COURT COSTS".

5 2. Page 1, line 3, by inserting after the word
6 "fine" the following: "or court costs".

7 3. Page 1, line 4, by striking the word "was" and
8 inserting the following: "or court costs were".

9 4. Page 1, lines 5 through 7, by striking the
10 words "of the county in which the person subject to
11 the fine resided at the time of the imposition of the
12 fine".

13 5. Page 1, line 7, by inserting after the word
14 "collected," the following: "after payment of court
15 costs,".

16 6. Title page, line 1, by inserting after the
17 word "fines" the following: "and court costs".

By RICHARD F. DRAKE

LARRY MURPHY

H. KAY HEDGE

EMIL J. HUSAK

S-3679 FILED MAY 2, 1991

ADOPTED *(p 1614)*

SENATE AMENDMENT TO HOUSE FILE 697

H-4051

1 Amend House File 697, as passed by the House, as
2 follows:

3 1. Page 1, line 2, by inserting after the word
4 "FINES" the following: "AND COURT COSTS".

5 2. Page 1, line 3, by inserting after the word
6 "fine" the following: "or court costs".

7 3. Page 1, line 4, by striking the word "was" and
8 inserting the following: "or court costs were".

9 4. Page 1, lines 5 through 7, by striking the
10 words "of the county in which the person subject to
11 the fine resided at the time of the imposition of the
12 fine".

13 5. Page 1, line 7, by inserting after the word
14 "collected," the following: "after payment of court
15 costs,".

16 6. Title page, line 1, by inserting after the
17 word "fines" the following: "and court costs".

RECEIVED FROM THE SENATE

H-4051 FILED MAY 3, 1991

Hansen concurred 5/6/91 (p 211)

HOUSE FILE 697
FISCAL NOTE

A fiscal note for House File 697 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 697 allows counties to collect criminal fines and surcharges, remaining delinquent after 6 months from the date of imposition, through the county attorney's office. Sixty-five percent of the amount collected will be remitted to the State for disposition as otherwise provided by law and 35% will be retained by the county and deposited in the county general fund.

FISCAL EFFECT: Based on the 1989 report on uncollected fines (\$8,328,443) and an estimation that 40% would be collectable, the receipts to the General Fund would increase by \$2.17 million and counties would receive \$1.17 million.

(Source: Judicial Department)

(LSB 1774hv, DPW)

FILED APRIL 29, 1991

BY DENNIS PROUTY, FISCAL DIRECTOR

*Sinford, ch.
Holbeck
Tuckman*

HSB 325

WAYS AND MEANS

HOUSE FILE 697
BY (PROPOSED COMMITTEE ON WAYS
AND MEANS BILL BY CHAIRPERSON
GRONINGA)

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

A BILL FOR

1 An Act relating to the collection of delinquent criminal fines by
2 counties.

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

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1 Section 1. NEW SECTION. 909.9 COLLECTION OF DELINQUENT
2 FINES.

3 A fine remaining unpaid after six months from the date the
4 fine was imposed may be collected in accordance with section
5 331.756 by the county attorney of the county in which the
6 person subject to the fine resided at the time of the
7 imposition of the fine. Of the amount collected, sixty-five
8 percent shall be remitted to the treasurer of state for
9 deposit and disposition as otherwise provided by law. The
10 remaining thirty-five percent shall be retained by the county
11 and deposited in the general fund of the county,
12 notwithstanding the disposition provisions of sections
13 602.8106 and 911.3.

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EXPLANATION

15 This bill allows counties to collect criminal fines and
16 surcharges, remaining delinquent after six months from the
17 date of imposition, through the county attorney's office.
18 Sixty-five percent of the amount collected will be remitted to
19 the state for disposition as otherwise provided by law and 35
20 percent will be retained by the county and deposited in the
21 county general fund.

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the county and deposited in the general fund of the county,
notwithstanding the disposition provisions of sections
602.8106 and 911.3.

ROBERT C. ARNOULD
Speaker of the House

HOUSE FILE 697

AN ACT
RELATING TO THE COLLECTION OF DELINQUENT CRIMINAL FINES AND
COURT COSTS BY COUNTIES.

JOE J. WELSH
President of the Senate

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

I hereby certify that this bill originated in the House and
is known as House File 697, Seventy-fourth General Assembly.

Section 1. NEW SECTION. 909.9 COLLECTION OF DELINQUENT
FINES AND COURT COSTS.

A fine or court costs remaining unpaid after six months
from the date the fine or court costs were imposed may be
collected in accordance with section 331.756 by the county
attorney. Of the amount collected, after payment of court
costs, sixty-five percent shall be remitted to the treasurer
of state for deposit and disposition as otherwise provided by
law. The remaining thirty-five percent shall be retained by

JOSEPH O'HERN
Chief Clerk of the House

Approved *May 21*, 1991

TERRY E. BRANSTAD
Governor

HF 697