

APR 4 1996  
WAYS & MEANS CALENDAR

HOUSE FILE 2494  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2198)

Passed House, <sup>(P. 1579)</sup> Date 4-11-96 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 64 Nays 30 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act authorizing counties to impose additional civil court fees  
2 for use for county courthouse libraries.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 2494

H-5886

- 1 Amend House File 2494 as follows:
- 2 1. Page 1, by inserting after line 21 the
- 3 following:
- 4 "Sec. \_\_\_\_ . EFFECTIVE DATE. This Act, being deemed
- 5 of immediate importance, takes effect upon enactment."
- 6 2. Title page, line 2, by inserting after the
- 7 word "libraries" the following: "and providing an
- 8 effective date".
- 9 3. By renumbering as necessary.

By MILLAGE of Scott

H-5886 FILED APRIL 9, 1996  
*adopted 4-11-96 (P. 1579)*

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HF 2494

1 Section 1. NEW SECTION. 331.426A COURTHOUSE LIBRARY  
2 FEES.

3 1. The board, by ordinance or resolution, may impose a  
4 courthouse library fee, in addition to the fees authorized  
5 pursuant to section 602.8105, subsection 1, as provided by  
6 this section. The fees shall be imposed by the clerk of the  
7 district court located in the county that authorizes the fees.

8 2. The board may impose a courthouse library fee of no  
9 more than fifteen dollars as an additional fee to the fees  
10 authorized in section 602.8105, subsection 1, paragraphs "a",  
11 "b", "c", and "f". The board may also impose a courthouse  
12 library fee of no more than five dollars as an additional fee  
13 to the fees authorized in section 602.8105, subsection 1,  
14 paragraphs "d" and "e". No additional fee shall be imposed in  
15 an action concerned with domestic abuse.

16 3. Notwithstanding the provisions of section 602.1305, the  
17 courthouse library fees collected by the clerk of the district  
18 court shall be distributed to the treasurer of the county in  
19 which the district court that imposed the fees is located and  
20 deposited in a fund to be used for the benefit of the  
21 courthouse library.

22 EXPLANATION

23 This bill provides that a county may impose an additional  
24 fee in civil cases brought to court in that county to be used  
25 for the county courthouse library. The bill provides that the  
26 fee cannot exceed \$15 except that no additional fee can be  
27 collected in domestic abuse cases and the fee is limited to \$5  
28 in small claims actions.

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**HOUSE FILE 2494  
FISCAL NOTE**

A fiscal note for House File 2494 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 2494 provides that a county may impose an additional fee in civil cases to be used for the county courthouse library. The Bill provides that the fee cannot exceed \$15, with no additional fees for domestic abuse cases, and the fee cannot exceed \$5 for small claims actions.

**ASSUMPTIONS**

1. For FY 1995, there were 62,899 civil filings and 10,000 marriage license applications. The Bill will allow counties to impose an additional fee of up to \$15 for these civil filings.
2. For FY 1995, there were 78,087 small claims filings and 606 small claims appeals. The Bill will allow the counties to impose an additional fee of up to \$5 for these filings.
3. The Judicial Department will perform a one-time software modification to the Iowa Court Information System (ICIS) to handle the accounting and distribution transactions of the Bill.
4. The clerk of court offices, not on the ICIS network, will need to manually perform the accounting and distribution transactions of the Bill. The ICIS network will be expanded to all clerk of court offices by the end of FY 1997.

**FISCAL IMPACT**

If counties impose the maximum amount of additional fees allowed by House File 2494, they will receive an estimated \$1,487,000 in new revenue in FY 1997 and in FY 1998. In FY 1997, the Judicial Department will expend an estimated \$35,000 to handle the accounting and distribution transactions. The breakdown of revenue and expenditures is provided below:

(dollars in thousands)

	Fiscal Year 1997			Fiscal Year 1998		
	Current Law	Proposed Law	Increase (Decrease)	Current Law	Proposed Law	Increase (Decrease)
<b>REVENUE</b>						
General Fund \$	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0
County Funds	0	1,487	1,487	0	1,487	1,487
Total \$	0	1,487	1,487	0	1,487	1,487
<b>EXPENDITURES</b>						
Salaries (FTE's)	0	0	0	0	0	0

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Support		<u>0</u>		<u>35</u>		<u>35</u>		<u>0</u>		<u>0</u>		<u>0</u>
Total	\$	<u>0</u>	\$	<u>35</u>	\$	<u>35</u>	\$	<u>0</u>	\$	<u>0</u>	\$	<u>0</u>
NET IMPACT	\$	<u>0</u>	\$	<u>1,452</u>	\$	<u>1,452</u>	\$	<u>0</u>	\$	<u>1,487</u>	\$	<u>1,487</u>

SOURCES

Judicial Department

(LSB 3787hv, PQP)

FILED APRIL 9, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

5-4/12/96 Ways & Means

HOUSE FILE 2494  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2198)

(As Amended and Passed by the House, April 11, 1996)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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House Amendments \_\_\_\_\_

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