

MAR 2 1999

JUDICIARY

HOUSE FILE

453

BY BELL

WITHDRAWN

3/29/99 (P.910)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act concerning the imposition of a drug abuse resistance
2 education surcharge for criminal alcohol beverage control
3 offenses.

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

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HF 453

1 Section 1. Section 911.2, Code 1999, is amended to read as
2 follows:

3 911.2 SURCHARGE.

4 When a court imposes a fine or forfeiture for a violation
5 of a state law, or of a city or county ordinance except an
6 ordinance regulating the parking of motor vehicles, the court
7 shall assess an additional penalty in the form of a surcharge
8 equal to thirty percent of the fine or forfeiture imposed. An
9 additional drug abuse resistance education surcharge of five
10 dollars shall be assessed by the clerk of the district court
11 if the violation arose out of a violation of an offense
12 provided for in chapter 123, chapter 321J, or chapter 124,
13 division IV. In the event of multiple offenses, the surcharge
14 shall be based upon the total amount of fines or forfeitures
15 imposed for all offenses. When a fine or forfeiture is
16 suspended in whole or in part, the surcharge shall be reduced
17 in proportion to the amount suspended.

18 The surcharge is subject to the provisions of chapter 909
19 governing the payment and collection of fines, as provided in
20 section 909.8.

21 EXPLANATION

22 This bill imposes the \$5 drug abuse resistance education
23 surcharge on violations arising out of an offense provided for
24 in Code chapter 123. Code chapter 123 governs alcoholic
25 beverages and includes offenses such as public intoxication,
26 consumption of alcohol by persons between the ages of 18 and
27 21, and sale of alcohol to minors.

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**HOUSE FILE 453
FISCAL NOTE**

A fiscal note for House File 453 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 453 applies the \$5.00 Drug Abuse Resistance Education (D.A.R.E.) Surcharge to offenses covered by Chapter 123, Code of Iowa, which governs offenses involving alcoholic beverages.

ASSUMPTIONS

1. There are approximately 7,700 offenses annually which will be assessed the Surcharge.
2. The Judicial Branch has a collection rate of 60.0% for the Surcharge.

FISCAL IMPACT

House File 453 will generate approximately \$23,000 for the Drug Abuse Resistance Education (D.A.R.E.) Program for FY 2000 and each year thereafter.

SOURCE

Criminal and Juvenile Justice Planning Division, Department of Human Rights

(LSB 1979hh, MDF)

FILED MARCH 11, 1999

BY DENNIS PROUTY, FISCAL DIRECTOR