

# House Study Bill 693

## Bill Text

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1 1 Section 1. Section [17A.19](#), subsection 5, Code 2001, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. e. A stay or other temporary remedy  
1 4 granted under this subsection may be continued by the agency  
1 5 or the court during the pendency of an appeal taken pursuant  
1 6 to section 17A.20.

1 7 Sec. 2. Section [17A.20](#), Code 2001, is amended to read as  
1 8 follows:

1 9 17A.20 APPEALS.

1 10 An aggrieved or adversely affected party to the judicial  
1 11 review proceeding may obtain a review of any final judgment of  
1 12 the district court under this chapter by appeal. The appeal  
1 13 shall be taken as in other civil cases, although the appeal  
1 14 may be taken regardless of the amount involved. During the  
1 15 pendency of the appeal, the court may continue a stay or other  
1 16 temporary remedy granted under section 17A.19, subsection 5,  
1 17 or, unless precluded by law, the court may grant a stay on  
1 18 appropriate terms or other temporary remedies after a  
1 19 consideration and balancing of all of the factors provided in  
1 20 section 17A.19, subsection 5, paragraph "c".

1 21 EXPLANATION

1 22 This bill relates to the continuance of stays or other  
1 23 temporary remedies during the pendency of appeals of final  
1 24 judgments of judicial review proceedings.

1 25 The bill provides that a stay or other temporary remedy  
1 26 granted during a judicial review proceeding under the Iowa  
1 27 administrative procedure Act may be continued by the agency or  
1 28 the court during the pendency of an appeal of the final  
1 29 judgment. The bill provides that the appellate court may  
1 30 grant a stay or other temporary remedies after consideration  
1 31 and balancing of certain criteria.

1 32 LSB 6782HC 79

1 33 tm/cls/14