

MAR 11 2003
JUDICIARY

HOUSE FILE 501
BY COHOON

(COMPANION TO LSB 2465SS
BY COURTNEY)

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

A BILL FOR

1 An Act relating to courthouse security, and providing for a fee.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 501

1 Section 1. NEW SECTION. 356.7A COURTHOUSE SECURITY --
2 DISTRIBUTION OF FUNDS.

3 The county board of supervisors may adopt an ordinance
4 establishing a courthouse security fee not to exceed fifteen
5 dollars to be assessed in civil and criminal proceedings
6 pursuant to sections 602.8105 and 602.8106. All courthouse
7 security moneys collected by the clerk of the district court
8 pursuant to section 602.8105 or 602.8106 shall be deposited
9 into the county general fund and the moneys shall be used for
10 courthouse security purposes including equipment purchasing,
11 maintenance, depreciation, personnel costs, training, and
12 remodeling.

13 Sec. 2. Section 602.8105, subsection 1, Code 2003, is
14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. g. For a first pleading by a party in a
16 civil or small claims case, a courthouse security fee, if
17 authorized, up to fifteen dollars as provided in section
18 356.7A. A county, municipality, or the state shall not be
19 assessed the courthouse security fee.

20 Sec. 3. Section 602.8106, subsection 1, Code 2003, is
21 amended by adding the following new paragraph:

22 NEW PARAGRAPH. g. For a courthouse security fee, up to
23 fifteen dollars, if authorized. A courthouse security fee
24 shall be assessed as provided in section 356.7A. A courthouse
25 security fee shall not be collected if the offense is a
26 scheduled violation that does not require a court appearance.
27 A county, municipality, or the state shall not be assessed the
28 courthouse security fee.

29 Sec. 4. Section 602.8107, subsection 2, paragraph d, Code
30 2003, is amended to read as follows:

31 d. Court costs, including correctional fees assessed
32 pursuant to sections 356.7 and 904.108, court-appointed
33 attorney fees, courthouse security fees pursuant to section
34 356.7A, or public defender expenses.

35 Sec. 5. Section 602.8108, subsection 2, Code 2003, is

1 amended to read as follows:

2 2. Except as otherwise provided, the clerk of the district
3 court shall report and submit to the state court
4 administrator, not later than the fifteenth day of each month,
5 the fines and fees received during the preceding calendar
6 month. Except as provided in subsections 4, and 5, and 7, the
7 state court administrator shall deposit the amounts received
8 with the treasurer of state for deposit in the general fund of
9 the state. The state court administrator shall report to the
10 legislative fiscal bureau within thirty days of the beginning
11 of each fiscal quarter the amount received during the previous
12 quarter in the account established under this section.

13 Sec. 6. Section 602.8108, Code 2003, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 7. The clerk of the district court shall
16 deposit all courthouse security fees collected into the county
17 general fund in the county where the case is being heard or
18 where the offense occurred and the funds shall be used as
19 provided in section 356.7A.

20 EXPLANATION

21 This bill relates to courthouse security and provides for a
22 fee.

23 The bill provides that a county board of supervisors may
24 adopt an ordinance assessing a courthouse security fee in
25 criminal and civil proceedings, not to exceed \$15. In civil
26 proceedings under the bill, each party in a civil or small
27 claims case shall be assessed a courthouse security fee if an
28 ordinance has been adopted. In criminal proceedings under the
29 bill, the defendant shall be assessed the courthouse security
30 fee if an ordinance has been adopted. The bill provides that
31 a scheduled violation which does not require a court
32 appearance shall not be assessed a courthouse security fee.
33 The bill also provides that a county, municipality, or the
34 state shall not be assessed the fee.

35 The bill provides that the clerk of the district court

1 shall deposit the courthouse security fee into the county
2 general fund in the county where the case is being heard or
3 where the criminal offense occurred. The bill provides that
4 the moneys related to the courthouse security fee deposited
5 into the county general fund shall be used by the county for
6 courthouse security equipment purchasing, maintenance,
7 depreciation, personnel costs, training, and remodeling.

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