

MAR 14 2003
Place On Calendar

HOUSE FILE 585
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 140)

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

A BILL FOR

1 An Act relating to maintaining a magistrate court in a city other
2 than the county seat.

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

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HF 585

1 Section 1. Section 602.6105, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 2A. The court shall maintain a magistrate
4 court in a city that is not the county seat if a magistrate
5 court existed in that city as of July 1, 2001.

6 Sec. 2. Section 602.6401, subsection 2, Code 2003, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. f. The existence of a city in the county
9 other than the county seat that maintained a magistrate court
10 as of July 1, 2001.

11 EXPLANATION

12 This bill relates to maintaining a magistrate court in a
13 city other than the county seat.

14 The bill provides that a magistrate court shall be
15 maintained in a city other than the county seat if a
16 magistrate court existed in that city as of July 1, 2001.

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25 HOUSE FILE 585

26 H-1081

27 1 Amend House File 585 as follows:

28 2 1. Page 1, line 5, by striking the figure "2001."
29 3 and inserting the following: "2001, and if the city
30 4 requests a magistrate. Any additional costs to the
31 5 judicial branch for maintaining a magistrate in the
32 6 city other than the county seat shall be paid by the
33 7 city requesting the magistrate."

By EICHHORN of Hamilton

34 H-1081 FILED MARCH 18, 2003

35 *Adopted 3/20/03*

HOUSE FILE 585
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 140)

(As Amended and Passed by the House March 20, 2003)

Passed House, Date Passed 3/20/03 Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to maintaining a magistrate court in a city other
2 than the county seat.

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

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House Amendments _____

HF 585

1 Section 1. Section 602.6105, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 2A. The court shall maintain a magistrate
4 court in a city that is not the county seat if a magistrate
5 court existed in that city as of July 1, 2001, and if the city
6 requests a magistrate. Any additional costs to the judicial
7 branch for maintaining a magistrate in the city other than the
8 county seat shall be paid by the city requesting the
9 magistrate.

10 Sec. 2. Section 602.6401, subsection 2, Code 2003, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. f. The existence of a city in the county
13 other than the county seat that maintained a magistrate court
14 as of July 1, 2001.

15 HOUSE FILE 585

16 S-3174

17 1 Amend House File 585, as amended, passed, and
18 2 reprinted by the House, as follows:
19 3 1. Page 1, by striking lines 1 through 14, and
20 4 inserting the following:
21 5 "Section 1. Section 602.6105, subsection 3, Code
22 6 2003, is amended to read as follows:
23 7 3. a. The chief judge of a judicial district
24 8 shall designate times and places for magistrates to
25 9 hold court to ensure accessibility of magistrates at
26 10 all times throughout the district. The schedule of
27 11 times and places of availability of magistrates and
28 12 any schedule changes shall be disseminated by the
29 13 chief judge to the peace officers within the district.
30 14 b. The chief judge of a judicial district shall
31 15 schedule a magistrate to hold court in a city other
32 16 than the county seat if magistrate court was regularly
33 17 scheduled in that city prior to July 1, 2001, and if
34 18 the city requests the chief judge to schedule
35 19 magistrate court. In addition to paying the costs in
20 section 602.1303, subsection 1, the city requesting
21 the magistrate court shall pay any other costs
22 incurred by the judicial branch for holding magistrate
23 court in the city."

By COMMITTEE ON JUDICIARY
DONALD B. REDFERN, CHAIRP

S-3174 FILED APRIL 8, 2003