SENATE/HOUSE FILE
BY (PROPOSED JUDICIAL

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D	and Courts Date	Danad	TT	D-4-
Pas Vot	ssed Senate, Date te: Ayes Nays	Passed Vote:	House, Ayes	Date Nays
	Approved			
		A BILL	FOR	
	district court and the judicial	and dut l branch	ties of n, and p	the clerk of the roviding for a
BE TLS	IT ENACTED BY THE GENERAL ASSEN	MBLY OF	THE STA	TE OF IOWA:
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			.OII I, C	ode supprement
3				
4 5	government except as otherwise	provide	or other	w.
6	Sec. 2. Section 321.174, st	ubsectio	on 3, Co	de 2003, is
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10	vehicle and shall display the s	same, u	oon dema	nd of a judicial
11	magistrate, district associate	judge,	district	t judge, peace
14	if the person produces in court	t, withi	n a rea	sonable time, <u>to</u>
15	the clerk of the district court	t, prio	to the	licensee's court
17	that person and valid for the	<u>,</u> a driv vehicle	operate	d at the time of
18	the person's arrest or at the	time the	e person	was charged with
		abaaa+	on 0 n	amagnaph a Cada
22	a. The enhanced court colle	ections	fund is	created in the
23	state treasury under the author	rity of	the sup	reme court. The
26	balance of the general fund of	the sta	ate. No	twithstanding
27	section 8.33, moneys in the fun	nd shall	l not re	vert to the
29	moneys deposited into the fund	in a f	iscal ve	ar would exceed
30	the maximum annual deposit amou	ınt esta	blished	for the
31	collections fund by the general	l assemb	oly. The	e initial maximum
33	dollars. Notwithstanding secti	ion 12C.	7. subse	ection 2.
34	interest or earnings on moneys	in the	collect	ions fund shall
	remain in the collections fund	and any	/ intere	st and earnings
	amended to read as follows:			
7	clerk is responsible for the ac	cts of t	these em	ployees. Each
	tirst deputy The clerk shall de	<u>esignate</u> d in ch	e one or	more employees
10	Sec. 5. Section 602.8102, s	subsecti	lons 13	and 57, Code
	Supplement 2003, are amended by	y striki	ing the	subsections.
				aragraph j, Code
				agraph i, Code
	2003, is amended to read as followers	llows:		
	i. For certifying change of	I title	• • • • • • •	20.00
18	Sec. 8. Section 635.7, Code	e Supple	ement 20	
19	read as follows:			
		== EXCI	SS VALU	E AND
		or is re	equired	to file the
	An BE TLS 1 2 3 4 4 5 6 7 8 9 10 11 2 13 14 15 16 17 8 19 20 21 2 23 24 25 26 27 28 29 31 32 33 34 35 1 2 3 34 15 6 6 7 8 9 10 11 2 13 14 15 16 17 8 19 20	An Act relating to the procedures district court and the judicia fee. BE IT ENACTED BY THE GENERAL ASSET TLSB 5284DP 80 jm/sh/8 LIN 1 Section 1. Section 305.2, 2 2003, is amended to read as fo 3 1. "Agency" means any exec 4 department, office, commission, 5 government except as otherwise 6 Sec. 2. Section 321.174, so 7 amended to read as follows: 8 3. A licensee shall have to 9 in immediate possession at all 10 vehicle and shall display the 11 magistrate, district associate 12 officer, or examiner of the depth of the depth of the district cour 15 the clerk of the district cour 16 date indicated on the citation 17 that person and valid for the 18 the person's arrest or at the 19 a violation of this section. 20 Sec. 3. Section 602.1304, 21 Supplement 2003, is amended to 2. The enhanced court coll 23 state treasury under the author 24 fund shall be separate from th 25 the balance in the fund shall 26 balance of the general fund of 27 section 8.33, moneys in the fund 52 moneys deposited into the fund 30 the maximum annual deposit amount collections fund by the general 32 annual deposit amount for a fis 33 dollars. Notwithstanding sect: 4 interest or earnings on moneys 35 remain in the collections fund 1 shall be in addition to the ma 2 Sec. 4. Section 602.8101, 3 amended to read as follows: 4 3. The clerk may employ desitaff when authorized under se 6 authorized by the chief judge 7 clerk is responsible for the a 6 first deputy The clerk shall design who shall give bond as provide 7 clerk is responsible for the a 6 first deputy The clerk shall design who shall give bond as provide 7 clerk is responsible for the a 6 first deputy The clerk shall design of 602.8102, 13 2003, is amended by striking the 12 Sec. 6. Section 602.8102, 13 2003, is amended to read as follows: 6 635.7 REPORT AND INVENTORY 21 TERMINATION.	Passed Senate, Date Nays Passed Vote: Ayes Approved Vote: Approved Approved Vote: Approved Approved Approved Vote: A BILL An Act relating to the procedures and dudistrict court and the judicial branch fee. BE IT ENACTED BY THE GENERAL ASSEMBLY OF TLSB 5284DP 80 jm/sh/8 LIN 1 Section 1. Section 305.2, subsection 305.3, is amended to read as follows: 3 1. "Agency" means any executive of department, office, commission, board, government except as otherwise provide Sec. 2. Section 321.174, subsection 3 amended to read as follows: 8 3. A licensee shall have the licer in immediate possession at all times to venicle and shall display the same, up 11 magistrate, district associate judge, officer, or examiner of the department 3 charged with violating this subsection 14 if the person produces in court, within 5 the clerk of the district court, prior 16 date indicated on the citation. a drivent 17 that person and valid for the vehicle 18 the person's arrest or at the time the 19 a violation of this section. 20 Sec. 3. Section 602.1304, subsection Sec. 3. Section 602.1304, subsection 5 state treasury under the authority of 4 fund shall be separate from the general the balance of the general fund of the set 7 section 8.33, moneys in the fund shall 28 general fund, unless and to the extent 29 moneys deposited into the fund in a find the maximum annual deposit amount estall collections fund by the general assembly annual deposit amount for a fiscal years of the section fund and any 1 shall be in addition to the maximum and 1 shall be in addition to the maximum 1 shall be in addition to the maximum 1 shall be in addition to the maximum 1 Sec. 4. Section 602.8101, subsection 5 staff when authorized under section 6 authorized by the chief judge of the 7 clerk is responsible for the acts of 1 first deputy The clerk shall designate 9 who shall give bond as provided in che 7 clerk is responsible for the acts of 1 supplement 2003, are amended by striking the parace 5 staff when authorized under section 6 sec. 5. Section 6	Passed Senate, Date Nays Nays Vote: Ayes Approved Approved A BILL FOR An Act relating to the procedures and duties of district court and the judicial branch, and p fee. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATLSS 5284DP 80 jm/sh/8 LIN 1 Section 1. Section 305.2, subsection 1, C 2003, is amended to read as follows: 3 1. "Agency" means any executive or legisl 4 department, office, commission, board, or othe 5 government except as otherwise provided by la 6 Sec. 2. Section 321.174, subsection 3, Co 7 amended to read as follows: 8 3. A licensee shall have the licensee's d 9 in immediate possession at all times when ope 10 vehicle and shall display the same, upon dema 11 magistrate, district associate judge, district 20 officer, or examiner of the department. Howe 13 charged with violating this subsection shall 14 if the person produces in court, within a real 5 the clerk of the district court, prior to the 16 date indicated on the citation, a driver's li 17 that person and valid for the vehicle operate 18 the person's arrest or at the time the person 19 a violation of this section. 20 Sec. 3. Section 602.1304, subsection 2, p 21 Supplement 2003, is amended to read as follows 2 a. The enhanced court collections fund is 23 state treasury under the authority of the sup 4 fund shall be separate from the general fund 25 the balance in the fund shall not be consider 6 balance of the general fund of the state. No 27 section 8.33, moneys in the fund shall not reageneral fund, unless and to the extent the to 29 moneys deposited into the fund and any intere 10 balance of the general fund of the state. No 27 section 8.33, moneys in the fund shall not reageneral fund of the state. No 27 section 8 in addition to the maximum annual de 2 Sec. 4. Section 602.1304, subsection 2, p 3 dollars. Notwithstanding section 12C.7, subsection 5 certifying change of the pidicial 7 clerk is responsible for the acts of these em 6 first deputy The clerk hall designate one or 9 who shall give bond as provided in chapter 64 10 Sec. 5

2 23 report and inventory for which provision is made in section 2 24 633.361. Nothing in sections 635.1 to 635.3 shall exempt the 2 25 executor or administrator from complying with the requirements 2 26 of section 422.27, 450.22, 450.58, or 633.480, or 633.481. 2 27 the inventory and report shows assets subject to the 28 jurisdiction of this state which exceed the total gross value 29 of the amount permitted the small estate under the applicable 30 provision of section 635.1, the clerk shall terminate the 31 letters issued under section 635.1 without prejudice to the 32 rights of persons who delivered property as permitted under 33 section 635.3. The executor or administrator shall then be 34 required to petition for administration of the estate as 35 provided in chapter 633.

Code 2003, is repealed. Sec. 9. Section 636.13, EXPLANATION

This bill relates to the procedures and duties of the clerk 4 of the district court and the judicial branch.

The bill makes the state records and archives Act in Code chapter 305 applicable to the executive and legislative branches exclusively.

The bill provides that a person issued a citation for 9 failing to carry their driver's license while operating a 10 motor vehicle shall not be convicted of this offense if the 11 person produces their driver's license to the clerk of the 3 12 district court prior to going to court. Current law provides 3 13 that a person shall not be convicted of failing to carry their 3 14 driver's license while operating a motor vehicle if the person $% \left(\frac{1}{2}\right) =\frac{1}{2}\left(\frac{1}{2}\right) =\frac{1}{2}$ 3 15 presents their license at the time of the person's arrest or 3 16 at the time the person is charged with failing to carry a 3 17 driver's license while operating a motor vehicle.

3 18 The bill equalizes the fee for certifying a change of title 3 19 in an estate with other change of title certifications 3 20 pursuant to Code section 602.8105 by increasing the change of 21 title certification fee in an estate from \$10 to \$20. The 3 22 distribution of the fee is governed by Code section 602.8108.

The bill increases the annual deposit into the enhanced 24 court collections fund from \$4 million to \$6 million. The 3 25 moneys deposited into the fund are from fees and other revenue 3 26 collected by the judicial branch. The fund is to be used by 3 27 the judicial branch for the Iowa court information system and 28 other technological improvements related to administering the 29 judicial branch.

The bill provides that the clerk of the district court may 31 have employees when authorized. Current law provides that the 32 clerk of the district court may employ deputies, assistants, 3 33 and clerks.

The bill provides the executor or administrator of an 35 estate shall comply with the requirements of Code section 1 633.480, which require the executor or administrator to 2 deliver certificates pertaining to each parcel of real estate 3 to the county recorder.

The bill repeals Code section 636.13, which requires the 5 clerk of the district court to keep a book of surety company 6 certificates and revocations.

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