

House File 786 - Introduced

HOUSE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 190)

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

A BILL FOR

1 An Act relating to a civil judgment, decree, or order of a court
2 of a federally recognized Indian tribe and including an
3 applicability provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2001HV 82
6 rh/gg/14

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1 1 Section 1. Section 626A.1, Code 2007, is amended to read
1 2 as follows:
1 3 626A.1 DEFINITION.
1 4 As used in this chapter unless the context otherwise
1 5 requires, "foreign judgment" means a judgment, decree, or
1 6 order of a court of the United States, a court of a federally
1 7 recognized Indian tribe provided the cause of action accrued
1 8 on or after the effective date of this Act, or of any other
1 9 court which is entitled to full faith and credit in this
1 10 state.

1 11 Sec. 2. APPLICABILITY. This Act applies to judgments,
1 12 decrees, and orders of a federally recognized Indian tribe
1 13 relating to causes of action accruing on or after the
1 14 effective date of this Act. This Act shall not be construed
1 15 to diminish or increase any right under statutory or common
1 16 law to seek or obtain the enforcement of judgments, decrees,
1 17 and orders of a federally recognized Indian tribe relating to
1 18 causes of action accruing before the effective date of this
1 19 Act.

EXPLANATION

1 21 This bill relates to a civil judgment, decree, or order of
1 22 a court of a federally recognized Indian tribe.

1 23 The bill provides that a civil judgment, decree, or order
1 24 issued by a federally recognized Indian tribe that is based
1 25 upon a cause of action that accrued on or after the effective
1 26 date of the bill, may be recognized and enforced in the same
1 27 manner as a judgment, decree, or order of a district court of
1 28 this state, subject to the requirements of Code Chapter 626A,
1 29 Iowa's uniform enforcement of foreign judgments Act.

1 30 The bill applies to judgments, decrees, and orders of a
1 31 federally recognized Indian tribe relating to causes of action
1 32 accruing on or after the effective date of the bill. The bill
1 33 shall not be construed to diminish or increase any right under
1 34 statutory or common law to seek or obtain the enforcement of
1 35 judgments, decrees, and orders of a federally recognized
2 1 Indian tribe relating to causes of action accruing before the
2 2 effective date of the bill.

2 3 LSB 2001HV 82
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