

# Senate File 395 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1265)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the assessment of civil and criminal court  
2 fees and penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1374SV 82  
5 jm/je/5

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1 1 Section 1. Section 602.8106, subsection 1, Code 2007, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. h. For a motion to show cause in a  
1 4 probation revocation, the fee shall be the same amount as the  
1 5 fee for filing and docketing a complaint, information, or  
1 6 citation for the underlying case from which the motion arises.  
1 7 Sec. 2. Section 633.31, subsection 2, paragraph c, Code  
1 8 2007, is amended to read as follows:  
1 9 c. For filing and indexing a transcript ..... ~~5.00~~  
1 10 50.00  
1 11 Sec. 3. Section 908.11, Code 2007, is amended by adding  
1 12 the following new subsection:  
1 13 NEW SUBSECTION. 5. Notwithstanding any other provision of  
1 14 law to the contrary, if the court revokes the probation of a  
1 15 defendant who received a deferred judgment and imposes a fine,  
1 16 the court shall reduce the amount of the fine by an amount  
1 17 equal to the amount of the civil penalty previously assessed  
1 18 against the defendant pursuant to section 907.14.  
1 19 EXPLANATION  
1 20 This bill relates to assessing civil and criminal court  
1 21 fees and penalties.  
1 22 The bill provides that the clerk of the district court  
1 23 shall collect a fee upon the filing of a motion to show cause  
1 24 in a probation revocation proceeding equal to the fee for  
1 25 filing and docketing a complaint, information, or citation in  
1 26 the underlying case from which the motion arises.  
1 27 The bill increases the fee for filing and indexing a  
1 28 transcript in a probate proceeding from \$5 to \$50.  
1 29 Under the bill, if the court revokes the probation of a  
1 30 defendant who receives a deferred judgment and imposes a fine,  
1 31 the court shall reduce the amount of the fine by an amount  
1 32 equal to the amount of the civil penalty previously assessed  
1 33 against the defendant pursuant to Code section 907.14.  
1 34 LSB 1374SV 82  
1 35 jm:nh/je/5