

Senate Study Bill 1265

SENATE/HOUSE FILE _____
BY (PROPOSED JUDICIAL
BRANCH BILL)

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 1374DP 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. If the court revokes the probation of
1 14 a defendant who receives a deferred judgment, the court shall
1 15 not rescind or modify the civil penalty assessed pursuant to
1 16 section 907.14.
1 17 EXPLANATION
1 18 This bill relates to assessing civil and criminal court
1 19 fees and penalties.
1 20 The bill provides that the clerk of the district court
1 21 shall collect a fee upon the filing of a motion to show cause
1 22 in a probation revocation proceeding equal to the fee for
1 23 filing and docketing a complaint, information, or citation in
1 24 the underlying case from which the motion arises.
1 25 The bill increases the fee for filing and indexing a
1 26 transcript in a probate proceeding from \$5 to \$50.
1 27 Under the bill, if the court revokes the probation of a
1 28 defendant who receives a deferred judgment, the court shall
1 29 not rescind or modify the civil penalty assessed against that
1 30 person pursuant to Code section 907.14.
1 31 LSB 1374DP 82
1 32 jm:nh/je/5