

Senate Study Bill 1059 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON FEENSTRA)

A BILL FOR

1 An Act relating to surcharges added to criminal penalties,
2 court funds, civil fees, misdemeanor and felony fines, and
3 fines associated with scheduled violations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

SURCHARGES ADDED TO CRIMINAL PENALTIES

1
2
3 Section 1. Section 331.302, subsection 2, Code 2019, is
4 amended to read as follows:

5 2. For a violation of an ordinance a county shall not
6 provide a penalty in excess of the maximum fine and term of
7 imprisonment for a simple misdemeanor under section 903.1,
8 subsection 1, paragraph "a". The ~~criminal penalty crime~~
9 services surcharge required by [section 911.1](#) shall be added to
10 a county fine and is not a part of the county's penalty.

11 Sec. 2. Section 364.3, subsection 2, Code 2019, is amended
12 to read as follows:

13 2. For a violation of an ordinance a city shall not
14 provide a penalty in excess of the maximum fine and term of
15 imprisonment for a simple misdemeanor under section 903.1,
16 subsection 1, paragraph "a". An amount equal to ten percent of
17 all fines collected by cities shall be deposited in the account
18 established in [section 602.8108](#). However, one hundred percent
19 of all fines collected by a city pursuant to section 321.236,
20 subsection 1, shall be retained by the city. The ~~criminal~~
21 penalty crime services surcharge required by [section 911.1](#)
22 shall be added to a city fine and is not a part of the city's
23 penalty.

24 Sec. 3. Section 602.8102, subsection 135A, Code 2019, is
25 amended to read as follows:

26 135A. Assess the surcharges provided by [sections 911.1,](#)
27 [911.2,](#) [911.2A,](#) [911.2B,](#) ~~[911.2C,](#)~~ ~~[911.3,](#)~~ and [911.4,](#) and [911.5.](#)

28 Sec. 4. Section 602.8107, subsection 2, paragraph c,
29 subparagraph (2), Code 2019, is amended to read as follows:

30 (2) Fines or penalties and ~~criminal penalty and law~~
31 ~~enforcement initiative surcharges~~ the crime services surcharge.

32 Sec. 5. Section 602.8107, subsection 4, paragraph a, Code
33 2019, is amended to read as follows:

34 a. [This subsection](#) does not apply to amounts collected for
35 victim restitution, the victim compensation fund, the ~~criminal~~

1 ~~penalty crime services~~ surcharge, sex offender civil penalty,
2 ~~drug abuse resistance education surcharge, the law enforcement~~
3 ~~initiative surcharge,~~ county enforcement surcharge, amounts
4 collected as a result of procedures initiated under subsection
5 5 or under [section 8A.504](#), or fees charged pursuant to section
6 356.7.

7 Sec. 6. Section 602.8108, subsections 3, 4, 5, and 7, Code
8 2019, are amended to read as follows:

9 3. The clerk of the district court shall remit to the state
10 court administrator, not later than the fifteenth day of each
11 month, ~~ninety-five~~ eighty-five percent of all moneys collected
12 from the ~~eriminal~~ penalty crime services surcharge provided in
13 section 911.1 during the preceding calendar month. The clerk
14 shall remit the remainder to the county treasurer of the county
15 that was the plaintiff in the action or to the city that was
16 the plaintiff in the action. Of the amount received from the
17 clerk, the state court administrator shall allocate ~~seventeen~~
18 and deposit each month fifty-nine percent ~~to be deposited in~~
19 the victim compensation fund established in [section 915.94](#),
20 and ~~eighty-three percent to be deposited in the general fund~~
21 thirty-eight percent in the criminalistics laboratory fund
22 established in section 691.9, and three percent in the drug
23 abuse resistance education fund established in section 80E.4.

24 ~~4. The clerk of the district court shall remit all moneys~~
25 ~~collected from the drug abuse resistance education surcharge~~
26 ~~provided in [section 911.2](#) to the state court administrator~~
27 ~~for deposit in the general fund of the state and the amount~~
28 ~~deposited is appropriated to the governor's office of drug~~
29 ~~control policy for use by the drug abuse resistance education~~
30 ~~program and other programs directed for a similar purpose.~~

31 5. The clerk of the district court shall remit all
32 moneys collected from the assessment of the law enforcement
33 initiative surcharge provided in [section 911.3](#) to the state
34 court administrator no later than the fifteenth day of each
35 month for deposit in the general fund of the state. The clerk

1 of the district court shall remit all moneys collected from
2 the agricultural property offense surcharge as provided in
3 section 911.5 to the state court administrator. The moneys are
4 appropriated to the judicial branch for purposes of supporting
5 judicial branch operations.

6 7. The clerk of the district court shall remit all moneys
7 collected from the assessment of the surcharges provided in
8 sections 911.2B and 911.2C to the state court administrator for
9 deposit in the address confidentiality program revolving fund
10 created in section 9.8.

11 Sec. 7. Section 805.8, subsection 1, Code 2019, is amended
12 to read as follows:

13 1. *Application.* Except as otherwise indicated, violations
14 of sections of the Code specified in sections 805.8A, 805.8B,
15 and 805.8C are scheduled violations, and the scheduled fine
16 for each of those violations is as provided in those sections,
17 whether the violation is of state law or of a county or city
18 ordinance. The ~~criminal penalty~~ crime services surcharge
19 required by section 911.1 and the county enforcement surcharge
20 required by section 911.4, if applicable, shall be added to the
21 scheduled fine.

22 Sec. 8. Section 902.9, subsection 2, Code 2019, is amended
23 to read as follows:

24 2. The surcharges required by sections 911.1, ~~911.2,~~
25 ~~911.2A,~~ and ~~911.3~~ 911.5 shall be added to a fine imposed on a
26 class "C" or class "D" felon, as provided by those sections,
27 and are not a part of or subject to the maximums set in this
28 section.

29 Sec. 9. Section 903.1, subsection 4, Code 2019, is amended
30 to read as follows:

31 4. The surcharges required by sections 911.1, ~~911.2,~~
32 ~~911.2A,~~ ~~911.3,~~ and ~~911.4,~~ and 911.5 shall be added to a fine
33 imposed on a misdemeanor as provided in those sections,
34 and are not a part of or subject to the maximums set in this
35 section.

1 Sec. 10. Section 911.1, Code 2019, is amended to read as
2 follows:

3 **911.1 ~~Criminal penalty~~ Crime services surcharge.**

4 1. A ~~criminal penalty~~ crime services surcharge shall be
5 levied against law violators as provided in [this section](#).
6 When a court imposes a fine or forfeiture for a violation of
7 state law, or a city or county ordinance, except an ordinance
8 regulating the parking of motor vehicles, the court ~~or the~~
9 ~~clerk of the district court~~ shall assess an additional penalty
10 in the form of a ~~criminal penalty~~ crime services surcharge
11 equal to ~~thirty-five~~ ten percent of the fine or forfeiture
12 imposed.

13 2. In the event of multiple offenses, the surcharge shall
14 be based upon the total amount of fines or forfeitures imposed
15 for all offenses.

16 3. When a fine or forfeiture is suspended in whole or in
17 part, the court shall reduce the surcharge in proportion to the
18 amount suspended.

19 4. The surcharge is subject to the provisions of chapter
20 909 governing the payment and collection of fines, as provided
21 in [section 909.8](#).

22 5. The surcharge shall be remitted by the clerk of court as
23 provided in [section 602.8108, subsection 3](#).

24 Sec. 11. Section 911.2A, subsection 1, Code 2019, is amended
25 to read as follows:

26 1. In addition to any other surcharge, the court ~~or clerk~~
27 ~~of the district court~~ shall assess a human trafficking victim
28 surcharge of one thousand dollars if an adjudication of
29 guilt or a deferred judgment has been entered for a criminal
30 violation of [section 725.1, subsection 2](#), or [section 710A.2](#),
31 [725.2](#), or [725.3](#).

32 Sec. 12. Section 911.2B, Code 2019, is amended to read as
33 follows:

34 **911.2B Domestic abuse assault, domestic abuse protective**
35 **order contempt, sexual abuse, stalking, and human trafficking**

1 **victim surcharge.**

2 1. In addition to any other surcharge, the court ~~or clerk~~
3 ~~of the district court~~ shall assess a domestic abuse assault,
4 domestic abuse protective order contempt, sexual abuse,
5 stalking, and human trafficking victim surcharge of ~~one hundred~~
6 ninety dollars if an adjudication of guilt or a deferred
7 judgment has been entered for a violation of [section 708.2A](#),
8 [708.11](#), or [710A.2](#), or [chapter 709](#), or if a defendant is held
9 in contempt of court for violating a domestic abuse protective
10 order issued pursuant to chapter 236.

11 2. In the event of multiple offenses, the surcharge shall be
12 imposed for each applicable offense.

13 3. The surcharge shall be remitted by the clerk of court as
14 provided in [section 602.8108, subsection 7](#).

15 **Sec. 13. NEW SECTION. 911.5 Agricultural property offense**
16 **surcharge.**

17 1. In addition to any other surcharge, the court or clerk
18 of the district court shall assess an agricultural property
19 offense surcharge equal to thirty-five percent of the fine or
20 forfeiture imposed upon a conviction for committing any of the
21 following:

22 *a.* Theft of agricultural property under section 714.2,
23 subsection 1, 2, or 3.

24 *b.* Criminal mischief under section 716.3, 716.4, or 716.5,
25 by damaging, defacing, altering, or destroying agricultural
26 property.

27 2. As used in this section, agricultural property means any
28 of the following:

29 *a.* A crop as defined in section 717A.1.

30 *b.* Livestock as defined in section 717.1.

31 *c.* (1) A colony or package as defined in section 160.1A,
32 or a hive where bees are kept as described in section 160.5,
33 if the department of agriculture and land stewardship is
34 authorized by that chapter to inspect the colony, package, or
35 hive or to regulate the movement of the colony, package, or

1 hive.

2 (2) A queen bee that is part of a colony or is being moved
3 to be part of a colony as described in subparagraph (1).

4 3. The surcharge shall be remitted by the clerk of the
5 district court as provided in section 602.8108, subsection 5.

6 Sec. 14. REPEAL. Sections 911.2, 911.2C, and 911.3, Code
7 2019, are repealed.

8 DIVISION II

9 COURT FUNDS

10 Sec. 15. Section 602.1302, subsection 1, Code 2019, is
11 amended to read as follows:

12 1. Except as otherwise provided by [sections 602.1303](#)~~7~~
13 ~~602.1304~~7, and [602.8108](#) or other applicable law, the expenses of
14 operating and maintaining the judicial branch shall be paid out
15 of the general fund of the state from funds appropriated by the
16 general assembly for the judicial branch. State funding shall
17 be phased in as provided in [section 602.11101](#).

18 Sec. 16. Section 602.1304, subsection 1, Code 2019, is
19 amended to read as follows:

20 1. Except as provided in [article 8](#) and ~~subsection 2~~ of this
21 ~~section~~, all fees and other revenues collected by judicial
22 officers and court employees shall be paid into the general
23 fund of the state.

24 Sec. 17. Section 602.1304, subsection 2, Code 2019, is
25 amended by striking the subsection.

26 Sec. 18. Section 602.8108, subsection 9, Code 2019, is
27 amended by striking the subsection and inserting in lieu
28 thereof the following:

29 9. a. A court technology and modernization fund is
30 established as a separate fund in the state treasury. The
31 state court administrator shall allocate nine million dollars
32 of the moneys received under subsection 2 to be deposited in
33 the fund, which shall be administered by the judicial branch.

34 b. The moneys in the fund used to enhance the ability of the
35 judicial branch to process cases more quickly and efficiently,

1 to electronically transmit information to state government,
2 local governments, law enforcement agencies, and the public,
3 and to improve public access to the court system. The moneys
4 in the collection fund may also be used for any the following:

5 (1) The Iowa court information system.
6 (2) Records management, equipment, services, and projects.
7 (3) Other technological improvements approved by the
8 judicial branch.

9 (4) Electronic legal research equipment, systems, and
10 projects.

11 (5) The study, development, and implementation of other
12 innovations and projects that would improve the administration
13 of justice.

14 (6) Capital improvements necessitated by the installation
15 of or connection with the Iowa court information system, the
16 Iowa communications network, or other like networks.

17 c. The fund shall be separate from the general fund of
18 the state and the balance in the fund shall not be considered
19 part of the balance of the general fund of the state.
20 Notwithstanding section 8.33, moneys in the fund shall not
21 revert to the general fund. Notwithstanding section 12C.7,
22 subsection 2, interest or earnings on moneys in the court
23 technology and modernization fund shall remain in the court
24 technology and modernization fund and any interest and earnings
25 shall be in addition to the maximum annual deposit amount.

26 Sec. 19. TRANSFER OF REMAINING FUNDS. Any unobligated
27 or unencumbered moneys remaining in the enhanced court
28 collections fund in section 602.1304 at the end of the fiscal
29 year beginning July 1, 2018, and ending June 30, 2019, shall be
30 transferred to the court technology and modernization fund.

31 DIVISION III

32 CIVIL FEES

33 Sec. 20. Section 602.8105, subsections 1 and 2, Code 2019,
34 are amended to read as follows:

35 1. The clerk of the district court shall collect the

1 following fees:

2 *a.* Except as otherwise provided in [this subsection](#), for
3 filing and docketing a petition, ~~one two hundred eighty-five~~
4 five dollars. In counties having a population of ninety-eight
5 thousand or over, an additional five dollars shall be charged
6 and collected to be known as the journal publication fee and
7 used for the purposes provided for in [section 618.13](#).

8 *b.* For filing and docketing a petition for dissolution
9 of marriage, which includes the docketing of any dissolution
10 decree, two hundred seventy-five dollars. It is the intent of
11 the general assembly that twenty percent of the funds generated
12 from these fees be appropriated and used for sexual assault
13 and domestic violence centers and eighty percent of the funds
14 generated from these fees be appropriated to the general fund
15 of the state.

16 ~~*b.*~~ *c.* For filing and docketing a petition pursuant to
17 chapter 598 other than a dissolution of marriage petition, one
18 hundred twenty dollars.

19 ~~*e.*~~ *d.* For filing and docketing an application for
20 modification of a dissolution decree to which a written
21 stipulation is attached at the time of filing containing the
22 agreement of the parties to the terms of modification, one
23 hundred twenty dollars.

24 ~~*d.*~~ ~~For entering a final decree of dissolution of marriage,~~
25 ~~fifty dollars. It is the intent of the general assembly that~~
26 ~~the funds generated from the dissolution fees be appropriated~~
27 ~~and used for sexual assault and domestic violence centers.~~

28 *e.* For filing and docketing a petition for adoption
29 pursuant to [chapter 600](#), ~~one hundred~~ zero dollars. For
30 multiple adoption petitions filed at the same time by the same
31 petitioner under [section 600.3](#), the filing fee and any court
32 costs for any petition filed in addition to the first petition
33 filed are waived.

34 *f.* For filing and docketing a small claims action, the
35 amounts specified in [section 631.6](#).

- 1 *g.* For an appeal from a judgment in small claims or for
2 filing and docketing a writ of error, one hundred eighty-five
3 dollars.
- 4 *h.* For a motion to show cause in a civil case, fifty seventy
5 dollars.
- 6 *i.* For filing and docketing a transcript of the judgment in
7 a civil case, fifty seventy dollars.
- 8 *j.* For filing a tribal judgment, one hundred twenty dollars.
- 9 2. The clerk of the district court shall collect the
10 following fees for miscellaneous services:
- 11 *a.* For filing and entering any other statutory lien, fifty
12 seventy dollars.
- 13 *b.* For a certificate and seal, twenty forty dollars.
14 However, there shall be no charge for a certificate and seal to
15 an application to procure a pension, bounty, or back pay for a
16 member of the armed services or other person.
- 17 *c.* For certifying a change in title of real estate, fifty
18 seventy dollars.
- 19 *d.* For filing a praecipe to issue execution under chapter
20 626, ~~twenty-five~~ forty-five dollars. The fee shall be
21 recoverable by the creditor from the debtor against whom the
22 execution is issued. A fee payable by a political subdivision
23 of the state under this paragraph shall be collected by the
24 clerk of the district court as provided in [section 602.8109](#).
25 However, the fee shall be waived and shall not be collected
26 from a political subdivision of the state if a county attorney
27 or county attorney's designee is collecting a delinquent
28 judgment pursuant to [section 602.8107, subsection 4](#).
- 29 *e.* For filing a praecipe to issue execution under chapter
30 654, fifty seventy dollars.
- 31 *f.* For filing a confession of judgment under [chapter 676](#),
32 fifty seventy dollars if the judgment is five thousand dollars
33 or less, and one hundred twenty dollars if the judgment exceeds
34 five thousand dollars.
- 35 *g.* For filing a lis pendens, fifty seventy dollars.

1 subsection shall include assessment of a fine of not less than
2 ~~two~~ three hundred fifty twenty dollars.

3 Sec. 25. Section 321.262, subsection 2, Code 2019, is
4 amended to read as follows:

5 2. The driver shall remain at the scene of the accident
6 until the driver has fulfilled the requirements of section
7 321.263. Any person failing to remain at the scene of the
8 accident or fulfill the requirements of section 321.263 under
9 such circumstances shall be guilty of a simple misdemeanor
10 ~~and punished as provided in section 321.482 punishable as~~
11 a scheduled violation under section 805.8A, subsection 14,
12 paragraph "m".

13 Sec. 26. Section 321.264, Code 2019, is amended to read as
14 follows:

15 **321.264 Striking unattended vehicle.**

16 The driver of any vehicle which collides with any vehicle
17 which is unattended shall immediately stop and shall then and
18 there either locate and notify the operator or owner of such
19 vehicle of the name and address of the driver and owner of the
20 vehicle striking the unattended vehicle or shall leave in a
21 conspicuous place in the vehicle struck a written notice giving
22 the name and address of the driver and of the owner of the
23 vehicle doing the striking and a statement of the circumstances
24 thereof. A person who violates this section commits a simple
25 misdemeanor punishable as a scheduled violation under section
26 805.8A, subsection 14, paragraph "n".

27 Sec. 27. Section 321.265, Code 2019, is amended to read as
28 follows:

29 **321.265 Striking fixtures upon a highway.**

30 The driver of a vehicle involved in an accident resulting
31 in damage to property legally upon or adjacent to a highway
32 shall take reasonable steps to locate and notify the owner,
33 a peace officer, or person in charge of the damaged property
34 of the damage and shall inform the person of the driver's name
35 and address and the registration number of the vehicle causing

1 the damage and shall, upon request and if available, exhibit
2 the driver's license of the driver of the vehicle and shall
3 report the accident when and as required in [section 321.266](#). A
4 person who violates this section commits a simple misdemeanor
5 punishable as a scheduled violation under section 805.8A,
6 subsection 14, paragraph "o".

7 Sec. 28. Section 321.324A, Code 2019, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 4. A person who violates this section
10 commits a simple misdemeanor punishable as a scheduled
11 violation under section 805.8A, subsection 6, paragraph "s".

12 Sec. 29. Section 321.371, subsection 2, Code 2019, is
13 amended to read as follows:

14 2. A person who violates [this section](#) commits a simple
15 misdemeanor punishable as a scheduled violation under section
16 805.8A, subsection 14, paragraph "q".

17 Sec. 30. Section 321.383, subsection 4, Code 2019, is
18 amended to read as follows:

19 4. Any Except as provided in subsection 5, any person
20 who violates any provision of [this section](#) shall be fined
21 as provided in [commits a simple misdemeanor punishable as a](#)
22 scheduled violation under [section 805.8A, subsection 3.](#)

23 Sec. 31. Section 321.383, Code 2019, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 5. A person who operates a self-propelled
26 implement of husbandry at a speed which exceeds the limit
27 of thirty-five miles per hour commits a simple misdemeanor
28 punishable as a scheduled violation under section 805.8A,
29 subsection 5.

30 Sec. 32. Section 321.431, subsection 6, Code 2019, is
31 amended to read as follows:

32 6. A person who violates [this section](#) commits a simple
33 misdemeanor punishable as a scheduled violation under section
34 805.8A, subsection 3, paragraph "ad".

35 Sec. 33. Section 805.8A, Code 2019, is amended to read as

1 follows:

2 **805.8A Motor vehicle and transportation scheduled violations.**

3 1. *Parking violations.*

4 a. For parking violations under sections 321.236, 321.239,
5 321.358, 321.360, and 321.361, the scheduled fine is five
6 dollars, except if the local authority has established the
7 fine by ordinance. The scheduled fine for a parking violation
8 pursuant to section 321.236 increases by five dollars if
9 authorized by ordinance and if the parking violation is not
10 paid within thirty days of the date upon which the violation
11 occurred. For purposes of calculating the unsecured appearance
12 bond required under section 805.6, the scheduled fine shall
13 be five dollars, or if the amount of the fine is greater than
14 five dollars, the unsecured appearance bond shall be the amount
15 of the fine established by the local authority. However,
16 violations charged by a city or county upon simple notice of a
17 fine instead of a uniform citation and complaint required by
18 section 321.236, subsection 1, paragraph "b", are not scheduled
19 violations, and this section shall not apply to any offense
20 charged in that manner. For a parking violation under section
21 461A.38, the scheduled fine is ten dollars. For a parking
22 violation under section 321.362, the scheduled fine is twenty
23 dollars.

24 b. For a parking violation under section 321L.2A, subsection
25 2, the scheduled fine is twenty dollars.

26 c. For violations under section 321L.2A, subsection 3,
27 sections 321L.3, 321L.4, subsection 2, and section 321L.7, the
28 scheduled fine is two hundred dollars.

29 2. *Title and registration violations.* For title or
30 registration violations under the following sections, the
31 scheduled fine is as follows:

32 a. Section 321.17.....~~\$ 50~~ \$ 65.

33 b. Section 321.24.....\$130.

34 ~~b.~~ c. Section 321.25.....~~\$100~~ \$130.

35 ~~c.~~ d. Section 321.32.....~~\$ 20~~ \$ 25.

1	d.	<u>e.</u>	Section 321.34.....	\$ 20	<u>\$ 25.</u>
2	e.	<u>f.</u>	Section 321.37.....	\$ 20	<u>\$ 25.</u>
3	f.	<u>g.</u>	Section 321.38.....	\$ 20	<u>\$ 25.</u>
4	g.	<u>h.</u>	Section 321.41.....	\$ 20	<u>\$ 25.</u>
5	h.	<u>i.</u>	Section 321.45.....	\$100	<u>\$130.</u>
6	i.	<u>j.</u>	Section 321.46.....	\$100	<u>\$130.</u>
7	j.	<u>k.</u>	Section 321.47.....	\$100	<u>\$130.</u>
8	k.	<u>l.</u>	Section 321.48.....	\$100	<u>\$130.</u>
9	l.	<u>m.</u>	Section 321.52.....	\$100	<u>\$130.</u>
10	m.	<u>n.</u>	Section 321.55.....	\$ 50	<u>\$ 65.</u>
11	n.	<u>o.</u>	Section 321.57.....	\$100	<u>\$130.</u>
12	o.	<u>p.</u>	Section 321.62.....	\$100	<u>\$130.</u>
13	p.	<u>q.</u>	Section 321.67.....	\$100	<u>\$130.</u>
14	q.	<u>r.</u>	Section 321.98.....	\$ 50	<u>\$ 65.</u>
15	r.	<u>s.</u>	Section 321.99.....	\$200	<u>\$255.</u>
16	s.	<u>t.</u>	Section 321.104.....	\$100	<u>\$130.</u>
17	t.	<u>u.</u>	Section 321.115.....	\$ 30	<u>\$ 40.</u>
18	u.	<u>v.</u>	Section 321.115A.....	\$ 30	<u>\$ 40.</u>
19	3. <i>Equipment violations.</i> For equipment violations under the				
20	following sections, the scheduled fine is as follows:				
21	<u>a.</u>		Section 321.234A.....	\$ 50	<u>\$ 65.</u>
22	<u>b.</u>		Section 321.247.....	\$100	<u>\$130.</u>
23	<u>c.</u>		Section 321.317.....	\$ 20	<u>\$ 25.</u>
24	<u>d.</u>		Section 321.381.....	\$100	<u>\$130.</u>
25	<u>e.</u>		Section 321.381A.....	\$100	<u>\$130.</u>
26	<u>f.</u>		Section 321.382.....	\$ 25	<u>\$ 30.</u>
27	<u>g.</u>		Section 321.383, subsection 4.....	\$ 30	<u>\$ 40.</u>
28	<u>h.</u>		Section 321.384.....	\$ 30	<u>\$ 40.</u>
29	<u>i.</u>		Section 321.385.....	\$ 30	<u>\$ 40.</u>
30	<u>j.</u>		Section 321.386.....	\$ 30	<u>\$ 40.</u>
31	<u>k.</u>		Section 321.387.....	\$ 20	<u>\$ 25.</u>
32	<u>l.</u>		Section 321.388.....	\$ 20	<u>\$ 25.</u>
33	<u>m.</u>		Section 321.389.....	\$ 20	<u>\$ 25.</u>
34	<u>n.</u>		Section 321.390.....	\$ 20	<u>\$ 25.</u>
35	<u>o.</u>		Section 321.392.....	\$ 20	<u>\$ 25.</u>

1	<i>p.</i>	Section 321.393.....	\$ 20	<u>\$ 25.</u>
2	<i>q.</i>	Section 321.398.....	\$ 30	<u>\$ 40.</u>
3	<i>r.</i>	Section 321.402.....	\$ 30	<u>\$ 40.</u>
4	<i>s.</i>	Section 321.403.....	\$ 30	<u>\$ 40.</u>
5	<i>t.</i>	Section 321.404.....	\$ 30	<u>\$ 40.</u>
6	<i>u.</i>	Section 321.404A.....	\$ 25	<u>\$ 30.</u>
7	<i>v.</i>	Section 321.409.....	\$ 30	<u>\$ 40.</u>
8	<i>w.</i>	Section 321.415.....	\$ 30	<u>\$ 40.</u>
9	<i>x.</i>	Section 321.419.....	\$ 30	<u>\$ 40.</u>
10	<i>y.</i>	Section 321.420.....	\$ 30	<u>\$ 40.</u>
11	<i>z.</i>	Section 321.421.....	\$ 30	<u>\$ 40.</u>
12	<i>aa.</i>	Section 321.422.....	\$ 20	<u>\$ 25.</u>
13	<i>ab.</i>	Section 321.423.....	\$ 30	<u>\$ 40.</u>
14	<i>ac.</i>	Section 321.430.....	\$100	<u>\$130.</u>
15	<i>ad.</i>	Section 321.431.....	\$130.	
16	<i>ad.</i> <i>ae.</i>	Section 321.432.....	\$ 20	<u>\$ 25.</u>
17	<i>ae.</i> <i>af.</i>	Section 321.433.....	\$ 30	<u>\$ 40.</u>
18	<i>af.</i> <i>ag.</i>	Section 321.436.....	\$ 20	<u>\$ 25.</u>
19	<i>ag.</i> <i>ah.</i>	Section 321.438.....	\$ 50	<u>\$ 65.</u>
20	<i>ah.</i> <i>ai.</i>	Section 321.439.....	\$ 20	<u>\$ 25.</u>
21	<i>ai.</i> <i>aj.</i>	Section 321.440.....	\$ 20	<u>\$ 25.</u>
22	<i>aj.</i> <i>ak.</i>	Section 321.441.....	\$ 20	<u>\$ 25.</u>
23	<i>ak.</i> <i>al.</i>	Section 321.442.....	\$ 20	<u>\$ 25.</u>
24	<i>al.</i> <i>am.</i>	Section 321.444.....	\$ 20	<u>\$ 25.</u>
25	4. <i>Driver's license violations.</i> For driver's license			
26	violations under the following sections, the scheduled fine is			
27	as follows:			
28	<i>a.</i>	Section 321.174.....	\$ 200	<u>\$ 255.</u>
29	<i>b.</i>	Section 321.174A.....	\$ 50	<u>\$ 65.</u>
30	<i>c.</i>	Section 321.178, subsection 2,		
31		paragraph "a", subparagraph (2).....	\$ 30	<u>\$ 40.</u>
32	<i>d.</i>	Section 321.180.....	\$ 50	<u>\$ 65.</u>
33	<i>e.</i>	Section 321.180B.....	\$ 50	<u>\$ 65.</u>
34	<i>f.</i>	Section 321.193.....	\$ 50	<u>\$ 65.</u>
35	<i>g.</i>	Section 321.194.....	\$ 50	<u>\$ 65.</u>

- 1 *h.* Section 321.216.....~~\$ 100~~ \$ 130.
- 2 *i.* Section 321.216B.....~~\$ 200~~ \$ 255.
- 3 *j.* Section 321.216C.....~~\$ 200~~ \$ 255.
- 4 *k.* Section 321.219.....~~\$ 200~~ \$ 255.
- 5 *l.* Section 321.220.....~~\$ 200~~ \$ 255.

6 5. *Speed violations.*

7 *a.* For excessive speed violations in excess of the limit
8 under section 321.236, subsections 5 and 11, ~~sections~~ section
9 321.285, section 321.383, subsection 5, and section 461A.36,
10 the scheduled fine shall be the following:

11 (1) ~~Twenty~~ Twenty-five dollars for speed not more than five
12 miles per hour in excess of the limit.

13 (2) ~~Forty~~ Fifty dollars for speed greater than five but not
14 more than ten miles per hour in excess of the limit.

15 (3) ~~Eighty~~ One hundred dollars for speed greater than ten
16 but not more than fifteen miles per hour in excess of the
17 limit.

18 (4) ~~Ninety~~ One hundred fifteen dollars for speed greater
19 than fifteen but not more than twenty miles per hour in excess
20 of the limit.

21 (5) One hundred thirty dollars plus five dollars for each
22 mile per hour of excessive speed over twenty miles per hour
23 over the limit.

24 *b.* Excessive speed by a school bus is punishable as provided
25 in subsection 10.

26 *c.* Excessive speed in conjunction with a violation of
27 section 321.278 is not a scheduled violation, whatever the
28 amount of excess speed.

29 *d.* For a violation under section 321.295, the scheduled fine
30 is ~~fifty~~ sixty-five dollars.

31 6. *Operating violations.* For operating violations under the
32 following sections, the scheduled fine is as follows:

33 *a.* Section 321.236, subsections 3, 4, 9,
34 and 12.....~~\$ 20~~ \$ 25.

35 *b.* Section 321.275, subsections 1

1	through 7.....	35	\$ 45.
2	<i>c.</i> Section 321.277A.....	35	\$ 45.
3	<i>d.</i> Section 321.288.....	100	\$130.
4	<i>e.</i> Section 321.297.....	100	\$130.
5	<i>f.</i> Section 321.299.....	100	\$130.
6	<i>g.</i> Section 321.302.....	100	\$130.
7	<i>h.</i> Section 321.303.....	100	\$130.
8	<i>i.</i> Section 321.304, subsections 1		
9	and 2.....	100	\$130.
10	<i>j.</i> Section 321.305.....	100	\$130.
11	<i>k.</i> Section 321.306.....	100	\$130.
12	<i>l.</i> Section 321.311.....	100	\$130.
13	<i>m.</i> Section 321.312.....	100	\$130.
14	<i>n.</i> Section 321.314.....	100	\$130.
15	<i>o.</i> Section 321.315.....	35	\$ 45.
16	<i>p.</i> Section 321.316.....	35	\$ 45.
17	<i>q.</i> Section 321.318.....	35	\$ 45.
18	<i>r.</i> Section 321.323.....	100	\$130.
19	<i>s.</i> Section 321.324A.....	100	\$130.
20	<i>s.</i> <i>t.</i> Section 321.340.....	100	\$130.
21	<i>t.</i> <i>u.</i> Section 321.353.....	100	\$130.
22	<i>u.</i> <i>v.</i> Section 321.354.....	100	\$130.
23	<i>v.</i> <i>w.</i> Section 321.363.....	35	\$ 45.
24	<i>w.</i> <i>x.</i> Section 321.365.....	35	\$ 45.
25	<i>x.</i> <i>y.</i> Section 321.366.....	100	\$130.
26	<i>y.</i> <i>z.</i> Section 321.395.....	100	\$130.
27	7. <i>Failure to yield or obey violations.</i> For failure to yield		
28	or obey violations under the following sections, the scheduled		
29	fine is as follows:		
30	<i>a.</i> Section 321.257, subsection 2,		
31	for a violation by an operator of a		
32	motor vehicle.....	100	\$130.
33	<i>b.</i> Section 321.298.....	100	\$130.
34	<i>c.</i> Section 321.307.....	100	\$130.
35	<i>d.</i> Section 321.308.....	100	\$130.

1 1 and 2, the scheduled fine is one hundred thirty dollars.
2 However, an excessive speed violation by a school bus of
3 more than ten miles per hour in excess of the limit is not a
4 scheduled violation.

5 11. *a. Emergency vehicle and equipment-related*
6 *violations.* For violations relating to authorized emergency
7 vehicles, fire apparatus and equipment, and police bicycles
8 under the following sections, the scheduled fine is as follows:

- 9 (1) Section 321.231.....~~\$100~~ \$130.
- 10 (2) Section 321.323A, subsection 1....~~\$100~~ \$130.
- 11 (3) Section 321.324.....~~\$100~~ \$130.
- 12 (4) Section 321.367.....~~\$100~~ \$130.
- 13 (5) Section 321.368.....~~\$100~~ \$130.

14 *b. Violations relating to stationary nonemergency vehicles.*
15 For violations relating to the approach of certain stationary
16 nonemergency vehicles under section 321.323A, subsections 2 and
17 3, the scheduled fine is one hundred thirty dollars.

18 12. *Restrictions on vehicles.*

19 *a.* For violations under sections 321.309, 321.310, 321.394,
20 321.461, and 321.462, the scheduled fine is ~~thirty-five~~
21 forty-five dollars.

22 *b.* For violations under section 321.437, the scheduled fine
23 is ~~thirty-five~~ forty-five dollars.

24 *c.* For height, length, width, and load violations under
25 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the
26 scheduled fine is two hundred fifty-five dollars.

27 *d.* For violations under section 321.466, the scheduled fine
28 is ~~twenty~~ twenty-five dollars for each two thousand pounds or
29 fraction thereof of overweight.

30 *e.* (1) Violations of the schedule of axle and tandem axle
31 and gross or group of axle weight violations in section 321.463
32 shall be scheduled violations subject to the provisions,
33 procedures, and exceptions contained in sections 805.6 through
34 805.11, irrespective of the amount of the fine under that
35 schedule.

1 (a) Violations of the schedule of weight violations shall be
2 chargeable, where the fine charged does not exceed one thousand
3 dollars, only by uniform citation and complaint.

4 (b) Violations of the schedule of weight violations, where
5 the fine charged exceeds one thousand dollars shall, when the
6 violation is admitted and [section 805.9](#) applies, be chargeable
7 upon uniform citation and complaint, indictment, or county
8 attorney's information, but otherwise shall be chargeable only
9 upon indictment or county attorney's information.

10 (2) In all cases of charges under the schedule of weight
11 violations, the charge shall specify the amount of fine charged
12 under the schedule. Where a defendant is convicted and the
13 fine under the foregoing schedule of weight violations exceeds
14 one thousand dollars, the conviction shall be of an indictable
15 offense although [section 805.9](#) is employed and whether the
16 violation is charged upon uniform citation and complaint,
17 indictment, or county attorney's information.

18 *f.* For a violation under [section 321E.16](#), other than the
19 provisions relating to weight, the scheduled fine is two
20 hundred fifty-five dollars.

21 13. *Motor carrier and other operator violations.*

22 *a.* (1) For a violation under [section 321.54](#), the scheduled
23 fine is ~~thirty~~ forty dollars.

24 (2) For violations under [sections 326.22](#) and [326.23](#), the
25 scheduled fine is ~~fifty~~ sixty-five dollars.

26 *b.* For a violation under [section 321.449](#), [321.449A](#), or
27 [321.449B](#), the scheduled fine is ~~fifty~~ sixty-five dollars.

28 *c.* For violations under [sections 321.364](#), [321.450](#), [321.460](#),
29 and [452A.52](#), the scheduled fine is two hundred fifty-five
30 dollars.

31 *d.* For violations of [section 325A.3](#), [subsection 6](#), or
32 [section 325A.8](#), the scheduled fine is one hundred thirty
33 dollars.

34 *e.* For violations of [chapter 325A](#), other than a violation of
35 [section 325A.3](#), [subsection 6](#), or [section 325A.8](#), the scheduled

1 fine is ~~two~~ three hundred fifty twenty dollars.

2 *f.* For violations of [section 327B.1, subsection 1 or 3](#), the
3 scheduled fine is ~~two~~ three hundred fifty twenty dollars.

4 14. *Miscellaneous violations.*

5 *a. Failure to obey a peace officer.* For a violation under
6 section 321.229, the scheduled fine is one hundred thirty
7 dollars.

8 *b. Abandoning a motor vehicle.* For a violation under
9 section 321.91, the scheduled fine is two hundred fifty-five
10 dollars.

11 *c. Seat belt or restraint violations.*

12 (1) For a violation under [section 321.445](#), the scheduled
13 fine is fifty sixty-five dollars.

14 (2) For a violation under [section 321.446](#), the scheduled
15 fine is one hundred thirty dollars.

16 *d. Litter and debris violations.* For violations under
17 sections 321.369 and [321.370](#), the scheduled fine is ~~seventy~~
18 ninety dollars.

19 *e. Open container violations.* For violations under sections
20 321.284 and [321.284A](#), the scheduled fine is two hundred
21 fifty-five dollars.

22 *f. Proof of financial responsibility.* If, in connection with
23 a motor vehicle accident, a person is charged and found guilty
24 of a violation of [section 321.20B, subsection 1](#), the scheduled
25 fine is ~~five~~ six hundred forty dollars; otherwise, the
26 scheduled fine for a violation of section 321.20B, subsection
27 1, is ~~two~~ three hundred fifty twenty dollars. Notwithstanding
28 section 805.12, fines collected pursuant to this paragraph
29 shall be submitted to the state court administrator and
30 distributed fifty percent to the victim compensation fund
31 established in [section 915.94](#), twenty-five percent to the
32 county in which such fine is imposed, and twenty-five percent
33 to the general fund of the state.

34 *g. Speed detection jamming devices.* For a violation under
35 section 321.232, the scheduled fine is one hundred thirty

1 dollars.

2 *h. Railroad crossing violations.* For violations under
3 sections 321.341, 321.342, 321.343, and 321.344, and 321.344B,
4 the scheduled fine is two hundred fifty-five dollars.

5 *i. Road work zone violations.* The scheduled fine for any
6 moving traffic violation under chapter 321, as provided in
7 this section, shall be doubled if the violation occurs within
8 any road work zone, as defined in section 321.1. However,
9 notwithstanding subsection 5, the scheduled fine for violating
10 the speed limit in a road work zone is as follows:

11 (1) One hundred fifty ninety dollars for speed not more than
12 ten miles per hour over the posted speed limit.

13 (2) Three hundred eighty-five dollars for speed greater
14 than ten but not more than twenty miles per hour over the
15 posted speed limit.

16 (3) ~~Five~~ Six hundred forty dollars for speed greater than
17 twenty but not more than twenty-five miles per hour over the
18 posted speed limit.

19 (4) One thousand two hundred eighty dollars for speed
20 greater than twenty-five miles per hour over the posted speed
21 limit.

22 *j. Vehicle component parts records violations.* For
23 violations under section 321.95, the scheduled fine is ~~fifty~~
24 sixty-five dollars.

25 *k. Actions against a person on a bicycle.* For violations
26 under section 321.281, the scheduled fine is ~~two~~ three hundred
27 fifty twenty dollars.

28 *l. Writing, sending, or viewing an electronic message while*
29 *driving violations.* For violations under section 321.276, the
30 scheduled fine is ~~thirty~~ forty dollars.

31 *m. Leaving scene of traffic accident.* For violations under
32 section 321.262, the scheduled fine is one hundred thirty
33 dollars.

34 *n. Striking unattended vehicle.* For violations under
35 section 321.264, the scheduled fine is one hundred thirty

1 dollars.

2 *o. Striking fixtures upon highway.* For violations under
3 section 321.265, the scheduled fine is one hundred thirty
4 dollars.

5 *p. Clearing up wrecks.* For violations under section
6 321.371, the scheduled fine is thirty dollars.

7 Sec. 34. Section 805.8B, Code 2019, is amended to read as
8 follows:

9 **805.8B Navigation, recreation, hunting, and fishing scheduled**
10 **violations.**

11 1. *Navigation violations.*

12 a. For violations of registration, inspections,
13 identification, and record provisions under [sections 462A.5,](#)
14 [462A.35,](#) and [462A.37,](#) and for unused or improper or defective
15 lights and warning devices under section 462A.9, subsections 3,
16 4, 5, 9, and 10, the scheduled fine is ~~ten~~ fifteen dollars.

17 b. For violations of registration, identification, and
18 record provisions under [sections 462A.4](#) and [462A.10,](#) and for
19 unused or improper or defective equipment under section 462A.9,
20 subsections 2, 6, 7, 8, 13, and 14, and [section 462A.11,](#) and
21 for operation violations under [sections 462A.26,](#) [462A.31,](#) and
22 [462A.33,](#) the scheduled fine is ~~twenty~~ twenty-five dollars.

23 c. For operating violations under [sections 462A.12,](#) 462A.15,
24 subsection 1, [sections 462A.24,](#) and [462A.34,](#) the scheduled fine
25 is ~~twenty-five~~ thirty dollars. However, a violation of section
26 462A.12, subsection 2, is not a scheduled violation.

27 d. For violations of use, location, and storage of vessels,
28 devices, and structures under [sections 462A.27,](#) [462A.28,](#) and
29 [462A.32,](#) the scheduled fine is ~~fifteen~~ twenty dollars.

30 e. For violations of all subdivision ordinances under
31 section 462A.17, subsection 2, except those relating to
32 matters subject to regulation by authority of section 462A.31,
33 subsection 5, the scheduled fine is the same as prescribed for
34 similar violations of state law. For violations of subdivision
35 ordinances for which there is no comparable state law, the

1 scheduled fine is ~~ten~~ fifteen dollars.

2 2. *Snowmobile violations.*

3 a. For registration or user permit violations under section
4 321G.3, subsection 1, or [section 321G.4B](#), the scheduled fine is
5 ~~fifty~~ sixty-five dollars.

6 b. (1) For operating violations under [section 321G.9](#), the
7 scheduled fine is ~~fifty~~ sixty-five dollars.

8 (2) For operating violations under [sections 321G.11](#) and
9 [321G.13](#), subsection 1, paragraph "d", the scheduled fine is
10 ~~twenty~~ twenty-five dollars.

11 (3) For operating violations under section 321G.13,
12 subsection 1, paragraphs "a", "b", "e", "f", "g", "h", and "i",
13 and [section 321G.13, subsections 2 and 3](#), the scheduled fine
14 is one hundred thirty dollars.

15 c. For improper or defective equipment under section
16 321G.12, the scheduled fine is ~~twenty~~ twenty-five dollars.

17 d. For violations of [section 321G.19](#), the scheduled fine is
18 ~~twenty~~ twenty-five dollars.

19 e. For decal violations under [section 321G.5](#), the scheduled
20 fine is ~~twenty~~ twenty-five dollars.

21 f. For stop signal violations under [section 321G.17](#), the
22 scheduled fine is one hundred thirty dollars.

23 g. For violations of [section 321G.20](#) and for education
24 certificate violations under [section 321G.24, subsection 1](#), the
25 scheduled fine is ~~fifty~~ sixty-five dollars.

26 h. For violations of [section 321G.21](#), the scheduled fine is
27 one hundred thirty dollars.

28 2A. *All-terrain vehicle violations.*

29 a. For registration or user permit violations under section
30 321I.3, subsection 1, the scheduled fine is ~~fifty~~ sixty-five
31 dollars.

32 b. (1) For operating violations under [sections 321I.12](#) and
33 [321I.14](#), subsection 1, paragraph "d", the scheduled fine is
34 ~~twenty~~ twenty-five dollars.

35 (2) For operating violations under section 321I.10,

1 subsections 1 and 4, the scheduled fine is ~~forty~~ sixty-five
2 dollars.

3 (3) For operating violations under section 321I.14,
4 subsection 1, paragraphs "a", "e", "f", "g", and "h", and
5 section 321I.14, subsections 2, 3, 4, and 5, the scheduled fine
6 is one hundred thirty dollars.

7 c. For improper or defective equipment under section
8 321I.13, the scheduled fine is ~~twenty~~ twenty-five dollars.

9 d. For violations of [section 321I.20](#), the scheduled fine is
10 ~~twenty~~ twenty-five dollars.

11 e. For decal violations under [section 321I.6](#), the scheduled
12 fine is ~~twenty~~ twenty-five dollars.

13 f. For stop signal violations under [section 321I.18](#), the
14 scheduled fine is one hundred thirty dollars.

15 g. For violations of [section 321I.21](#) and for education
16 certificate violations under [section 321I.26, subsection 1](#), the
17 scheduled fine is ~~forty~~ sixty-five dollars.

18 h. For violations of [section 321I.22](#), the scheduled fine is
19 one hundred thirty dollars.

20 3. *Hunting and fishing violations.*

21 a. For violations of [section 484A.2](#), the scheduled fine is
22 ~~ten~~ fifteen dollars.

23 b. For violations of [sections 481A.54, 481A.69, 481A.71,](#)
24 [481A.72, 482.6, 483A.3, 483A.6, 483A.8A, 483A.19, 483A.27,](#) and
25 [483A.27A](#), the scheduled fine is ~~twenty~~ twenty-five dollars.

26 c. For violations of [sections 481A.6, 481A.21, 481A.22,](#)
27 [481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,](#)
28 [481A.84, 481A.92, 481A.123, 481A.145, subsection 3,](#) sections
29 [483A.6A, 483A.7, 483A.8, 483A.23, 483A.24, and 483A.28,](#) the
30 scheduled fine is ~~twenty-five~~ thirty dollars.

31 d. For violations of [sections 481A.7, 481A.24, 481A.47,](#)
32 [481A.52, 481A.53, 481A.55, 481A.58, 481A.76, 481A.90, 481A.91,](#)
33 [481A.97, 481A.122, 481A.126, 481A.142, 481A.145, subsection](#)
34 [2, sections 482.5, 482.7, 482.8, 482.10, and 483A.37,](#) the
35 scheduled fine is ~~forty~~ sixty-five dollars.

1 e. For violations of sections 481A.57, 481A.85, 481A.93,
2 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and
3 483A.42, the scheduled fine is one hundred thirty dollars.

4 f. For violations of section 481A.38 relating to the taking,
5 pursuing, killing, trapping or ensnaring, buying, selling,
6 possessing, or transporting any game, protected nongame
7 animals, fur-bearing animals, or fur or skin of the animals,
8 mussels, frogs, or fish or part of them, the scheduled fines
9 are as follows:

10 (1) For deer or turkey, the scheduled fine is one hundred
11 thirty dollars.

12 (2) For protected nongame, the scheduled fine is one hundred
13 thirty dollars.

14 (3) For mussels, frogs, spawn, or fish, the scheduled fine
15 is ~~twenty-five~~ thirty dollars.

16 (4) For other game, the scheduled fine is ~~fifty~~ sixty-five
17 dollars.

18 (5) For fur-bearing animals, the scheduled fine is
19 ~~seventy-five~~ ninety-five dollars.

20 g. For violations of section 481A.38 relating to an attempt
21 to take, pursue, kill, trap, buy, sell, possess, or transport
22 any game, protected nongame animals, fur-bearing animals, or
23 fur or skin of the animals, mussels, frogs, or fish or part of
24 them, the scheduled fines are as follows:

25 (1) For game or fur-bearing animals, the scheduled fine is
26 ~~fifty~~ sixty-five dollars.

27 (2) For protected nongame, the scheduled fine is ~~fifty~~
28 sixty-five dollars.

29 (3) For mussels, frogs, spawn, or fish, the scheduled fine
30 is ~~ten~~ fifteen dollars.

31 h. For violations of section 481A.48 relating to
32 restrictions on game birds and animals, the scheduled fines are
33 as follows:

34 (1) For out-of-season, the scheduled fine is one hundred
35 thirty dollars.

1 (2) For over limit, the scheduled fine is one hundred thirty
2 dollars.

3 (3) For attempt to take, the scheduled fine is ~~fifty~~
4 sixty-five dollars.

5 (4) For general waterfowl restrictions, the scheduled fine
6 is ~~fifty~~ sixty-five dollars.

7 (a) For no federal stamp, the scheduled fine is ~~fifty~~
8 sixty-five dollars.

9 (b) For unplugged shotgun, the scheduled fine is ~~ten~~ fifteen
10 dollars.

11 (c) For possession of other than steel shot, the scheduled
12 fine is ~~twenty-five~~ thirty dollars.

13 (d) For early or late shooting, the scheduled fine is
14 ~~twenty-five~~ thirty dollars.

15 (5) For possession of a prohibited pistol or revolver while
16 hunting deer, the scheduled fine is one hundred thirty dollars.

17 (6) For possession of a prohibited rifle while hunting deer,
18 the scheduled fine is ~~two~~ three hundred ~~fifty~~ twenty dollars.

19 *i.* For violations of [section 481A.67](#) relating to general
20 violations of fishing laws, the scheduled fine is ~~twenty-five~~
21 thirty dollars.

22 (1) For over limit catch, the scheduled fine is ~~thirty~~ forty
23 dollars.

24 (2) For under minimum length or weight, the scheduled fine
25 is ~~twenty~~ twenty-five dollars.

26 (3) For out-of-season fishing, the scheduled fine is ~~fifty~~
27 sixty-five dollars.

28 *j.* For violations of [section 481A.73](#) relating to trotlines
29 and throwlines:

30 (1) For trotline or throwline violations in legal waters,
31 the scheduled fine is ~~twenty-five~~ thirty dollars.

32 (2) For trotline or throwline violations in illegal waters,
33 the scheduled fine is ~~fifty~~ sixty-five dollars.

34 *k.* For violations of [section 481A.144](#), [subsection 4](#), or
35 [section 481A.145](#), [subsections 4](#), [5](#), and [6](#), relating to minnows:

1 (1) For general minnow violations, the scheduled fine is
2 ~~twenty-five~~ thirty dollars.

3 (2) For commercial purposes, the scheduled fine is ~~forty~~
4 sixty-five dollars.

5 l. For violations of [section 481A.87](#) relating to the taking
6 or possessing of fur-bearing animals out of season:

7 (1) For red fox, gray fox, or mink, the scheduled fine is
8 one hundred thirty dollars.

9 (2) For all other furbearers, the scheduled fine is ~~forty~~
10 sixty-five dollars.

11 m. For violations of [section 482.4](#) relating to gear tags:

12 (1) For commercial license violations, the scheduled fine
13 is one hundred thirty dollars.

14 (2) For no gear tags, the scheduled fine is ~~twenty-five~~
15 thirty dollars.

16 n. For violations of [section 482.11](#), the scheduled fine is
17 one hundred thirty dollars.

18 o. For violations of rules adopted pursuant to section
19 483A.1 relating to licenses and permits, the scheduled fines
20 are as follows:

21 (1) For a license or permit costing ten dollars or less, the
22 scheduled fine is ~~twenty~~ twenty-five dollars.

23 (2) For a license or permit costing more than ten dollars
24 but not more than twenty dollars, the scheduled fine is ~~thirty~~
25 forty dollars.

26 (3) For a license or permit costing more than twenty dollars
27 but not more than forty dollars, the scheduled fine is ~~forty~~
28 sixty-five dollars.

29 (4) For a license or permit costing more than forty dollars
30 but not more than fifty dollars, the scheduled fine is ~~seventy~~
31 ninety dollars.

32 (5) For a license or permit costing more than fifty dollars
33 but less than one hundred dollars, the scheduled fine is one
34 hundred thirty dollars.

35 (6) For a license or permit costing one hundred dollars or

1 more, the scheduled fine is two times the cost of the original
2 license or permit.

3 *p.* For violations of [section 483A.26](#) relating to false
4 claims for licenses:

5 (1) For making a false claim for a license by a resident,
6 the scheduled fine is ~~fifty~~ sixty-five dollars.

7 (2) For making a false claim for a license by a nonresident,
8 the scheduled fine is one hundred thirty dollars.

9 *q.* For violations of [section 483A.36](#) relating to the
10 conveyance of guns:

11 (1) For conveying an assembled, unloaded gun, the scheduled
12 fine is ~~twenty-five~~ thirty dollars.

13 (2) For conveying a loaded gun, the scheduled fine is ~~fifty~~
14 sixty-five dollars.

15 4. *Ginseng violations.* For a violation of section 456A.24,
16 subsection 11, the scheduled fine is one hundred thirty
17 dollars.

18 5. *Aquatic invasive species violations.* For violations
19 of [section 456A.37, subsection 3](#), the scheduled fine is as
20 follows:

21 *a.* For violations of [section 456A.37, subsection 3](#),
22 paragraph "a", the scheduled fine is ~~five~~ six hundred forty
23 dollars.

24 *b.* For violations of [section 456A.37, subsection 3](#),
25 paragraph "b", the scheduled fine is ~~seventy-five~~ ninety-five
26 dollars.

27 *c.* For repeat violations of [section 456A.37, subsection 3](#),
28 paragraph "a" or "b", within the same twelve-month period, the
29 scheduled fine shall include an additional fine of ~~five~~ six
30 hundred forty dollars for each violation.

31 6. *Misuse of parks and preserves.*

32 *a.* For violations under [sections 461A.39, 461A.45, and](#)
33 [461A.50](#), the scheduled fine is ~~ten~~ fifteen dollars.

34 *b.* For violations under [sections 461A.40, 461A.46, and](#)
35 [461A.49](#), the scheduled fine is ~~fifteen~~ twenty dollars.

1 c. For violations of [sections 461A.35, 461A.42, and 461A.44](#),
2 the scheduled fine is ~~fifty~~ sixty-five dollars.

3 d. For violations of [section 461A.48](#), the scheduled fine is
4 ~~twenty-five~~ thirty dollars.

5 e. For violations under [section 461A.43](#), the scheduled fine
6 is ~~thirty~~ forty dollars.

7 Sec. 35. Section 805.8C, Code 2019, is amended to read as
8 follows:

9 **805.8C Miscellaneous scheduled violations.**

10 1. *Energy emergency violations.* For violations of an
11 executive order issued by the governor under the provisions of
12 section 473.8, the scheduled fine is ~~fifty~~ sixty-five dollars.

13 2. *Alcoholic beverage violations.* For violations of section
14 123.49, subsection 2, paragraph "h", the scheduled fine for a
15 licensee or permittee is one thousand ~~five~~ nine hundred twenty
16 dollars, and the scheduled fine for a person who is employed by
17 a licensee or permittee is ~~five~~ six hundred forty dollars.

18 3. *Violations related to smoking, tobacco, tobacco products,*
19 *alternative nicotine products, vapor products, and cigarettes.*

20 a. For violations described in [section 142D.9, subsection 1](#),
21 the scheduled fine is fifty dollars, and is a civil penalty,
22 and the ~~criminal penalty~~ crime services surcharge under section
23 911.1 shall not be added to the penalty, and the court costs
24 pursuant to [section 805.9, subsection 6](#), shall not be imposed.
25 If the civil penalty assessed for a violation described in
26 section 142D.9, subsection 1, is not paid in a timely manner,
27 a citation shall be issued for the violation in the manner
28 provided in [section 804.1](#). However, a person under age
29 eighteen shall not be detained in a secure facility for failure
30 to pay the civil penalty. The complainant shall not be charged
31 a filing fee.

32 b. For violations of [section 453A.2, subsection 1](#), by an
33 employee of a retailer, the scheduled fine is as follows:

34 (1) If the violation is a first offense, the scheduled fine
35 is one hundred thirty dollars.

1 (2) If the violation is a second offense, the scheduled fine
2 is ~~two~~ three hundred ~~fifty~~ twenty dollars.

3 (3) If the violation is a third or subsequent offense, the
4 scheduled fine is ~~five~~ six hundred forty dollars.

5 c. For violations of [section 453A.2, subsection 2](#), the
6 scheduled fine is as follows and is a civil penalty, and the
7 ~~criminal penalty crime services~~ surcharge under [section 911.1](#)
8 shall not be added to the penalty, and the court costs pursuant
9 to [section 805.9, subsection 6](#), shall not be imposed:

10 (1) If the violation is a first offense, the scheduled fine
11 is fifty dollars.

12 (2) If the violation is a second offense, the scheduled fine
13 is one hundred dollars.

14 (3) If the violation is a third or subsequent offense, the
15 scheduled fine is two hundred fifty dollars.

16 4. *Electrical or mechanical amusement device violations.*

17 a. For violations of legal age for operating an electrical
18 or mechanical amusement device required to be registered
19 as provided in [section 99B.53](#), pursuant to [section 99B.57](#),
20 subsection 1, the scheduled fine is ~~two~~ three hundred ~~fifty~~
21 twenty dollars. Failure to pay the fine by a person under the
22 age of eighteen shall not result in the person being detained
23 in a secure facility.

24 b. For first offense violations concerning electrical or
25 mechanical amusement devices as provided in [section 99B.54](#),
26 subsection 2, the scheduled fine is ~~two~~ three hundred ~~fifty~~
27 twenty dollars.

28 5. *Gambling violations.*

29 a. For violations of legal age for gambling wagering under
30 [section 99D.11, subsection 7](#), [section 99F.9, subsection 4](#), and
31 [section 725.19, subsection 1](#), the scheduled fine is ~~five~~ six
32 hundred forty dollars. Failure to pay the fine by a person
33 under the age of eighteen shall not result in the person being
34 detained in a secure facility.

35 b. For legal age violations for entering or attempting

1 to enter a facility under [section 99F.9, subsection 5](#), the
2 scheduled fine is ~~five~~ six hundred forty dollars. Failure to
3 pay the fine by a person under the age of eighteen shall not
4 result in the person being detained in a secure facility.

5 6. *Pseudoephedrine sales violations.* For violations of
6 section 126.23A, subsection 1, by an employee of a retailer, or
7 for violations of [section 126.23A, subsection 2](#), paragraph "a",
8 by a purchaser, the scheduled fine is as follows:

9 a. If the violation is a first offense, the scheduled fine
10 is two hundred fifty-five dollars.

11 b. If the violation is a second offense, the scheduled fine
12 is ~~two~~ three hundred fifty twenty dollars.

13 c. If the violation is a third or subsequent offense, the
14 scheduled fine is ~~five~~ six hundred forty dollars.

15 7. *Alcoholic beverage violations by persons eighteen,*
16 *nineteen, or twenty years of age.* For first offense violations
17 of [section 123.47, subsection 4](#), the scheduled fine is two
18 hundred fifty-five dollars.

19 8. *Unlicensed premises owner — under eighteen years of age*
20 *consumption or possession.* For first offense violations of
21 section 123.47, subsection 2, the scheduled fine is two hundred
22 fifty-five dollars.

23 9. *Notification violations.* For violations of section
24 229.22, subsection 6, the scheduled fine is one thousand
25 dollars for a first violation and two thousand dollars for a
26 second or subsequent violation. The scheduled fine under this
27 subsection is a civil penalty, and the ~~criminal penalty~~ crime
28 services surcharge under [section 911.1](#) shall not be added to
29 the penalty.

30 10. *Scrap metal transaction violations.* For violations
31 of [section 714.27](#), the scheduled fine is one hundred dollars
32 for a first violation, five hundred dollars for a second
33 violation within two years, and one thousand dollars for a
34 third or subsequent violation within two years. The scheduled
35 fine under [this subsection](#) is a civil penalty which shall

1 be deposited into the general fund of the county or city if
2 imposed by a designated officer or employee of a county or
3 city, or deposited in the general fund of the state if imposed
4 by a state agency, and the ~~criminal penalty~~ crime services
5 surcharge under [section 911.1](#) shall not be added to the
6 penalty.

7 11. *Trespassing violations.* For trespasses punishable under
8 section 716.8, subsection 1 or 5, the scheduled fine is two
9 hundred fifty-five dollars for a first violation, ~~five~~ six
10 hundred forty dollars for a second violation, and one thousand
11 two hundred eighty dollars for a third or subsequent violation.

12 DIVISION V

13 MISDEMEANOR AND FELONY FINES

14 Sec. 36. Section 902.9, subsection 1, paragraphs d and e,
15 Code 2019, are amended to read as follows:

16 *d.* A class "C" felon, not an habitual offender, shall be
17 confined for no more than ten years, and in addition shall be
18 sentenced to a fine of at least one thousand three hundred
19 seventy dollars but not more than ~~ten~~ thirteen thousand six
20 hundred sixty dollars.

21 *e.* A class "D" felon, not an habitual offender, shall be
22 confined for no more than five years, and in addition shall
23 be sentenced to a fine of at least ~~seven hundred fifty one~~
24 thousand twenty-five dollars but not more than ~~seven~~ ten
25 thousand ~~five~~ two hundred forty-five dollars.

26 Sec. 37. Section 903.1, subsections 1 and 2, Code 2019, are
27 amended to read as follows:

28 1. If a person eighteen years of age or older is convicted
29 of a simple or serious misdemeanor and a specific penalty is
30 not provided for or if a person under eighteen years of age
31 has been waived to adult court pursuant to [section 232.45](#) on
32 a felony charge and is subsequently convicted of a simple,
33 serious, or aggravated misdemeanor, the court shall determine
34 the sentence, and shall fix the period of confinement or the
35 amount of fine, which fine shall not be suspended by the court,

1 facility in Ankeny, and training. Any balance in the fund on
2 June 30 of any fiscal year shall not revert to any other fund of
3 the state but shall remain available for the purposes described
4 in [this section](#).

5 DIVISION VII

6 DRUG ABUSE RESISTANCE EDUCATION FUND

7 Sec. 39. NEW SECTION. 80E.4 Drug abuse resistance education
8 fund.

9 A drug abuse resistance education fund is created as a
10 separate fund in the state treasury under the control of the
11 governor's office of drug control policy for use by the drug
12 abuse resistance education program and other programs with a
13 similar purpose. The fund shall consist of appropriations made
14 to the fund and transfers of interest, moneys collected from
15 the crime services surcharge established in section 911.1,
16 and earnings. All moneys in the fund are appropriated to the
17 governor's office of drug control policy. Notwithstanding
18 section 8.33, any balance in the fund on June 30 of any fiscal
19 year shall not revert to any other fund of the state but shall
20 remain available for the purposes described in this section.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to surcharges added to criminal penalties,
25 court funds, civil fees, misdemeanor and felony fines and fines
26 associated with scheduled violations.

27 DIVISION I — SURCHARGES ADDED TO CRIMINAL PENALTIES.

28 Division I changes the name of the criminal penalty surcharge
29 to the crime services surcharge and modifies the distribution
30 of the surcharge moneys. Currently, the clerk of the district
31 court remits 5 percent of the criminal penalty surcharge to
32 the county treasurer of the county that was the plaintiff in
33 the action or to the city that was the plaintiff in the action
34 and the remaining 95 percent of the criminal penalty surcharge
35 moneys as follows: 17 percent is deposited in the victim

1 compensation fund established in Code section 915.94, and 83
2 percent is deposited in the general fund of the state.

3 Under Division I, the clerk of the district court remits 15
4 percent of the crime services surcharge to the county treasurer
5 of the county that was the plaintiff in the action or to the
6 city that was the plaintiff in the action. Additionally,
7 under the division, the clerk of the district court remits the
8 remaining 85 percent of the crime services surcharge moneys as
9 follows: 59 percent is deposited in the victim compensation
10 fund established in Code section 915.94, 38 percent is
11 deposited in the criminalistics laboratory fund established in
12 Code section 691.9 and 3 percent is deposited in the drug abuse
13 resistance education fund established in Code section 80E.4.
14 Division I provides that the state court administrator shall
15 deposit monthly the portion of the moneys collected from the
16 assessment of the crime services surcharge and remitted to the
17 state court administrator to the victim compensation fund and
18 to the criminalistics laboratory fund.

19 Division I combines two surcharges into one Code section:
20 the domestic abuse assault, sexual abuse, stalking, and human
21 trafficking victim surcharge established in Code section 911.2B
22 and the domestic abuse protective order contempt surcharge
23 established in Code section 911.2C. The new surcharge amount
24 is \$90. The surcharge is assessed if an adjudication of guilt
25 or deferred judgment has been entered for a violation of Code
26 section 708.2A, 708.11, or 710A.2, or Code chapter 709, or if a
27 defendant is held in contempt of court for violating a domestic
28 abuse protective order issued pursuant to Code chapter 236.
29 After combining the surcharges, the division repeals the second
30 surcharge in Code section 911.2C.

31 Division I requires that a person convicted of a crime
32 relating to agricultural property (agricultural property
33 offense) is subject to surcharge (agricultural property offense
34 surcharge) equal to 35 percent of the fine or forfeiture
35 imposed by the court. The moneys are required to be remitted

1 by the clerk of court to the state court administrator and are
2 appropriated to the judicial branch for purposes of supporting
3 judicial branch operations.

4 The agricultural property offense must involve either: (1)
5 the theft of agricultural property or (2) criminal mischief
6 for damaging, defacing, altering, or destroying agricultural
7 property. In addition, it must be classified as a first degree
8 offense (class "C" felony), second degree offense (class "D"
9 felony), or third degree offense (aggravated misdemeanor).

10 The agricultural property is limited to: (1) a crop, (2)
11 livestock, or (3) honey bees or associated items.

12 The degree of the offense for theft or criminal mischief, and
13 its punishment, corresponds to the dollar amount of the value
14 of the property subject to the offense. If the value exceeds
15 \$10,000, the offense is theft or criminal mischief in the first
16 degree and punishable as a class "C" felony with confinement
17 for no more than 10 years. If the value exceeds \$1,000 but
18 does not exceed \$10,000, the offense is classified as theft
19 or criminal mischief in the second degree and punishable as
20 a class "D" felony with confinement for no more than five
21 years. If the value exceeds \$500 but does not exceed \$1,000,
22 the offense is classified as theft or criminal mischief in
23 the third degree and punishable as an aggravated misdemeanor
24 with confinement for no more than two years. See Division V
25 for current and proposed law on misdemeanor and felony fine
26 amounts.

27 Division I repeals the law enforcement initiative
28 surcharge in Code section 911.3 and the drug abuse resistance
29 education surcharge in Code section 911.2. Division I makes
30 corresponding changes to the Code.

31 DIVISION II — COURT FUNDS. Division II increases the
32 allocation to the court technology and modernization fund from
33 \$1 million to \$9 million in Code section 602.8108. Division
34 II repeals the enhanced court collections fund in Code section
35 602.1304(2). Division II makes corresponding changes to

1 the Code. Division II provides that any unobligated or
2 unencumbered moneys remaining in the enhanced court collections
3 fund in Code section 602.1304 at the end of the fiscal year
4 beginning July 1, 2018, and ending June 30, 2019, shall be
5 transferred to the court technology and modernization fund.

6 DIVISION III — CIVIL FEES. Division III amends Code
7 sections 602.8105 and 631.6 to increase fees in civil cases
8 by \$20, except no increase was made for an appeal from a
9 judgment in small claims and the filing fee for an adoption was
10 eliminated.

11 Division III provides that the judicial branch shall conduct
12 a study to determine whether the current fee to appear pro
13 hac vice is appropriate. Division III provides that if the
14 judicial branch determines that the fee to appear pro hac vice
15 is not appropriate, the judicial branch shall adjust the fee
16 accordingly.

17 DIVISION IV — SCHEDULED VIOLATIONS. Division IV
18 reclassifies the following simple misdemeanors as simple
19 misdemeanors punishable as scheduled violations: violations of
20 Code section 321.24 (issuance of registration and certificate
21 of title), violations of Code section 321.260(2) (unlawful
22 possession of traffic-control device), violations of Code
23 section 321.262 (leaving the scene of an accident), violations
24 of Code section 321.264 (striking unattended vehicle),
25 violations of Code section 321.265 (striking fixtures upon
26 a highway), violations of Code section 321.324A (funeral
27 processions), violations of Code section 321.371 (clearing up
28 wrecks), violations of Code section 321.383 (exceptions — slow
29 vehicles identified), and violations of Code section 321.431
30 (brake performance).

31 Division IV raises nearly all of the amounts for simple
32 misdemeanors punishable as scheduled violations in Code
33 sections 805.8A (motor vehicle and transportation), 805.8B
34 (navigation, recreation, hunting, and fishing), and 805.8C
35 (miscellaneous), by approximately 28 percent.

1 DIVISION V — MISDEMEANOR AND FELONY FINES. Division
2 V modifies the minimum and maximum criminal fines for
3 misdemeanors and felonies. Currently, a simple misdemeanor
4 fine ranges from \$65 to \$625, a serious misdemeanor fine ranges
5 from \$315 to \$1,875, an aggravated misdemeanor fine ranges
6 from \$625 to \$6,250, a class "D" felony fine ranges from \$750
7 to \$7,500, and a class "C" felony fine ranges from \$1,000 to
8 \$10,000. Under Division V, a simple misdemeanor fine ranges
9 from \$90 to \$855, a serious misdemeanor fine ranges from \$430
10 to \$2,560, an aggravated misdemeanor fine ranges from \$855 to
11 \$8,540, a class "D" felony fine ranges from \$1,025 to \$10,245,
12 and a class "C" felony fine ranges from \$1,370 to \$13,660.

13 DIVISION VI — CRIMINALISTICS LABORATORY FUND. Division VI
14 provides that the criminalistics laboratory fund shall consist
15 not only of appropriations made to the fund and transfers of
16 interest, but also of moneys collected from the crime services
17 surcharge established in Code section 911.1. Division VI
18 also provides that the moneys in the fund appropriated to the
19 department of public safety are for use by the department for
20 the department of administrative services utility service
21 fee for the criminalistics laboratory facility in Ankeny, in
22 addition to the currently authorized criminalistics laboratory
23 equipment and supply purchasing, maintenance, depreciation, and
24 training.

25 DIVISION VII — DRUG ABUSE RESISTANCE EDUCATION FUND.
26 Division VII establishes a drug abuse resistance education
27 fund in the state treasury under the control of the governor's
28 office of drug control policy for use by the drug abuse
29 resistance education program and other programs with a similar
30 purpose. Division VII provides that the fund shall consist
31 of appropriations made to the fund and transfers of interest,
32 moneys collected from the crime services surcharge established
33 in Code section 911.1, and earnings. Division VII provides
34 that all moneys in the fund are appropriated to the governor's
35 office of drug control policy and that any balance in the fund

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1 on June 30 of any fiscal year shall not revert to any other
2 fund of the state but shall remain available for the purposes
3 described in Division VII.