

**House File 365 - Introduced**

HOUSE FILE 365  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 26)

**A BILL FOR**

1 An Act relating to the service of notices of garnishment by  
2 sheriffs.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 642.5, Code 2021, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 1A. The sheriff shall serve to the  
4 garnishee the notice of garnishment in the same manner as an  
5 original notice by personal service, certified mail service,  
6 first class mail, or electronic means. The recipient of the  
7 garnishment notice may return service in the same manner as the  
8 notice was received. The garnishee shall submit answers within  
9 twenty-one days of service.

10 EXPLANATION

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

13 Under current law, a sheriff is required to take the answer  
14 of the garnishee when the plaintiff, in writing, directs the  
15 sheriff to do so. The sheriff must then file the answer to  
16 the examination within seven business days of receiving the  
17 answer. This bill provides that the sheriff shall serve the  
18 notice of garnishment in the same manner as an original notice.  
19 The bill also provides that the person who received notice of  
20 garnishment may respond in the same manner and the garnishee  
21 shall submit answers within 21 days of service.