

Senate File 450 - Introduced

SENATE FILE 450
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO SF 293)

A BILL FOR

1 An Act relating to the collection of delinquent judgments
2 owed to a county or city, and including effective date
3 provisions.

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

1 Section 1. Section 8A.504, subsection 1, paragraph d, Code
2 2023, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (4) Any judgment debt owed to a county or
4 city arising from a county or city infraction.

5 Sec. 2. Section 331.307, subsection 6, Code 2023, is amended
6 to read as follows:

7 6. a. Notwithstanding section 602.8106, subsection 3,
8 penalties or forfeitures collected by the court for county
9 infractions shall be remitted to the county in the same manner
10 as fines and forfeitures are remitted to cities for criminal
11 violations under section 602.8106. If the person named in
12 the citation is served as provided in this section and fails
13 without good cause to appear in response to the civil citation,
14 judgment shall be entered against the person cited.

15 b. Judgment debt owing to a county is deemed delinquent
16 if it is not paid within thirty days after the date it is
17 assessed. An amount that was ordered by the court to be paid
18 on a date fixed in the future is deemed delinquent if it is not
19 received by the clerk of court within thirty days after the
20 fixed date set out in the court order. If an amount was ordered
21 to be paid in installments and an installment is not received
22 within thirty days after the date it is due, the entire amount
23 of the judgment debt is deemed delinquent.

24 c. The county attorney or the county attorney's designee
25 may collect judgment debt that has not been paid sixty days
26 after the judgment debt has been deemed delinquent pursuant to
27 paragraph "b".

28 d. In addition to paragraph "c", a county may establish a
29 debt collection setoff procedure for purposes of collecting
30 delinquent judgment debt.

31 Sec. 3. Section 364.22B, subsection 3, paragraph a, Code
32 2023, is amended to read as follows:

33 a. A city may contract with a private collection designee
34 or the county attorney of the county in which a majority of
35 the city's residents reside for the collection of a judgment

1 debt sixty days after the judgment debt in a case is deemed
2 delinquent pursuant to [subsection 2](#).

3 Sec. 4. Section 364.22B, subsection 3, Code 2023, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. c. In addition to paragraphs "a" and "b",
6 a city may establish a debt collection setoff procedure for
7 purposes of collecting delinquent judgment debt.

8 Sec. 5. Section 421.65, subsection 1, paragraph d, as
9 enacted by 2020 Iowa Acts, chapter 1064, section 16, is amended
10 by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (4) Any judgment or debt owed to a county
12 or city arising from a county or city infraction.

13 Sec. 6. CONTINGENT EFFECTIVE DATE. The following takes
14 effect on the effective date of the rules adopted by the
15 department of revenue pursuant to chapter 17A implementing 2020
16 Iowa Acts, chapter 1064, other than transitional rules:

17 The section of this Act amending section 421.65.

18 EXPLANATION

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

21 This bill relates to the collection of judgment debt owed to
22 a county or city. Under current law, a penalty or forfeiture
23 collected by a court for a county or city infraction is
24 remitted to the respective county or city. A city may contract
25 with a private collection designee for the collection of a
26 judgment debt 60 days after the judgment debt in a case is
27 deemed delinquent.

28 The bill allows a county attorney or the county attorney's
29 designee to collect judgment debt that has not been paid 60
30 days after the judgment debt has been deemed delinquent.

31 The bill also allows a county or city to establish a debt
32 collection setoff procedure for purposes of collecting
33 delinquent judgment debt.

34 The section of the bill amending Code section 421.65 (setoff
35 procedures — department of revenue) takes effect on the

S.F. 450

1 effective date of the rules, other than transitional rules,
2 adopted by the department of revenue pursuant to Code chapter
3 17A implementing 2020 Iowa Acts, chapter 1064.