

# **Miscellaneous Court Fee Bill House File 2775**

*As Amended by Senate Appropriations  
Committee Amendment S-5197*

Last Action:

**Senate Appropriations  
Committee**

April 12, 2006

## **Executive Summary Only**

**An Act relating to the Judicial Branch including the assessment of court fees and costs.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2775 AS AMENDED BY S-5197  
MISCELLANEOUS COURT FEE BILL**

**SENATE APPROPRIATIONS  
COMMITTEE AMENDMENT S-5197  
FISCAL IMPACT**

***BILL AS PASSED BY THE HOUSE***  
**LIEN FILING FEES**

**SMALL CLAIM FILING FEES**

**TRANSCRIPT DOCKETING FEE  
REVENUE IMPACT**

- Permits elimination of the \$30 court cost for dismissal of a charge of failure to have proof of insurance. In FY 2005, there were 47,867 people charged with failure to have proof of insurance at the time of a stop. Of this amount, 24,675 people were convicted and 23,192 people had the charges dismissed. The fiscal impact is a reduction of \$695,760 in General Fund revenue for FY 2007 and future years.
- In FY 2005, hospitals filed 1,693 liens. Senate File 2320 (Filing Fees in District Court Act), enacted in the 2002 Legislative Session, increased the filing fee for liens from \$10 to \$20; however, hospital liens were not included in this legislation. This Bill makes all lien filing fees the same amount.
- Increases the current amount charged to mail an original notice in a small claims case from \$8 to \$10. The cost to mail a notice is paid up front as part of the court costs. The \$2 increase would cover the Judicial Branch's average postage costs per case. Attorneys and certain litigants would still have the option of receiving notice by a process server rather than the Judicial Branch, if they so choose.
- Creates a \$50 filing fee for filing and docketing a transcript of the judgment in a civil case.
- The \$10 increase for hospital lien filing fees results in approximately \$17,000 of additional revenue to the State General Fund. The change in the mailing fee for small claims is revenue neutral. The revenue impact of the \$50 filing and docketing fee for a transcript of the judgment in a civil case cannot be determined; however, it is expected to be minimal.