SENATE FILE 457
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 225)
(SUCCESSOR TO SSB 1059)

(As Amended and Passed by the Senate March 11, 2019)
[= New Language by the Senate

A BILL FOR

An Act relating to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines, and fines associated with scheduled violations.

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

DIVISION I

SURCHARGES ADDED TO CRIMINAL PENALTIES

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

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

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

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

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

135A. Assess the surcharges provided by sections 911.1, ~~911.2,~~ 911.2A, 911.2B, ~~911.2C, 911.3, and~~ 911.4, and 911.5.

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

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

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

a. This subsection does not apply to amounts collected for victim restitution, the victim compensation fund, the ~~criminal~~

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

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

3. The clerk of the district court shall remit to the state court administrator, not later than the fifteenth day of each month, ~~ninety-five~~ eighty-five percent of all moneys collected from the ~~criminal penalty~~ crime services surcharge provided in section 911.1 during the preceding calendar month. The clerk shall remit the remainder to the county treasurer of the county that was the plaintiff in the action or to the city that was the plaintiff in the action. Of the amount received from the clerk, the state court administrator shall allocate ~~seventeen~~ and deposit each month fifty-nine percent ~~to be deposited~~ in the victim compensation fund established in section 915.94, and ~~eighty-three percent to be deposited in the general fund~~ thirty-eight percent in the criminalistics laboratory fund established in section 691.9, and three percent in the drug abuse resistance education fund established in section 80E.4.

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

5. ~~The clerk of the district court shall remit all moneys collected from the assessment of the law enforcement initiative surcharge provided in section 911.3 to the state court administrator no later than the fifteenth day of each month for deposit in the general fund of the state.~~ The clerk

of the district court shall remit all moneys collected from the agricultural property offense surcharge as provided in section 911.5 to the state court administrator. The moneys are appropriated to the court technology and modernization fund for purposes of supporting judicial branch operations.

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

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

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

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

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

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

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

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

911.1 ~~Criminal penalty~~ Crime services surcharge.

1. A ~~criminal penalty~~ crime services surcharge shall be levied against law violators as provided in this section. When a court imposes a fine or forfeiture for a violation of state law, or a city or county ordinance, except an ordinance regulating the parking of motor vehicles, the court ~~or the clerk of the district court~~ shall assess an additional penalty in the form of a ~~criminal penalty~~ crime services surcharge equal to ~~thirty-five~~ ten percent of the fine or forfeiture imposed.

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

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

4. The surcharge is subject to the provisions of chapter 909 governing the payment and collection of fines, as provided in section 909.8.

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

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

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

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

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

victim surcharge.

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

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

3. The surcharge shall be remitted by the clerk of court as provided in section 602.8108, subsection 7.

Sec. 13. NEW SECTION. **911.5 Agricultural theft surcharge.**

1. In addition to any other surcharge, the court or clerk of the district court shall assess an agricultural theft surcharge equal to five hundred dollars, if an adjudication of guilt or a deferred judgment has been entered for a criminal violation involving any of the following:

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

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

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

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

b. Livestock as defined in section 717.1.

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

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

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

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

DIVISION II

COURT FUNDS

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

1. Except as otherwise provided by sections 602.1303~~,~~ ~~602.1304,~~ and 602.8108 or other applicable law, the expenses of operating and maintaining the judicial branch shall be paid out of the general fund of the state from funds appropriated by the general assembly for the judicial branch. State funding shall be phased in as provided in section 602.11101.

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

1. Except as provided in article 8 ~~and subsection 2 of this section~~, all fees and other revenues collected by judicial officers and court employees shall be paid into the general fund of the state.

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

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

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

b. The moneys in the fund used to enhance the ability of the judicial branch to process cases more quickly and efficiently, to electronically transmit information to state government,

local governments, law enforcement agencies, and the public, and to improve public access to the court system. The moneys in the collection fund may also be used for any the following:

(1) The Iowa court information system.

(2) Records management, equipment, services, and projects.

(3) Other technological improvements approved by the judicial branch.

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

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

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

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

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

DIVISION III

CIVIL FEES

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

1. The clerk of the district court shall collect the following fees:

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

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

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

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

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

e. For filing and docketing a petition for adoption pursuant to chapter 600, ~~one hundred~~ zero dollars. For multiple adoption petitions filed at the same time by the same petitioner under section 600.3, the filing fee and any court costs for any petition filed in addition to the first petition filed are waived.

f. For filing and docketing a small claims action, the amounts specified in section 631.6.

g. For an appeal from a judgment in small claims or for

filing and docketing a writ of error, one hundred eighty-five dollars.

h. For a motion to show cause in a civil case, ~~fifty~~ seventy dollars.

i. For filing and docketing a transcript of the judgment in a civil case, ~~fifty~~ seventy dollars.

j. For filing a tribal judgment, one hundred twenty dollars.

2. The clerk of the district court shall collect the following fees for miscellaneous services:

a. For filing and entering any other statutory lien, ~~fifty~~ seventy dollars.

b. For a certificate and seal, ~~twenty~~ forty dollars. However, there shall be no charge for a certificate and seal to an application to procure a pension, bounty, or back pay for a member of the armed services or other person.

c. For certifying a change in title of real estate, ~~fifty~~ seventy dollars.

d. For filing a praecipe to issue execution under chapter 626, ~~twenty-five~~ forty-five dollars. The fee shall be recoverable by the creditor from the debtor against whom the execution is issued. A fee payable by a political subdivision of the state under this paragraph shall be collected by the clerk of the district court as provided in section 602.8109. However, the fee shall be waived and shall not be collected from a political subdivision of the state if a county attorney or county attorney's designee is collecting a delinquent judgment pursuant to section 602.8107, subsection 4.

e. For filing a praecipe to issue execution under chapter 654, ~~fifty~~ seventy dollars.

f. For filing a confession of judgment under chapter 676, ~~fifty~~ seventy dollars if the judgment is five thousand dollars or less, and one hundred twenty dollars if the judgment exceeds five thousand dollars.

g. For filing a lis pendens, ~~fifty~~ seventy dollars.

h. For applicable convictions under section 692A.110 prior

to July 1, 2009, a civil penalty of two hundred twenty dollars, and for applicable convictions under section 692A.110 on or after July 1, 2009, a civil penalty of two hundred ~~fifty~~ seventy dollars.

i. Other fees provided by law.

Sec. 21. Section 631.6, subsection 1, paragraphs a and c, Code 2019, are amended to read as follows:

a. Fees for filing and docketing shall be ~~eighty-five~~ one hundred five dollars.

c. Postage charged for the mailing of original notice shall be ~~ten~~ thirty dollars.

Sec. 22. STUDY ON PRO HAC VICE ATTORNEY FEE. The judicial branch shall conduct a study to determine whether the amount of the current fee to appear pro hac vice is appropriate. If the judicial branch determines that the fee to appear pro hac vice is not appropriate, the judicial branch shall adjust the fee accordingly.

DIVISION IV

SCHEDULED VIOLATIONS

Sec. 23. Section 321.24, subsection 12, Code 2019, is amended to read as follows:

12. A person who violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 2, paragraph "*b*".

Sec. 24. Section 321.260, subsection 2, Code 2019, is amended to read as follows:

2. It shall be unlawful for any person to have in the person's possession any official traffic-control device except by legal right or authority. Any person convicted of unauthorized possession of any official traffic-control device shall upon conviction be guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 8, paragraph "*c*". ~~In addition to any other penalties, the punishment imposed for a violation of this subsection shall include assessment of a fine of not less than~~

~~two hundred fifty dollars.~~

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

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

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

321.264 Striking unattended vehicle.

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

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

321.265 Striking fixtures upon a highway.

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

the driver's license of the driver of the vehicle and shall report the accident when and as required in section 321.266. A person who violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 14, paragraph "o".

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

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

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

2. A person who violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 14, paragraph "q".

Sec. 30. Section 321.372, subsection 5, paragraph b, subparagraph (1), Code 2019, is amended to read as follows:

(1) For a first offense under subsection 3, the person is guilty of a simple misdemeanor punishable by a fine of at least ~~two hundred fifty~~ three hundred forty dollars but not more than ~~six hundred seventy-five~~ nine hundred twenty-five dollars or by imprisonment for not more than thirty days, or by both.The department shall require the person to attend and successfully complete, at the person's own expense, a driver improvement program approved by the department in lieu of driver's license suspension for the offense pursuant to section 321.210. Additionally, the department shall assess the person a civil penalty of two hundred dollars. However, for persons age nineteen or under, the department shall assess a civil penalty of fifty dollars. The money collected by the department as civil penalties shall be transmitted by the treasurer of state who shall deposit the money in the juvenile detention home fund created in section 232.142. A person assessed a civil penalty under this subparagraph may remit the civil penalty along with a processing fee of five dollars to a county treasurer

authorized to issue driver's licenses under chapter 321M, or the civil penalty may be paid directly to the department.

Sec. 31. Section 321.383, subsection 4, Code 2019, is amended to read as follows:

4. ~~Any~~ Except as provided in subsection 5, any person who violates any provision of this section ~~shall be fined as provided in~~ commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 3.

Sec. 32. Section 321.383, Code 2019, is amended by adding the following new subsection:

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

Sec. 33. Section 321.431, subsection 6, Code 2019, is amended to read as follows:

6. A person who violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 3, paragraph *"ad"*.

Sec. 34. Section 805.8A, Code 2019, is amended to read as follows:

805.8A Motor vehicle and transportation scheduled violations.

1. *Parking violations.*

a. For parking violations under sections 321.236, 321.239, 321.358, 321.360, and 321.361, the scheduled fine is five dollars, except if the local authority has established the fine by ordinance. The scheduled fine for a parking violation pursuant to section 321.236 increases by five dollars if authorized by ordinance and if the parking violation is not paid within thirty days of the date upon which the violation occurred. For purposes of calculating the unsecured appearance bond required under section 805.6, the scheduled fine shall be five dollars, or if the amount of the fine is greater than five dollars, the unsecured appearance bond shall be the amount

of the fine established by the local authority. However, violations charged by a city or county upon simple notice of a fine instead of a uniform citation and complaint required by section 321.236, subsection 1, paragraph "b", are not scheduled violations, and this section shall not apply to any offense charged in that manner. For a parking violation under section 461A.38, the scheduled fine is ten dollars. For a parking violation under section 321.362, the scheduled fine is twenty dollars.

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

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

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

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

b. Section 321.24.....$130.

~~*b.*~~ *c.* Section 321.25.....~~$100~~ $130.

~~*c.*~~ *d.* Section 321.32.....~~$ 20~~ $ 25.

~~*d.*~~ *e.* Section 321.34.....~~$ 20~~ $ 25.

~~*e.*~~ *f.* Section 321.37.....~~$ 20~~ $ 25.

~~*f.*~~ *g.* Section 321.38.....~~$ 20~~ $ 25.

~~*g.*~~ *h.* Section 321.41.....~~$ 20~~ $ 25.

~~*h.*~~ *i.* Section 321.45.....~~$100~~ $130.

~~*i.*~~ *j.* Section 321.46.....~~$100~~ $130.

~~*j.*~~ *k.* Section 321.47.....~~$100~~ $130.

~~*k.*~~ *l.* Section 321.48.....~~$100~~ $130.

~~*l.*~~ *m.* Section 321.52.....~~$100~~ $130.

~~*m.*~~ *n.* Section 321.55.....~~$ 50~~ $ 65.

~~*n.*~~ *o.* Section 321.57.....~~$100~~ $130.

~~*o.*~~ *p.* Section 321.62.....~~$100~~ $130.

~~*p.*~~ *q.* Section 321.67.....~~$100~~ $130.

~~*q.*~~ *r.* Section 321.98.....~~$ 50~~ $ 65.

~~r.~~ *s.* Section 321.99.....~~$200~~ $255.
~~s.~~ *t.* Section 321.104.....~~$100~~ $130.
~~t.~~ *u.* Section 321.115.....~~$ 30~~ $ 40.
~~u.~~ *v.* Section 321.115A.....~~$ 30~~ $ 40.

3. *Equipment violations.* For equipment violations under the following sections, the scheduled fine is as follows:

a. Section 321.234A.....~~$ 50~~ $ 65.
b. Section 321.247.....~~$100~~ $130.
c. Section 321.317.....~~$ 20~~ $ 25.
d. Section 321.381.....~~$100~~ $130.
e. Section 321.381A.....~~$100~~ $130.
f. Section 321.382.....~~$ 25~~ $ 30.
g. Section 321.383, subsection 4.....~~$ 30~~ $ 40.
h. Section 321.384.....~~$ 30~~ $ 40.
i. Section 321.385.....~~$ 30~~ $ 40.
j. Section 321.386.....~~$ 30~~ $ 40.
k. Section 321.387.....~~$ 20~~ $ 25.
l. Section 321.388.....~~$ 20~~ $ 25.
m. Section 321.389.....~~$ 20~~ $ 25.
n. Section 321.390.....~~$ 20~~ $ 25.
o. Section 321.392.....~~$ 20~~ $ 25.
p. Section 321.393.....~~$ 20~~ $ 25.
q. Section 321.398.....~~$ 30~~ $ 40.
r. Section 321.402.....~~$ 30~~ $ 40.
s. Section 321.403.....~~$ 30~~ $ 40.
t. Section 321.404.....~~$ 30~~ $ 40.
u. Section 321.404A.....~~$ 25~~ $ 30.
v. Section 321.409.....~~$ 30~~ $ 40.
w. Section 321.415.....~~$ 30~~ $ 40.
x. Section 321.419.....~~$ 30~~ $ 40.
y. Section 321.420.....~~$ 30~~ $ 40.
z. Section 321.421.....~~$ 30~~ $ 40.
aa. Section 321.422.....~~$ 20~~ $ 25.
ab. Section 321.423.....~~$ 30~~ $ 40.
ac. Section 321.430.....~~$100~~ $130.

ad. Section 321.431.....$130.

~~*ad.*~~ *ae.* Section 321.432.....~~$ 20~~ $ 25.

~~*ae.*~~ *af.* Section 321.433.....~~$ 30~~ $ 40.

~~*af.*~~ *ag.* Section 321.436.....~~$ 20~~ $ 25.

~~*ag.*~~ *ah.* Section 321.438.....~~$ 50~~ $ 65.

~~*ah.*~~ *ai.* Section 321.439.....~~$ 20~~ $ 25.

~~*ai.*~~ *aj.* Section 321.440.....~~$ 20~~ $ 25.

~~*aj.*~~ *ak.* Section 321.441.....~~$ 20~~ $ 25.

~~*ak.*~~ *al.* Section 321.442.....~~$ 20~~ $ 25.

~~*al.*~~ *am.* Section 321.444.....~~$ 20~~ $ 25.

4. *Driver's license violations.* For driver's license violations under the following sections, the scheduled fine is as follows:

a. Section 321.174.....~~$ 200~~ $ 255.

b. Section 321.174A.....~~$ 50~~ $ 65.

c. Section 321.178, subsection 2, paragraph "*a*", subparagraph (2).....~~$ 30~~ $ 40.

d. Section 321.180.....~~$ 50~~ $ 65.

e. Section 321.180B.....~~$ 50~~ $ 65.

f. Section 321.193.....~~$ 50~~ $ 65.

g. Section 321.194.....~~$ 50~~ $ 65.

h. Section 321.216.....~~$ 100~~ $ 130.

i. Section 321.216B.....~~$ 200~~ $ 255.

j. Section 321.216C.....~~$ 200~~ $ 255.

k. Section 321.219.....~~$ 200~~ $ 255.

l. Section 321.220.....~~$ 200~~ $ 255.

5. *Speed violations.*

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

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

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

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

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

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

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

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

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

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

a. Section 321.236, subsections 3, 4, 9, and 12.....~~$ 20~~ $ 25.

b. Section 321.275, subsections 1 through 7.....~~$ 35~~ $ 45.

c. Section 321.277A.....~~$ 35~~ $ 45.

d. Section 321.288.....~~$100~~ $130.

e. Section 321.297.....~~$100~~ $130.

f. Section 321.299.....~~$100~~ $130.

g. Section 321.302.....~~$100~~ $130.

h. Section 321.303.....~~$100~~ $130.

i. Section 321.304, subsections 1 and 2.....~~$100~~ $130.

j. Section 321.305.....~~$100~~ $130.

k. Section 321.306.....~~$100~~ $130.

l. Section 321.311.....~~$100~~ $130.

m. Section 321.312.....~~$100~~ $130.

n. Section 321.314.....~~$100~~ $130.

o. Section 321.315.....~~$ 35~~ $ 45.
p. Section 321.316.....~~$ 35~~ $ 45.
q. Section 321.318.....~~$ 35~~ $ 45.
r. Section 321.323.....~~$100~~ $130.
s. Section 321.324A.....$130.
~~*s.*~~ *t.* Section 321.340.....~~$100~~ $130.
~~*t.*~~ *u.* Section 321.353.....~~$100~~ $130.
~~*u.*~~ *v.* Section 321.354.....~~$100~~ $130.
~~*v.*~~ *w.* Section 321.363.....~~$ 35~~ $ 45.
~~*w.*~~ *x.* Section 321.365.....~~$ 35~~ $ 45.
~~*x.*~~ *y.* Section 321.366.....~~$100~~ $130.
~~*y.*~~ *z.* Section 321.395.....~~$100~~ $130.

7. *Failure to yield or obey violations.* For failure to yield or obey violations under the following sections, the scheduled fine is as follows:

a. Section 321.257, subsection 2, for a violation by an operator of a motor vehicle.....~~$100~~ $130.
b. Section 321.298.....~~$100~~ $130.
c. Section 321.307.....~~$100~~ $130.
d. Section 321.308.....~~$100~~ $130.
e. Section 321.313.....~~$100~~ $130.
f. Section 321.319.....~~$100~~ $130.
g. Section 321.320.....~~$100~~ $130.
h. Section 321.321.....~~$100~~ $130.
i. Section 321.327.....~~$100~~ $130.
j. Section 321.329.....~~$100~~ $130.
k. Section 321.333.....~~$100~~ $130.

8. *Traffic sign or signal violations.* For traffic sign or signal violations under the following sections, the scheduled fine is as follows:

a. Section 321.236, subsections 2 and 6.~~$ 35~~ $ 45.
b. Section 321.256.....~~$100~~ $130.
c. Section 321.260, subsection 2.....$450.
~~*c.*~~ *d.* Section 321.294.....~~$100~~ $130.

~~d.~~ e. Section 321.304, subsection 3...~~$100~~ $130.
~~e.~~ f. Section 321.322.....~~$100~~ $130.
9. *Bicycle or pedestrian violations.* For bicycle or pedestrian violations under the following sections, the scheduled fine for a pedestrian or bicyclist is as follows:
a. Section 321.234, subsections 3 and 4.~~$ 25~~ $ 30.
b. Section 321.236, subsection 10.....~~$ 15~~ $ 20.
c. Section 321.257, subsection 2.....~~$ 25~~ $ 30.
d. Section 321.275, subsection 8.....~~$ 25~~ $ 30.
e. Section 321.325.....~~$ 25~~ $ 30.
f. Section 321.326.....~~$ 25~~ $ 30.
g. Section 321.328.....~~$ 25~~ $ 30.
h. Section 321.331.....~~$ 25~~ $ 30.
i. Section 321.332.....~~$ 25~~ $ 30.
j. Section 321.397.....~~$ 25~~ $ 30.
k. Section 321.434.....~~$ 25~~ $ 30.
9A. *Electric personal assistive mobility device violations.* For violations under section 321.235A, the scheduled fine is ~~fifteen~~ twenty dollars.
10. *School bus violations.* For violations by an operator of a school bus under sections 321.285 and 321.372, subsections 1 and 2, the scheduled fine is one hundred thirty dollars. However, an excessive speed violation by a school bus of more than ten miles per hour in excess of the limit is not a scheduled violation.
11. *a. Emergency vehicle and equipment-related violations.* For violations relating to authorized emergency vehicles, fire apparatus and equipment, and police bicycles under the following sections, the scheduled fine is as follows:
(1) Section 321.231.....~~$100~~ $130.
(2) Section 321.323A, subsection 1....~~$100~~ $130.
(3) Section 321.324.....~~$100~~ $130.
(4) Section 321.367.....~~$100~~ $130.
(5) Section 321.368.....~~$100~~ $130.
b. Violations relating to stationary nonemergency vehicles.

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

12. *Restrictions on vehicles.*

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

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

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

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

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

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

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

(2) In all cases of charges under the schedule of weight violations, the charge shall specify the amount of fine charged under the schedule. Where a defendant is convicted and the fine under the foregoing schedule of weight violations exceeds one thousand dollars, the conviction shall be of an indictable

offense although section 805.9 is employed and whether the violation is charged upon uniform citation and complaint, indictment, or county attorney's information.

f. For a violation under section 321E.16, other than the provisions relating to weight, the scheduled fine is two hundred fifty-five dollars.

13. *Motor carrier and other operator violations.*

a. (1) For a violation under section 321.54, the scheduled fine is ~~thirty~~ forty dollars.

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

b. For a violation under section 321.449, 321.449A, or 321.449B, the scheduled fine is ~~fifty~~ sixty-five dollars.

c. For violations under sections 321.364, 321.450, 321.460, and 452A.52, the scheduled fine is two hundred fifty-five dollars.

d. For violations of section 325A.3, subsection 6, or section 325A.8, the scheduled fine is one hundred thirty dollars.

e. For violations of chapter 325A, other than a violation of section 325A.3, subsection 6, or section 325A.8, the scheduled fine is ~~two~~ three hundred ~~fifty~~ twenty dollars.

f. For violations of section 327B.1, subsection 1 or 3, the scheduled fine is ~~two~~ three hundred ~~fifty~~ twenty dollars.

14. *Miscellaneous violations.*

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

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

c. Seat belt or restraint violations.

(1) For a violation under section 321.445, the scheduled fine is ~~fifty~~ sixty-five dollars.

(2) For a violation under section 321.446, the scheduled

fine is one hundred thirty dollars.

d. Litter and debris violations. For violations under sections 321.369 and 321.370, the scheduled fine is ~~seventy~~ ninety dollars.

e. Open container violations. For violations under sections 321.284 and 321.284A, the scheduled fine is two hundred fifty-five dollars.

f. Proof of financial responsibility. If, in connection with a motor vehicle accident, a person is charged and found guilty of a violation of section 321.20B, subsection 1, the scheduled fine is ~~five~~ six hundred forty dollars; otherwise, the scheduled fine for a violation of section 321.20B, subsection 1, is ~~two~~ three hundred ~~fifty~~ twenty dollars. Notwithstanding section 805.12, fines collected pursuant to this paragraph shall be submitted to the state court administrator and distributed fifty percent to the victim compensation fund established in section 915.94, twenty-five percent to the county in which such fine is imposed, and twenty-five percent to the general fund of the state.

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

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

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

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

(2) Three hundred eighty-five dollars for speed greater than ten but not more than twenty miles per hour over the

posted speed limit.

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

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

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

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

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

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

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

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

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

Sec. 35. Section 805.8B, Code 2019, is amended to read as follows:

805.8B Navigation, recreation, hunting, and fishing scheduled violations.

1. *Navigation violations.*

a. For violations of registration, inspections, identification, and record provisions under sections 462A.5, 462A.35, and 462A.37, and for unused or improper or defective

lights and warning devices under section 462A.9, subsections 3, 4, 5, 9, and 10, the scheduled fine is ~~ten~~ fifteen dollars.

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

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

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

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

2. *Snowmobile violations.*

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

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

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

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

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

d. For violations of section 321G.19, the scheduled fine is ~~twenty~~ twenty-five dollars.

e. For decal violations under section 321G.5, the scheduled fine is ~~twenty~~ twenty-five dollars.

f. For stop signal violations under section 321G.17, the scheduled fine is one hundred thirty dollars.

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

h. For violations of section 321G.21, the scheduled fine is one hundred thirty dollars.

2A. *All-terrain vehicle violations.*

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

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

(2) For operating violations under section 321I.10, subsections 1 and 4, the scheduled fine is ~~fifty~~ sixty-five dollars.

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

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

d. For violations of section 321I.20, the scheduled fine is ~~twenty~~ twenty-five dollars.

e. For decal violations under section 321I.6, the scheduled fine is ~~twenty~~ twenty-five dollars.

f. For stop signal violations under section 321I.18, the scheduled fine is one hundred thirty dollars.

g. For violations of section 321I.21 and for education certificate violations under section 321I.26, subsection 1, the scheduled fine is ~~fifty~~ sixty-five dollars.

h. For violations of section 321I.22, the scheduled fine is one hundred thirty dollars.

3. *Hunting and fishing violations.*

a. For violations of section 484A.2, the scheduled fine is ~~ten~~ fifteen dollars.

b. For violations of sections 481A.54, 481A.69, 481A.71, 481A.72, 482.6, 483A.3, 483A.6, 483A.8A, 483A.19, 483A.27, and 483A.27A, the scheduled fine is ~~twenty~~ twenty-five dollars.

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

d. For violations of sections 481A.7, 481A.24, 481A.47, 481A.52, 481A.53, 481A.55, 481A.58, 481A.76, 481A.90, 481A.91, 481A.97, 481A.122, 481A.126, 481A.142, 481A.145, subsection 2, sections 482.5, 482.7, 482.8, 482.10, and 483A.37, the scheduled fine is ~~fifty~~ sixty-five dollars.

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

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

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

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

(3) For mussels, frogs, spawn, or fish, the scheduled fine

is ~~twenty-five~~ thirty dollars.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

i. For violations of section 481A.67 relating to general violations of fishing laws, the scheduled fine is ~~twenty-five~~ thirty dollars.

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

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

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

j. For violations of section 481A.73 relating to trotlines and throwlines:

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

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

k. For violations of section 481A.144, subsection 4, or section 481A.145, subsections 4, 5, and 6, relating to minnows:

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

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

l. For violations of section 481A.87 relating to the taking or possessing of fur-bearing animals out of season:

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

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

m. For violations of section 482.4 relating to gear tags:

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

(2) For no gear tags, the scheduled fine is ~~twenty-five~~

thirty dollars.

n. For violations of section 482.11, the scheduled fine is one hundred thirty dollars.

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

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

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

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

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

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

(6) For a license or permit costing one hundred dollars or more, the scheduled fine is two times the cost of the original license or permit.

p. For violations of section 483A.26 relating to false claims for licenses:

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

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

q. For violations of section 483A.36 relating to the conveyance of guns:

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

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

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

5. *Aquatic invasive species violations.* For violations of section 456A.37, subsection 3, the scheduled fine is as follows:

a. For violations of section 456A.37, subsection 3, paragraph *"a"*, the scheduled fine is ~~five~~ six hundred forty dollars.

b. For violations of section 456A.37, subsection 3, paragraph *"b"*, the scheduled fine is ~~seventy-five~~ ninety-five dollars.

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

6. *Misuse of parks and preserves.*

a. For violations under sections 461A.39, 461A.45, and 461A.50, the scheduled fine is ~~ten~~ fifteen dollars.

b. For violations under sections 461A.40, 461A.46, and 461A.49, the scheduled fine is ~~fifteen~~ twenty dollars.

c. For violations of sections 461A.35, 461A.42, and 461A.44, the scheduled fine is ~~fifty~~ sixty-five dollars.

d. For violations of section 461A.48, the scheduled fine is ~~twenty-five~~ thirty dollars.

e. For violations under section 461A.43, the scheduled fine is ~~thirty~~ forty dollars.

Sec. 36. Section 805.8C, Code 2019, is amended to read as follows:

805.8C Miscellaneous scheduled violations.

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

2. *Alcoholic beverage violations.* For violations of section 123.49, subsection 2, paragraph *"h"*, the scheduled fine for a

licensee or permittee is one thousand ~~five~~ nine hundred twenty dollars, and the scheduled fine for a person who is employed by a licensee or permittee is ~~five~~ six hundred forty dollars.

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

a. For violations described in section 142D.9, subsection 1, the scheduled fine is fifty dollars, and is a civil penalty, and the ~~criminal penalty~~ crime services surcharge under section 911.1 shall not be added to the penalty, and the court costs pursuant to section 805.9, subsection 6, shall not be imposed. If the civil penalty assessed for a violation described in section 142D.9, subsection 1, is not paid in a timely manner, a citation shall be issued for the violation in the manner provided in section 804.1. However, a person under age eighteen shall not be detained in a secure facility for failure to pay the civil penalty. The complainant shall not be charged a filing fee.

b. For violations of section 453A.2, subsection 1, by an employee of a retailer, the scheduled fine is as follows:

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

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

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

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

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

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

(3) If the violation is a third or subsequent offense, the

scheduled fine is two hundred fifty dollars.

4. *Electrical or mechanical amusement device violations.*

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

b. For first offense violations concerning electrical or mechanical amusement devices as provided in section 99B.54, subsection 2, the scheduled fine is ~~two~~ three hundred ~~fifty~~ twenty dollars.

5. *Gambling violations.*

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

b. For legal age violations for entering or attempting to enter a facility under section 99F.9, subsection 5, the scheduled fine is ~~five~~ six hundred forty dollars. Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.

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

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

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

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

7. *Alcoholic beverage violations by persons eighteen, nineteen, or twenty years of age.* For first offense violations of section 123.47, subsection 4, the scheduled fine is two hundred fifty-five dollars.

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

9. *Notification violations.* For violations of section 229.22, subsection 6, the scheduled fine is one thousand dollars for a first violation and two thousand dollars for a second or subsequent violation. The scheduled fine under this subsection is a civil penalty, and the ~~criminal penalty~~ crime services surcharge under section 911.1 shall not be added to the penalty.

10. *Scrap metal transaction violations.* For violations of section 714.27, the scheduled fine is one hundred dollars for a first violation, five hundred dollars for a second violation within two years, and one thousand dollars for a third or subsequent violation within two years. The scheduled fine under this subsection is a civil penalty which shall be deposited into the general fund of the county or city if imposed by a designated officer or employee of a county or city, or deposited in the general fund of the state if imposed by a state agency, and the ~~criminal penalty~~ crime services surcharge under section 911.1 shall not be added to the penalty.

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

Sec. 37. DRIVER IMPROVEMENT PROGRAM FOR A FIRST SCHOOL BUS SAFETY OFFENSE. Notwithstanding 2012 Iowa Acts, chapter 1015, section 5, subsection 2, by July 1, 2019, the department

of transportation shall initiate rulemaking to amend 761 IAC 615.43 to require a person who is convicted of a first offense of section 321.372, subsection 3, to attend and successfully complete, at the person's own expense, a driver improvement program approved by the department in lieu of driver's license suspension, subject to all other provisions of 761 IAC 615.43.

Sec. 38. EFFECTIVE DATE. The following, being deemed of immediate importance, takes effect upon enactment:

The section of this division of this Act requiring the department of transportation to initiate rulemaking.

DIVISION V

MISDEMEANOR AND FELONY FINES

Sec. 39. Section 902.9, subsection 1, paragraphs d and e, Code 2019, are amended to read as follows:

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

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

Sec. 40. Section 903.1, subsections 1 and 2, Code 2019, are amended to read as follows:

1. If a person eighteen years of age or older is convicted of a simple or serious misdemeanor and a specific penalty is not provided for or if a person under eighteen years of age has been waived to adult court pursuant to section 232.45 on a felony charge and is subsequently convicted of a simple, serious, or aggravated misdemeanor, the court shall determine the sentence, and shall fix the period of confinement or the amount of fine, which fine shall not be suspended by the court, within the following limits:

a. For a simple misdemeanor, there shall be a fine of at least ~~sixty-five~~ ninety dollars but not to exceed ~~six~~ eight hundred ~~twenty-five~~ fifty-five dollars. The court may order imprisonment not to exceed thirty days in lieu of a fine or in addition to a fine.

b. For a serious misdemeanor, there shall be a fine of at least ~~three~~ four hundred ~~fifteen~~ thirty dollars but not to exceed ~~one~~ two thousand ~~eight~~ five hundred ~~seventy-five~~ sixty dollars. In addition, the court may also order imprisonment not to exceed one year.

2. When a person is convicted of an aggravated misdemeanor, and a specific penalty is not provided for, the maximum penalty shall be imprisonment not to exceed two years. There shall be a fine of at least ~~six~~ eight hundred ~~twenty-five~~ fifty-five dollars but not to exceed ~~six~~ eight thousand ~~two~~ five hundred ~~fifty~~ forty dollars. When a judgment of conviction of an aggravated misdemeanor is entered against any person and the court imposes a sentence of confinement for a period of more than one year the term shall be an indeterminate term.

DIVISION VI

CRIMINALISTICS LABORATORY FUND

Sec. 41. Section 691.9, Code 2019, is amended to read as follows:

691.9 Criminalistics laboratory fund.

A criminalistics laboratory fund is created as a separate fund in the state treasury under the control of the department of public safety. The fund shall consist of appropriations made to the fund and transfers of interest, moneys collected from the crime services surcharge established in section 911.1, and earnings. All moneys in the fund are appropriated to the department of public safety for use by the department in criminalistics laboratory equipment and supply purchasing, maintenance, depreciation, the department of administrative services utility service fee for the criminalistics laboratory facility in Ankeny, and training. Any balance in the fund on

June 30 of any fiscal year shall not revert to any other fund of the state but shall remain available for the purposes described in this section.

DIVISION VII

DRUG ABUSE RESISTANCE EDUCATION FUND

Sec. 42. NEW SECTION. **80E.4 Drug abuse resistance education fund.**

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