

**CHAPTER 64**  
**PROCEDURES FOR PROPERTY HELD BY POLICE**  
*H.F. 664*

**AN ACT** relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.85, Code 1985, is amended to read as follows:  
321.85 STOLEN VEHICLES OR COMPONENT PARTS.

~~Whenever any~~ When a vehicle or component part is seized under section 321.84 or ~~whenever any vehicle or component part~~ is stolen or embezzled, and is not claimed by the owner before the date on which the person charged with its stealing or embezzling is convicted, ~~then~~ the officer having the vehicle or component part in the officer's custody ~~must~~ shall, on that date by certified mail, notify the department that the officer has ~~such a~~ the vehicle or component part in the officer's possession, giving a full and complete description of it, including all vehicle identification numbers and component part numbers. If there is a dispute regarding a claim for the vehicle or component part, the agency holding the vehicle or component part shall conduct an evidentiary hearing to adjudicate the claim.

Sec. 2. Section 321.89, subsection 3, paragraph a, Code 1985, is amended to read as follows:

a. A police authority which takes into custody an abandoned vehicle shall notify, within twenty days, by certified mail, the last known registered owner of the vehicle, ~~and~~ all lienholders of record, and any other known claimant to the vehicle or to personal property found in the vehicle, addressed to their last known ~~address~~ addresses of record, that the abandoned vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model, and serial number of the vehicle, describe the personal property found in the vehicle, set forth the location of the facility where ~~#~~ the vehicle is being held, and inform the owner and any lienholders persons receiving the notice of their right to reclaim the vehicle and personal property within twenty-one days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of notice required pursuant to this subsection. The notice shall also state that the failure of the owner or lienholders to exercise their right to reclaim the vehicle within the time provided shall be deemed a waiver by the owner and all lienholders of all right, title, claim and interest in the vehicle and that ~~such~~ failure to reclaim the vehicle is deemed consent to the sale of the vehicle at a public auction or disposal of the vehicle to a demolisher. The notice shall state that any person claiming rightful possession of the vehicle or personal property who disputes the planned disposition of the vehicle or property by the police authority or of the assessment of fees and charges provided by this section may ask for an evidentiary hearing before the police authority to contest those matters. If the owner and lienholders persons receiving the notice do not ask for a hearing or exercise their right to reclaim such the vehicle within the twenty-one-day reclaiming period,

such the owner and lienholders shall no longer have any right, title, claim, or interest in or to such the vehicle. No court in any case in law or equity shall recognize any right, title, claim, or interest of any such the owner and lienholders after the expiration of the twenty-one-day reclaiming period.

Approved April 30, 1985

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**CHAPTER 65**  
LEGISLATIVE AGENCIES  
*S.F. 409*

**AN ACT** relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 2.12, Code 1985, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** There is appropriated out of any funds in the state treasury not otherwise appropriated such sums as may be necessary for the fiscal year budgets of the legislative service bureau, the legislative fiscal bureau, the citizens' aide office and the computer support bureau for salaries, support, maintenance, and miscellaneous purposes to carry out their statutory responsibilities. The legislative service bureau, the legislative fiscal bureau, the citizens' aide office and the computer support bureau shall submit their proposed budgets to the legislative council not later than September 1 of each year. The legislative council shall review and approve the proposed budgets not later than December 1 of each year. The budget approved by the legislative council for each of its statutory legislative agencies shall be transmitted by the legislative council to the state comptroller on or before December 1 of each year for the fiscal year beginning July 1 of the following year. The state comptroller shall submit the approved budgets received from the legislative council to the governor for inclusion in the governor's proposed budget for the succeeding fiscal year. The approved budgets shall also be submitted to the chairpersons of the committees on appropriations. The committees on appropriations may allocate from the funds appropriated by this section the funds contained in the approved budgets, or such other amounts as specified, pursuant to a concurrent resolution to be approved by both houses of the general assembly. The state comptroller shall issue warrants for salaries, support, maintenance, and miscellaneous purposes upon requisition by the administrative head of each statutory legislative agency. If the legislative council elects to change the approved budget for a legislative agency prior to July 1, the legislative council shall transmit the amount of the budget revision to the state comptroller prior to July 1 of the fiscal year, however, if the general assembly approved the budget it cannot be changed except pursuant to a concurrent resolution approved by the general assembly.