

Sec. 4. Section 719.1, subsection 1, Code 1995, is amended to read as follows:

1. A person who knowingly resists or obstructs anyone known by the person to be a peace officer, basic emergency medical care provider under chapter 147, an advanced emergency medical care provider under chapter 147A, or fire fighter, whether paid or volunteer, in the performance of any act which is within the scope of the lawful duty or authority of that officer, basic emergency medical care provider under chapter 147, an advanced emergency medical care provider under chapter 147A, or fire fighter, whether paid or volunteer, or who knowingly resists or obstructs the service or execution by any authorized person of any civil or criminal process or order of any court, commits a simple serious misdemeanor. However, if a person commits an interference with official acts, as defined in this subsection, and in so doing inflicts bodily injury other than serious injury, that person commits a ~~serious~~ an aggravated misdemeanor. If a person commits an interference with official acts, as defined in this subsection, and in so doing inflicts or attempts to inflict serious injury, or displays a dangerous weapon, as defined in section 702.7, or is armed with a firearm, that person commits ~~an aggravated misdemeanor~~ a class "D" felony.

Approved April 26, 1995

CHAPTER 91

DUTIES OF DISTRICT COURT CLERKS - ADDITIONAL COURT FEES

S.F. 409

AN ACT relating to the activities of clerks of the district court, and providing additional court fees.

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

Section 1. Section 420.239, Code 1995, is amended to read as follows:

420.239 CERTIFICATE OF REDEMPTION.

The treasurer, collector, or person authorized to receive the same, upon application of any party to redeem real property sold as aforesaid, and being satisfied that such person has a right to redeem the same, and on payment of the proper amount, shall issue to such party a certificate of redemption, in substance and form as provided for the redemption of property sold for state and county taxes, ~~and shall make proper entry thereof in the sale book,~~ which redemption shall thereupon be deemed complete without further proceedings.

Sec. 2. Section 582.4, Code 1995, is amended to read as follows:

582.4 LIEN BOOK - FEES.

Every clerk of the district court shall, at the expense of the county, provide a suitable well-bound book to be called the hospital lien docket in which, upon the filing of any lien claim under the provisions of this chapter, the clerk shall enter the name of the injured person, the date of the accident, and the name of the hospital or other institution making the claim. ~~Said~~ The clerk shall make a proper index of the same in the name of the injured person and ~~such~~ the clerk shall collect a fee of ~~two~~ ten dollars for filing each lien claim.

Sec. 3. Section 602.8102, subsection 44, Code 1995, is amended to read as follows:

44. Certify Forward to the superintendent of each correctional institution a copy of the sheriff's certification concerning the number of days that have been credited toward completion of an inmate's sentence as provided in section 903A.5.

Sec. 4. Section 602.8105, subsection 1, Code 1995, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. For a motion to show cause in a civil case, twenty-five dollars.

Sec. 5. Section 626.10, Code 1995, is amended to read as follows:

626.10 DUPLICATE RETURNS AND RECORD.

If real estate is sold under said execution ~~said~~ the officer shall make return thereof in duplicate, one of which shall be appended to the execution and returned to the court from which it is issued, the other with a copy of the execution to the district court of the county in which ~~said the~~ real estate is situated, which shall be filed by the clerk ~~who shall make entries thereof in the sale book and handled~~ in the same manner as if such judgment had been rendered and execution issued from ~~said the~~ the court.

Sec. 6. Section 628.13, unnumbered paragraph 2, Code 1995, is amended to read as follows:

Redemption may also be made by the titleholder presenting to the clerk of the district court the sheriff's certificate of sale properly assigned to the titleholder, whereupon the clerk of the district court shall cancel the ~~said~~ certificate ~~and enter full redemption in the sale book.~~

Sec. 7. Section 628.20, Code 1995, is amended to read as follows:

628.20 EXCESS PAYMENT - ~~ENTRY AND CREDIT.~~

If the amount paid to the clerk is in excess of the prior bid and liens, the clerk shall refund the excess to the party paying the same, ~~and enter each such redemption made by a lienholder upon the sale book, and amount.~~ If the clerk is the clerk of the district court where the judgment giving rise to the lien was entered, the clerk shall credit upon the lien; if a judgment in the court of which the clerk is clerk, the full amount thereof, including interest and costs, or such less amount as the lienholder is willing to credit therein, as shown by the affidavit filed.

Sec. 8. Section 903A.5, unnumbered paragraph 1, Code 1995, is amended to read as follows:

An inmate shall not be discharged from the custody of the director of the Iowa department of corrections until the inmate has served the full term for which the inmate was sentenced, less good conduct time earned and not forfeited, unless the inmate is pardoned or otherwise legally released. Good conduct time earned and not forfeited shall apply to reduce a mandatory minimum sentence being served pursuant to section 124.406, 124.413, 902.7, 902.8, or 902.11. An inmate shall be deemed to be serving the sentence from the day on which the inmate is received into the institution. However, if an inmate was confined to a county jail or other correctional or mental facility at any time prior to sentencing, or after sentencing but prior to the case having been decided on appeal, because of failure to furnish bail or because of being charged with a nonbailable offense, the inmate shall be given credit for the days already served upon the term of the sentence. ~~The clerk of the district court sheriff~~ of the county from in which the inmate was sentenced, confined shall certify to the ~~warden~~ clerk of the district court from which the inmate was sentenced the number of days so served. The clerk of the district court shall forward a copy of the certification of the days served to the warden.

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