

January 16, 1951.
Passed on File.

House File 53

By CROSIER and NELSON of Woodbury.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to repeal chapter six hundred three (603), Code 1950,
relating to the superior court, and to amend various
sections of the Code relating thereto.

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

1 Section 1. Chapter six hundred three (603), Code 1950,
2 is hereby repealed. On the effective date of this Act,
3 judgment records of the superior court in which are entered
4 fines and judgments for the violation of municipal ordinances,
5 together with all money collected as fines for the violation
6 of such ordinances shall be turned over to the clerk of the
7 city in which said court was located. All other books, records,
8 papers, and money pertaining to said superior court shall be
9 turned over to the clerk of the district court of the county
10 in which said superior court was located. Cases pending in
11 superior court for the violation of municipal ordinances
12 shall be transferred to the mayor's court, police court, or
13 nearest justice of the peace. Other pending cases shall be
14 transferred to the district court.

1 Sec. 2. Section sixteen point twenty-four (16.24),
2 subsection five (5), Code 1950, is amended by striking from

3 line two (2) the word "superior,".

1 Sec. 3. Section sixteen point twenty-four (16.24)
2 subsection sixteen (16), Code 1950, is amended by striking
3 from line five (5) the words "superior or", and from line
4 seven (7) the word "superior,".

1 Sec. 4. Section sixteen point twenty-five (16.25)
2 subsection five (5), Code 1950, is amended by striking from
3 line two (2) the word "superior,".

1 Sec. 5. Section sixteen point twenty-five (16.25)
2 subsection six (6), Code 1950, is amended by striking from
3 line three (3) the word "superior,"

1 Sec. 6. Section sixteen point twenty-five (16.25)
2 subsection twelve (12), Code 1950, is amended by striking
3 line two (2), the word ", superior,"

1 Sec. 7. Section sixteen point twenty-seven (16.27)
2 subsection one (1), Code 1950, is amended by inserting the
3 word "and" after the word "district," in line one (1) and
4 by striking from line two (2) the words ", and superior".

1 Sec. 8. Section sixteen point twenty-eight (16.28)
2 subsection three (3), Code 1950, is amended by striking
3 from lines one (1) and two (2) the word "superior,".

1 Sec. 9. Section forty-six point eighteen (46.18),
2 Code 1950, is hereby repealed.

1 Sec. 10. Section sixty-four point one (64.1) subsection
2 four (4), Code 1950, is amended by striking from line one (1)
3 the word "superior,".

1 Sec. 11. Section sixty-eight point one (68.1), Code
2 1950, is amended by striking from line three (3) the comma (,)
3 before the word “district” and inserting in lieu thereof the
4 word “or”, and by striking from lines three (3) and four (4)
5 the words “, or superior”.

1 Sec. 12. Section seventy-eight point one (78.1) sub-
2 section one (1), Code 1950, is amended by striking from line
3 one (1) the word “superior,”.

1 Sec. 13. Section seventy-eight point one (78.1), sub-
2 section two (2), Code 1950, is amended by striking from lines
3 one (1) and two (2) the word “superior”.

1 Sec. 14. Section seventy-eight point one (78.1) sub-
2 section three (3), Code 1950, is amended by striking from
3 line two (2) the word “superior,”.

1 Sec. 15. Section ninety-two point twelve (92.12), Code
2 1950, is amended by striking from line fourteen (14) the word
3 “superior,” and by striking also from said line the comma (,)
4 after the word “municipal”.

1 Sec. 16. Section two hundred twenty-two point three
2 (222.3), Code 1950, is amended by striking from line six (6)
3 the word “superior,”.

1 Sec. 17. Section two hundred twenty-two point forty-four
2 (222.44), Code 1950, is amended by striking from line two (2)
3 the word “, superior,”.

1 Sec. 18. Section two hundred twenty-five point ten
2 (225.10), Code 1950, is amended by striking from line seven

3 (7) the words "or superior".

1 Sec. 19. Section two hundred twenty-five point eleven
2 (225.11), Code 1950, is amended by striking from line two (2)
3 the words "or superior".

1 Sec. 20. Section two hundred twenty-five point fourteen
2 (225.14), Code 1950, is amended by striking from line three
3 (3) the words "or superior".

1 Sec. 21. Section two hundred twenty-five point sixteen
2 (225.16), Code 1950, is amended by striking from lines one
3 (1) and two (2) the words "or superior".

1 Sec. 22. Section two hundred twenty-five point seventeen
2 (225.17), Code 1950, is amended by striking from lines one (1)
3 and two (2) the words "or superior".

1 Sec. 23. Section two hundred twenty-five point thirty
2 (225.30), Code 1950, is amended by striking from line ten (10)
3 the words "and superior".

1 Sec. 24. Section two hundred thirty-one point two (231.2),
2 subsection two (2), Code 1950, is amended by striking from
3 lines one (1) and two (2) the words "superior or".

1 Sec. 25. Section two hundred thirty-two point sixteen
2 (232.16), subsection two (2) paragraph two (2), Code, 1950, is
3 amended by striking from line two (2) the word ", or superior,".

1 Sec. 26. Section two hundred forty-six point forty-six
2 (246.46), Code 1950, is amended by striking from line six (6)
3 the word "superior,".

1 Sec. 27. Section three hundred sixty-three point twelve

2 (363.12), Code 1950, is amended by striking from line eight
3 (8) the words "or superior,".

1 Sec. 28. Section three hundred sixty-seven point one
2 (367.1), Code 1950, is amended by striking from lines two
3 (2) and three (3) the words "or superior,".

1 Sec. 29. Section three hundred sixty-seven point four
2 (367.4), Code 1950, is amended by striking from line two (2)
3 the word "superior,".

4 Further amend said section by striking from line two (2)
5 the comma (,) after the word "municipal".

1 Sec. 30. Section three hundred sixty-seven point six
2 (367.6), Code 1950, is amended by striking from line two (2)
3 the word "superior,".

4 Further amend said section by striking from line two (2)
5 the comma (,) after the word "municipal".

1 Sec. 31. Section four hundred thirteen point one hundred
2 fourteen (413.114), Code 1950, is amended by striking from
3 line four (4) the word ", superior,".

1 Sec. 32. Section four hundred thirteen point one hundred
2 fifteen (413.115), Code 1950, is amended by striking from line
3 four (4) the word ", superior,".

1 Sec. 33. Section four hundred sixteen point fifty-four
2 (416.54), Code 1950, is amended by striking from line two (2)
3 the word "superior" and inserting in lieu thereof the word
4 "municipal".

1 Sec. 34. Section four hundred sixteen point fifty-five

2 (416.55), Code 1950, is amended by striking from line two (2)
3 the word "superior" and inserting in lieu thereof the word
4 "municipal".

1 Sec. 35. Section five hundred ninety-five point ten
2 (595.10), subsection two (2), Code 1950, is amended by striking
3 from lines one (1) and two (2) the word "superior,".

1 Sec. 36. Section six hundred one point thirty-five
2 (601.35), Code 1950, is amended by striking from lines
3 fourteen (14) and fifteen (15) the words "or superior".

4 Further amend section six hundred one point thirty-five
5 (601.35), Code 1950, by striking from line eighteen (18) the
6 words "or superior court"; and by striking from line nineteen
7 (19) the words "or superior".

1 Sec. 37. Section six hundred one point seventy-nine
2 (601.79), Code 1950, is amended by striking from line three
3 (3) the words "or a superior" and by striking from line four
4 (4) the words "at his option,".

1 Sec. 38. Section six hundred one point eighty-one
2 (601.81), Code 1950, is amended by striking from lines five
3 (5) and six (6) the words "court to which the appeal may be
4 taken" and inserting in lieu thereof the words "district court".

1 Sec. 39. Section six hundred one point eighty-four
2 (601.84), Code 1950, is amended by striking from lines four
3 (4) and five (5) the words "court to which the appeal is
4 taken" and inserting in lieu thereof the words "district
5 court."

1 Sec. 40. Section six hundred one point eighty-six
2 (601.86), Code 1950, is amended by striking from line three
3 (3) the words "court to which it is taken", and inserting in
4 lieu thereof the words "district court".

1 Sec. 41. Section six hundred one point eighty-seven
2 (601.87), Code 1950, is amended by striking from line one
3 (1) the word "proper" and inserting in lieu thereof the word
4 "district".

1 Sec. 42. Section six hundred one point eighty-eight
2 (601.88), Code 1950, is amended by striking from lines four
3 (4) and five (5) the words "court to which the appeal is
4 taken" and inserting in lieu thereof the words "district
5 court".

1 Sec. 43. Section six hundred one point eighty-nine
2 (601.89), Code 1950, is amended by striking from line three
3 (3) the words "court to which it is taken" and inserting in
4 lieu thereof the words "district court".

1 Sec. 44. Section six hundred one point ninety-one
2 (601.91), Code 1950, is amended by striking from lines five
3 (5) and six (6) the words "court to which the appeal is taken"
4 and inserting in lieu thereof the words "district court".

1 Sec. 45. Section six hundred one point ninety-five
2 (601.95), Code 1950, is amended by striking from line two
3 (2) the words "court to which it is taken" and inserting in
4 lieu thereof the words "district court."

1 Sec. 46. Section six hundred one point ninety-six

2 (601.96), Code 1950, is amended by striking from line five (5)
3 the words “court to which it is taken” and inserting in lieu
4 thereof the words “district court”.

1 Sec. 47. Section six hundred one point ninety-seven
2 (601.97), Code 1950, is amended by striking from lines seven
3 (7) to nine (9) the words “court to which an appeal from such
4 justice might be taken” and inserting in lieu thereof the
5 words “district court”.

1 Sec. 48. Section six hundred two point seventeen
2 (602.17), Code 1950, is amended by striking from line six
3 (6) the words “and superior court,”.

4 Further amend said section by inserting the word “and”
5 before the word “constables” in line nine (9), and striking
6 the words “judge and clerk of the superior court,” from
7 lines nine (9) and ten (10).

1 Sec. 49. Section six hundred two point eighteen (602.18),
2 Code 1950, is hereby repealed.

1 Sec. 50. Section six hundred two point nineteen (602.19),
2 Code 1950, is amended by striking from lines one (1) and two
3 (2) the words “pending in superior court, and all causes”
4 and by striking the comma (,) after the words “police court”
5 in line two (2) and inserting the word “and” in lieu thereof.

1 Sec. 51. Section six hundred two point twenty (602.20),
2 Code 1950, is amended by striking the words “superior court,”
3 from lines one (1) and two (2), by striking the last letter
4 “s” from the word “sections” in line six (6), and by striking

5 the numerals and word "602.18 and" from line six (6).

1 Sec. 52. Section six hundred two point twenty-one
2 (602.21), Code 1950, is hereby repealed.

1 Sec. 53. Section six hundred five point nineteen
2 (605.19), Code 1950, is amended by striking from lines two (2)
3 and three (3) the words "the judges of the superior court for
4 their districts".

1 Sec. 54. Section six hundred seventeen point thirteen
2 (617.13), Code 1950, is amended by striking therefrom that part
3 thereof which commences with the word "or" in line four (4)
4 and ends with the word "court" in line five (5).

1 Sec. 55. Section six hundred twenty-two point sixty-six
2 (622.66), Code 1950, is amended by striking from line three
3 (3) the words "or superior".

1 Sec. 56. Section six hundred twenty-two point sixty-
2 eight (622.68), Code 1950, is amended by striking from line
3 two (2) the words "or superior".

1 Sec. 57. Section six hundred thirty point one (630.1),
2 Code 1950, is amended by striking from line four (4) the word
3 "superior," and by striking from line four (4) the comma (,)
4 after the word "district".

1 Sec. 58. Section six hundred thirty point three (630.3),
2 Code 1950, is amended by striking from line two (2) the words
3 "superior or".

1 Sec. 59. Section six hundred forty-eight point five
2 (648.5), Code 1950, is amended as follows:

3 1. By striking from line two (2) the comma after the
4 word "district" and inserting in lieu thereof the word "and".

5 2. By striking from line two (2) the words ", and
6 superior,".

7 3. By striking from line twelve (12) the word
8 ", superior,"

9 4. By striking from line twenty-three (23) the word
10 ", superior,".

11 5. By striking from line twenty-four (24) the words
12 "a superior or".

13 6. By striking from line twenty-seven (27) the words
14 "or superior".

1 Sec. 60. Section six hundred sixty-three point three
2 (663.3), Code 1950, is amended by striking from line two (2)
3 the comma (,) after the word "supreme" and insertin in lieu
4 thereof the word "or", and by striking from said line the
5 words ", or superior".

1 Sec. 61. Section six hundred sixty-six point six
2 (666.6), Code 1950, is amended by striking the word "superior",
3 from line two (2).

1 Sec. 62. Section seven hundred forty-two point seven
2 (742.7), Code 1950, is amended by striking from line four (4)
3 the comma (,) before the word "district" and inserting in
4 lieu thereof the word "or" and by striking from said line the
5 comma (,) after the word "district".

6 Further amend said section by striking from line five

7 (5) the words "or superior".

1 Sec. 63. Wherever in the statutes, other than in this
2 Act, reference is made to superior courts, the code editor
3 is authorized to strike such reference.

EXPLANATION OF H. F. 53

The purpose of this bill is to make uniform the court systems of municipal corporations and reduce the number of overlapping jurisdictions by abolishing superior courts. Today there is functioning in the State of Iowa only one superior court.