

HSB 693

Succeeded JUDICIARY
CE/) 2550

Tremmel, Ch
Kettering
Raeckers

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON LARSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the continuance of stays or other temporary
2 remedies during the pendency of appeals of final judgments of
3 judicial review proceedings.

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

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1 Section 1. Section 17A.19, subsection 5, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. e. A stay or other temporary remedy
4 granted under this subsection may be continued by the agency
5 or the court during the pendency of an appeal taken pursuant
6 to section 17A.20.

7 Sec. 2. Section 17A.20, Code 2001, is amended to read as
8 follows:

9 17A.20 APPEALS.

10 An aggrieved or adversely affected party to the judicial
11 review proceeding may obtain a review of any final judgment of
12 the district court under this chapter by appeal. The appeal
13 shall be taken as in other civil cases, although the appeal
14 may be taken regardless of the amount involved. During the
15 pendency of the appeal, the court may continue a stay or other
16 temporary remedy granted under section 17A.19, subsection 5,
17 or, unless precluded by law, the court may grant a stay on
18 appropriate terms or other temporary remedies after a
19 consideration and balancing of all of the factors provided in
20 section 17A.19, subsection 5, paragraph "c".

21 EXPLANATION

22 This bill relates to the continuance of stays or other
23 temporary remedies during the pendency of appeals of final
24 judgments of judicial review proceedings.

25 The bill provides that a stay or other temporary remedy
26 granted during a judicial review proceeding under the Iowa
27 administrative procedure Act may be continued by the agency or
28 the court during the pendency of an appeal of the final
29 judgment. The bill provides that the appellate court may
30 grant a stay or other temporary remedies after consideration
31 and balancing of certain criteria.

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Will 5-3/7/02 Judiciary
S. 3/13/02 Do Pass

FEB 27 2002
Place On Calendar

HOUSE FILE 2558
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 693)

Passed House, ^{p.605} Date 3/7/02
Vote: Ayes 93 Nays 0
Approved _____

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

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HF 2558

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