

FEB 2 2006  
JUDICIARY

HOUSE FILE 2233  
BY SMITH and ANDERSON

Passed House, Date 3-8-06 Passed Senate, Date 4-5-06  
Vote: Ayes 96 Nays 0 Vote: Ayes 50 Nays 0  
Approved April 21, 2006

A BILL FOR

1 An Act relating to the time limit on executions of judgments and  
2 orders for wage garnishments.

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

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HF 2233

1 Section 1. Section 626.16, Code 2005, is amended to read  
2 as follows:

3 626.16 RECEIPT AND RETURN.

4 Every officer ~~to-whose-hands~~ who receives an execution may  
5 ~~come~~ shall ~~give~~ provide a receipt therefor, if required,  
6 stating the hour when the same was received, and shall make  
7 sufficient return ~~thereof~~ of the execution, together with the  
8 money collected, on or before the ~~seventieth~~ one hundred  
9 twentieth day from the date of its issuance.

10 Sec. 2. Section 642.23, unnumbered paragraph 1, Code 2005,  
11 is amended to read as follows:

12 Notwithstanding the ~~seventy-day~~ one-hundred-twenty-day  
13 period in section 626.16 for the return of an execution in  
14 garnishment for the payment of a support obligation, the  
15 sheriff shall promptly deposit any amounts collected with the  
16 clerk of the district court, and the clerk shall disburse the  
17 amounts, after subtracting applicable fees, within two working  
18 days of the filing of an order condemning funds as follows:

19 EXPLANATION

20 This bill extends the current 70-day time limit in an  
21 execution of a garnishment order, that requires an officer to  
22 provide, upon request, a receipt of an execution of a judgment  
23 or order and to return the execution together with any money  
24 collected, to 120 days.

25 The bill also makes a conforming amendment to a reference  
26 to the 70-day time limit in a Code provision relating to an  
27 execution in garnishment for the payment of a support  
28 obligation and the prompt deposit and disbursement of  
29 garnished funds.

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amounts, after subtracting applicable fees, within two working days of the filing of an order condemning funds as follows:

HOUSE FILE 2233

AN ACT

RELATING TO THE TIME LIMIT ON EXECUTIONS OF JUDGMENTS AND ORDERS FOR WAGE GARNISHMENTS.

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

Section 1. Section 626.16, Code 2005, is amended to read as follows:

626.16 RECEIPT AND RETURN.

Every officer ~~to-whose-hands~~ who receives an execution may ~~come shall give~~ provide a receipt therefor, if required, stating the hour when the same was received, and shall make sufficient return ~~thereof~~ of the execution, together with the money collected, on or before the ~~seventieth~~ one hundred twentieth day from the date of its issuance.

Sec. 2. Section 642.23, unnumbered paragraph 1, Code 2005, is amended to read as follows:

Notwithstanding the ~~seventy-day~~ one-hundred-twenty-day period in section 626.16 for the return of an execution in garnishment for the payment of a support obligation, the sheriff shall promptly deposit any amounts collected with the clerk of the district court, and the clerk shall disburse the

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CHRISTOPHER C. RANTS  
Speaker of the House

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JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2233, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2006

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THOMAS J. VILSACK  
Governor