

FILED FEB 7 2005

SENATE FILE  
BY WARD

116

JUDICIARY

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the disposal of personal property after entry  
2 of a judgment for forcible entry and detainer.

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

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SF 116  
JUDICIARY

1 Section 1. Section 648.22, Code 2005, is amended to read  
2 as follows:

3 648.22 JUDGMENT -- EXECUTION -- COSTS -- DISPOSAL OF  
4 PROPERTY.

5 1. If the defendant is found guilty, judgment shall be  
6 entered that the defendant be removed from the premises, and  
7 that the plaintiff be put in possession of the premises, and  
8 an execution for the defendant's removal within three days  
9 from the judgment shall issue accordingly, to which shall be  
10 added a clause commanding the officer to collect the costs as  
11 in ordinary cases.

12 2. Except as otherwise provided in this chapter, after the  
13 defendant has been removed from the premises, or has left the  
14 premises voluntarily before the three days from the judgment  
15 have elapsed, the plaintiff may dispose of all personal  
16 property remaining on the premises.

17 EXPLANATION

18 This bill relates to the disposal of personal property left  
19 in or on property after a tenant has been evicted from the  
20 property. The bill allows a property owner who has obtained a  
21 judgment for forcible entry and detainer against the person in  
22 possession of the property to remove any personal property  
23 left on the premises. The owner may remove the personal  
24 property after possession has been returned to the owner by  
25 execution of the judgment or by voluntary removal by the  
26 person in possession within the three days after the judgment  
27 is issued.

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