

CORMACK: Chair
EICHORN
REEDER

Succeeded By
SF 02535

HSB 635

STATE GOVERNMENT

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON STATE
GOVERNMENT BILL BY
CHAIRPERSON METCALF)

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

A BILL FOR

1 An Act creating a new category of confidential public records in
2 the custody of certain airports, utilities, or water
3 districts, and allowing a governmental body to hold a closed
4 session to discuss such confidential records.

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

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1 Section 1. Section 21.5, subsection 1, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. k. To discuss information contained in
4 records in the custody of a public airport, municipal utility,
5 jointly owned municipal utility, or rural water district
6 organized under chapter 357A, that are confidential records
7 pursuant to section 22.7, subsection 43.

8 Sec. 2. Section 22.7, Code Supplement 2001, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 43. Records of a public airport,
11 municipal utility, jointly owned municipal utility, or rural
12 water district organized under chapter 357A, where disclosure
13 could reasonably be expected to jeopardize the security or the
14 public health and safety of the citizens served by a public
15 airport, municipal utility, jointly owned municipal utility,
16 or rural water district organized under chapter 357A. Such
17 records include but are not limited to vulnerability
18 assessments and information included within such vulnerability
19 assessments; architectural, engineering, or construction
20 diagrams; drawings, plans, or records pertaining to security
21 measures such as security and response plans, security codes
22 and combinations, passwords, passes, keys, or security or
23 response procedures; emergency response protocols; and records
24 disclosing the configuration of critical systems or
25 infrastructures of a public airport, municipal utility,
26 jointly owned municipal utility, or rural water district
27 organized under chapter 357A.

28 **EXPLANATION**

29 This bill creates a new category of confidential records
30 for certain records in the custody of a public airport,
31 municipal utility, jointly owned municipal utility, or rural
32 water district organized under Code chapter 357A, where
33 disclosure could reasonably be expected to jeopardize the
34 security or the public health and safety of the citizens
35 served by that public entity. The bill also provides that a

1 governmental body may hold a closed session to discuss such
2 confidential records of a public airport, municipal utility,
3 jointly owned municipal utility, or rural water district
4 organized under Code chapter 357A.

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

Substituted for by SF 2277
3-18-02

3/14/02

UNFINISHED BUSINESS CALENDAR

(p. 826)

FEB 26 2002
Place On Calendar

WITHDRAWN
3-18-02

HOUSE FILE 2535
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 635)

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

A BILL FOR

1 An Act creating a new category of confidential public records in
2 the custody of certain airports, utilities, or water
3 districts, and allowing a governmental body to hold a closed
4 session to discuss such confidential records.

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

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

HF 2535

1 Section 1. Section 21.5, subsection 1, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. k. To discuss information contained in
4 records in the custody of a public airport, municipal utility,
5 jointly owned municipal utility, or rural water district
6 organized under chapter 357A, that are confidential records
7 pursuant to section 22.7, subsection 43.

8 Sec. 2. Section 22.7, Code Supplement 2001, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 43. Records of a public airport,
11 municipal utility, jointly owned municipal utility, or rural
12 water district organized under chapter 357A, where disclosure
13 could reasonably be expected to jeopardize the security or the
14 public health and safety of the citizens served by a public
15 airport, municipal utility, jointly owned municipal utility,
16 or rural water district organized under chapter 357A. Such
17 records include but are not limited to vulnerability
18 assessments and information included within such vulnerability
19 assessments; architectural, engineering, or construction
20 diagrams; drawings, plans, or records pertaining to security
21 measures such as security and response plans, security codes
22 and combinations, passwords, passes, keys, or security or
23 response procedures; emergency response protocols; and records
24 disclosing the configuration of critical systems or
25 infrastructures of a public airport, municipal utility,
26 jointly owned municipal utility, or rural water district
27 organized under chapter 357A. This subsection is repealed
28 effective June 30, 2007.

29

EXPLANATION

30 This bill creates a new category of confidential records
31 for certain records in the custody of a public airport,
32 municipal utility, jointly owned municipal utility, or rural
33 water district organized under Code chapter 357A, where
34 disclosure could reasonably be expected to jeopardize the
35 security or the public health and safety of the citizens

1 served by that public entity. The bill provides that the
2 provision is repealed in five years.

3 The bill also provides that a governmental body may hold a
4 closed session to discuss such confidential records of a
5 public airport, municipal utility, jointly owned municipal
6 utility, or rural water district organized under Code chapter
7 357A.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2535

H-8312

1 Amend the amendment, H-8198, to House File 2535, as
2 follows:

- 3 1. Page 1, line 6, by striking the word
4 "paragraph" and inserting the following:
5 "subsection".

By CORMACK of Webster

H-8312 FILED MARCH 18, 2002

Adopted 3-18-02 (p. 826)

HOUSE FILE 2535

H-8198

1 Amend House File 2535 as follows:

- 2 1. Page 1, line 4, by inserting after the word
3 "airport," the following: "municipal corporation,".
4 2. Page 1, line 7, by inserting after the word
5 and figure "subsection 43." the following: "This
6 paragraph is repealed effective June 30, 2007."
7 3. Page 1, line 10, by inserting after the word
8 "airport," the following: "municipal corporation,".
9 4. Page 1, line 15, by inserting after the word
10 "airport," the following: "municipal corporation,".
11 5. Page 1, line 25, by inserting after the word
12 "airport," the following: "municipal corporation,".
13 6. Title page, line 2, by inserting after the
14 word "airports," the following: "municipal
15 corporations,".

By CORMACK of Webster

H-8198 FILED MARCH 6, 2002

Adopted 3-18-02 (p. 826)