

King, Maddox, Dearden

SSB 3130
State Government

Succeeded By
O/HF 2277

SENATE FILE _____
BY (PROPOSED COMMITTEE ON STATE
GOVERNMENT BILL BY
CHAIRPERSON KING)

Passed Senate, Date _____ Passed House, 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:

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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.

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Substitute for HF 2535
3/18/02

(p. 827)

PRINTED

FILED FEB 21 2002

SENATE FILE 2277
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 3130)

Passed Senate, ^(p. 476) Date 3/4/02 Passed House, ^(p. 827) Date 3-18-02
Vote: Ayes 47 Nays 0 Vote: Ayes 84 Nays 7
Approved April 5

^(p. 789) H. Res. 3-25-02
vote 49-0

A BILL FOR

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

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

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CP 2277

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
5 corporation, municipal utility, jointly owned municipal
6 utility, or rural water district organized under chapter 357A,
7 that are confidential records pursuant to section 22.7,
8 subsection 43.

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

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

30 EXPLANATION

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

1 expected to jeopardize the security or the public health and
2 safety of the citizens served by that public entity. The bill
3 also provides that a governmental body may hold a closed
4 session to discuss such confidential records of a public
5 airport, municipal corporation, municipal utility, jointly
6 owned municipal utility, or rural water district organized
7 under Code chapter 357A.

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SENATE FILE 2277

S-5091

1 Amend Senate File 2277 as follows:

13 2 1. Page 1, line 8, by inserting after the word
3 and figure: "subsection 43." the following: "This
4 subsection is repealed effective June 30, 2007."

A 5 2. Page 1, line 15, by striking the word
6 "jeopardize" and inserting the following: "be a clear
7 and present danger to".

B 8 3. Page 1, line 29, by inserting after the word
9 and figure "chapter 357A." the following: "This
10 subsection is repealed effective June 30, 2007."

By JEFF ANGELO

ROBERT E. DVORSKY

S-5091 FILED FEBRUARY 28, 2002

A. Lost
B. Adopted 3/4/02 (P475)

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
5 corporation, municipal utility, jointly owned municipal
6 utility, or rural water district organized under chapter 357A,
7 that are confidential records pursuant to section 22.7,
8 subsection 43. This subsection is repealed effective June 30,
9 2007.

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

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

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HOUSE AMENDMENT TO
SENATE FILE 2277

S-5184

1 Amend Senate File 2277, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 8, by striking the words "This
4 subsection" and inserting the following: "This
5 paragraph".

RECEIVED FROM THE HOUSE

S-5184 FILED MARCH 18, 2002

Senate concurred
3-25-02
(p. 789)

SENATE FILE 2277

AN ACT

CREATING A NEW CATEGORY OF CONFIDENTIAL PUBLIC RECORDS IN THE CUSTODY OF CERTAIN AIRPORTS, MUNICIPAL CORPORATIONS, UTILITIES, OR WATER DISTRICTS, AND ALLOWING A GOVERNMENTAL BODY TO HOLD A CLOSED SESSION TO DISCUSS SUCH CONFIDENTIAL RECORDS.

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

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

NEW PARAGRAPH. k. To discuss information contained in records in the custody of a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A, that are confidential records pursuant to section 22.7, subsection 43. This paragraph is repealed effective June 30, 2007.

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

NEW SUBSECTION. 43. Records of a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A, where disclosure could reasonably be expected to jeopardize the security or the public health and safety of the citizens served by a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A. Such records include but are not limited to vulnerability assessments and information included within such vulnerability assessments; architectural, engineering, or construction diagrams; drawings, plans, or records pertaining to security measures such as security and response plans, security codes and

combinations, passwords, passes, keys, or security or response procedures; emergency response protocols; and records disclosing the configuration of critical systems or infrastructures of a public airport, municipal corporation, municipal utility, jointly owned municipal utility, or rural water district organized under chapter 357A. This subsection is repealed effective June 30, 2007.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2277, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved 4/5, 2002

THOMAS J. VILSACK
Governor