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STATE GOVERNMENT

HOUSE FILE 2128

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Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the privacy of social security numbers in  
2 public records and creating the Iowa public records privacy  
3 commission.

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

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HF-2128

1 Section 1. Section 22.7, Code Supplement 2005, is amended  
2 by adding the following new subsection:

3 NEW SUBSECTION. 52. Social security number.

4 Sec. 2. NEW SECTION. 22.12A IOWA PUBLIC RECORDS PRIVACY  
5 COMMISSION -- FUTURE REPEAL.

6 1. An Iowa public records privacy commission is created in  
7 the office of the citizens' aide to do the following:

8 a. Examine Code and administrative law, including  
9 documents and forms used by the government body, to identify  
10 public records that contain social security numbers.

11 b. Determine the necessity of having social security  
12 numbers in public records.

13 c. If the commission determines that a social security  
14 number is not necessary for purposes of the lawful custodian,  
15 notify the lawful custodian that the social security number  
16 must be redacted.

17 d. Review procedures used by the government body to keep a  
18 social security number confidential.

19 2. The commission shall consist of the following officials  
20 or their designees as voting members:

21 a. The governor's legal counsel.

22 b. The director of human services.

23 c. The director of transportation.

24 d. The director of revenue.

25 e. The director of the department of administrative  
26 services.

27 f. The attorney general.

28 g. The secretary of state.

29 h. The director of public health.

30 i. One person appointed by each of the following:

31 (1) Iowa state association of counties.

32 (2) Iowa league of cities.

33 (3) Iowa association of school boards.

34 j. The nonvoting members of the commission shall be as  
35 follows:

1 (1) Two state representatives, one appointed by the  
2 speaker of the house of representatives and one by the  
3 minority leader of the house, and two state senators, one  
4 appointed by the majority leader of the senate and one by the  
5 minority leader of the senate. A legislative member is  
6 eligible for per diem and expenses as provided in section  
7 2.10.

8 (2) The citizens' aide.

9 (3) The Iowa Code editor.

10 (4) The legal counsel for the administrative rules review  
11 committee.

12 3. The commission shall annually elect a chairperson and  
13 vice chairperson from the voting members of the commission.  
14 The terms of the commission members are for three years  
15 beginning on July 1 and ending on June 30, except that the  
16 legislative members shall serve for terms coinciding with the  
17 legislative biennium. A vacancy on the commission shall be  
18 filled for the unexpired term of the vacancy in the same  
19 manner as the original appointment was made.

20 4. This section is repealed June 30, 2009.

21 Sec. 3. NEW SECTION. 305.17 PRIVATE PUBLIC RECORDS.

22 When providing advice and counsel on the care and  
23 management of state or local government records as related to  
24 the privacy of such records, the commission and the department  
25 of cultural affairs shall consult with the Iowa public records  
26 privacy commission created in section 22.12A.

27 EXPLANATION

28 This bill amends the public records law to address public  
29 records containing social security numbers. The bill makes  
30 social security numbers confidential information. A state,  
31 county, city, school district, or other political subdivision,  
32 i.e., the lawful custodian currently in physical possession of  
33 a public record or another person authorized to release such  
34 information, must keep social security numbers confidential.

35 The bill creates the Iowa public records privacy commission

1 in the office of the citizens' aide to identify public records  
2 with social security numbers, determine the necessity of  
3 having social security numbers in public records, notify the  
4 lawful custodian that redaction of unnecessary social security  
5 numbers is required, and review procedures that ensure the  
6 privacy of social security numbers. The commission is  
7 composed of various representatives of government as well as  
8 related governmental associations. The bill provides that the  
9 Code authority creating the commission will be repealed on  
10 June 30, 2009.

11 The bill requires that the state records commission and the  
12 department of cultural affairs consult with the privacy  
13 commission on matters relating to privacy of public records.

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