

FEB 28 2006
Place On Calendar

HOUSE FILE 2562
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2316)

Passed House, Date 3-16-06 Passed Senate, Date 4-5-06
Vote: Ayes 95 Nays 1 Vote: Ayes 50 Nays 0
Re-passed Approved _____
4-12-06 97-0

A BILL FOR

1 An Act to make electronic mail and telephone billing records of
2 law enforcement agencies confidential if that information is
3 part of an investigation.

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

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HF 2562

1 Section 1. Section 22.7, subsection 5, Code Supplement
2 2005, is amended to read as follows:

3 5. Peace officers' investigative reports, and specific
4 portions of electronic mail and telephone billing records of
5 law enforcement agencies if that information is part of an
6 investigation, except where disclosure is authorized elsewhere
7 in this Code. However, the date, time, specific location, and
8 immediate facts and circumstances surrounding a crime or
9 incident shall not be kept confidential under this section,
10 except in those unusual circumstances where disclosure would
11 plainly and seriously jeopardize an investigation or pose a
12 clear and present danger to the safety of an individual.

13 EXPLANATION

14 This bill amends Code chapter 22, the open records law, to
15 make electronic mail and telephone billing records of law
16 enforcement agencies confidential if that information is part
17 of an investigation.

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HOUSE FILE 2562

S-5138

1 Amend House File 2562, as passed by the House, as
2 follows:
3 1. Page 1, line 5, by inserting after the word
4 "an" the following: "ongoing".
5 2. Page 1, line 12, by inserting after the word
6 "individual." the following: "Specific portions of
7 electronic mail and telephone billing records may be
8 kept confidential under this subsection only for as
9 long as the statute of limitations would have run on a
10 respective crime that is under investigation. This
11 subsection does not apply to the provisions of rule of
12 criminal procedure 2.14."

By KEITH A. KREIMAN
NANCY BOETTGER
BRIAN SCHOENJAHN

S-5138 FILED MARCH 29, 2006

HOUSE FILE 2562

S-5171

1 Amend the amendment, S-5138, to House File 2562, as
2 passed by the House, as follows:
3 1. Page 1, by striking lines 10 through 12 and
4 inserting the following: "respective crime that is
5 under investigation."

By NANCY BOETTGER

S-5171 FILED APRIL 5, 2006
ADOPTED

SENATE AMENDMENT TO
HOUSE FILE 2562

H-8506

1 Amend House File 2562, as passed by the House, as
2 follows:
3 1. Page 1, line 5, by inserting after the word
4 "an" the following: "ongoing".
5 2. Page 1, line 12, by inserting after the word
6 "individual." the following: "Specific portions of
7 electronic mail and telephone billing records may be
8 kept confidential under this subsection only for as
9 long as the statute of limitations would have run on a
10 respective crime that is under investigation."

RECEIVED FROM THE SENATE

H-8506 FILED APRIL 5, 2006