CHAPTER 1120
CRIMINAL HISTORY DATA DISSEMINATION
S.F. 2268

AN ACT authorizing the department of public safety to disseminate criminal history data to the department of social services for the purposes of licensing and hiring of personnel for child foster care facilities and child care centers, and providing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1.   Section 692.2, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

692.2 DISSEMINATION OF CRIMINAL HISTORY DATA.

1. The department and bureau may provide copies or communicate information from criminal history data only to the following:

a. Criminal justice agencies.

b. Other public agencies as authorized by the confidential records council.

c. The department of social services for the purposes of section 237.8, subsection 2 and section 237A.5.

2. The bureau shall maintain a list showing the individual or agency to whom the data is disseminated and the date of dissemination.

3. Persons authorized to receive information under subsection 1 shall request and may receive criminal history data only when both of the following apply:

a. The data is for official purposes in connection with prescribed duties or required pursuant to section 237.8, subsection 2 or section 237A.5.

b. The request for data is based upon name, fingerprints, or other individual identifying characteristics.

4. The provisions of this section and section 692.3 which relate to the requiring of an individually identified request prior to the dissemination or redissemination of criminal history data do not apply to the furnishing of criminal history data to the federal bureau of investigation or to the dissemination or redissemination of information that an arrest warrant has been or will be issued, and other relevant information including but not limited to, the offense and the date and place of alleged commission, individually identifying characteristics of the person to be arrested, and the court or jurisdiction issuing the warrant.

Sec. 2.   Section 692.3, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 38, section 4, is amended to read as follows:

692.3 REDISSEMINATION.

1. A peace officer, criminal justice agency, or state or federal regulatory agency shall not redisseminate criminal history data *outside the agency,* received from the department or bureau, unless all of the following apply:

1. a. The data is for official purposes in connection with prescribed duties of a criminal justice agency.

2. b. The agency maintains a list of the persons receiving the data and the date and purpose of the dissemination.

3. c. The request for data is based upon name, fingerprints, or other individual identification characteristics.

2. Notwithstanding subsection 1, paragraph a, the department of social services may redisseminate criminal history data obtained pursuant to section 692.2, subsection 1, paragraph c, in section 1 of this Act to persons licensed under chapters 237 and 237A for the purposes of section 237.8, subsection 2 and section 237A.5. Licensees under either chapter 237 or chapter 237A who receive information pursuant to this subsection shall not use the information other than for purposes of section 237.8, subsection 2 or section 237A.5. A licensee who uses the information for other purposes or who communicates the information to another except for the purposes of section 237.8, subsection 2 or section 237A.5 is guilty of an aggravated misdemeanor.

3. A peace officer, criminal justice agency, or state or federal regulatory agency shall not redisseminate intelligence data outside the agency, received from the department or bureau or from any other source, except as provided in ~~subsections~~ subsection 1 ~~and~~ 2.

Approved April 23, 1982

CHAPTER 1121
NONPROFIT FOUNDATIONS FOR AREA SCHOOLS
S.F. 2247

AN ACT to authorize the establishment of nonprofit foundations by the boards of area schools.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1.   Chapter 280A, Code 1981, is amended by adding the following new section:
NEW SECTION. TRUSTS. The board of a merged area may accept and administer trusts and may authorize nonprofit foundations acting solely for the support of the area school to accept and administer trusts deemed by the board to be beneficial to the operation of the area school. Notwithstanding section 633.63, the board and the nonprofit foundations may act as trustees in these instances. The board shall require that moneys belonging to a nonprofit foundation are audited annually.

Approved April 23, 1982