



Iowa General Assembly

2008 Committee Briefings

Legislative Services Agency – Legal Services Division

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IDENTITY THEFT PREVENTION STUDY COMMITTEE

Meeting Dates: [December 2, 2008](#)

Purpose. *This compilation of briefings on legislative interim committee meetings and other meetings and topics of interest to the Iowa General Assembly, written by the Legal Services Division staff of the nonpartisan Legislative Services Agency, describes committee activities or topics. The briefings were originally distributed in the Iowa Legislative Interim Calendar and Briefing. Official minutes, reports, and other detailed information concerning the committee or topic addressed by a briefing can be obtained from the committee's Internet page listed above, from the Iowa General Assembly's Internet page at <http://www.legis.state.ia.us/>, or from the agency connected with the meeting or topic described.*

IDENTITY THEFT PREVENTION STUDY COMMITTEE

December 2, 2008

Co-chairperson: Senator Steve Warnstadt

Co-chairperson: Representative Doris J. Kelley

Overview. The Identity Theft Prevention Study Committee dealt with issues involving access to public records, privacy concerns related to public records, and identity theft and cybercrime. The Committee received testimony on these issues from several individuals, including the Citizens' Aide/Ombudsman, the director of the Consumer Protection Division of the Attorney General's office, the Chief Information Officer of the State, County Recorders and the project manager of Iowa Land Records, the President of the Iowa Land Title Association, a representative of an organization concerned with public records access, a representative of a private sector business using public records to prevent identity theft, and a privacy advocate.

The Committee was authorized for and held one meeting in completing its deliberations.

Recommendations. The Committee made the following recommendations:

1. Iowa's public records law needs to define the term "personal information" and should consider using the definition for "personal information" found in the security breach legislation that is codified at Iowa Code Section 715C.1(11).
2. Iowa law should give government bodies the authority and discretion to redact certain personal information from a public record.
3. Iowa law should specify who has access to view unredacted versions of public records.
4. State agencies should regularly review and determine compliance with Code Section 22.11, the Iowa Fair Information Practices Act, and Iowa law should extend these requirements to local governments.
5. Government bodies should be given the authority to charge a flat rate, a subscription fee, a per-transaction fee, or a combination thereof for "enhanced electronic access" to public records.
6. Government bodies should be required to take reasonable precautions when disposing of confidential records or records containing personal information.
7. A permanent Public Records, Open Meetings, and Privacy (PROMP) Advisory Committee should be created to serve as a resource for ensuring compliance with Iowa laws dealing with public records and open meetings, including but not limited to Code Chapters 21 and 22, referred to as "freedom of information laws."
8. Government agencies should not ask for and make available personal information, including social security numbers, credit card numbers, and other financial account numbers, unless having established reasons as to why the information is absolutely necessary.
9. County recorders should have a duty to preserve an unaltered version of each document they record, but should also have the duty to redact personal information on documents made generally available to the public.
10. Offshore entities should be restricted from accessing government records that contain unredacted social security numbers.

11. Consideration should be given to creating an area wide network connecting all governmental entities with one entity solely responsible for redacting personal information and the dissemination of all electronic documents.

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