May 24, 2006

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

**House File 2562**, an Act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation.

The above House File is hereby approved this date.

Sincerely,

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
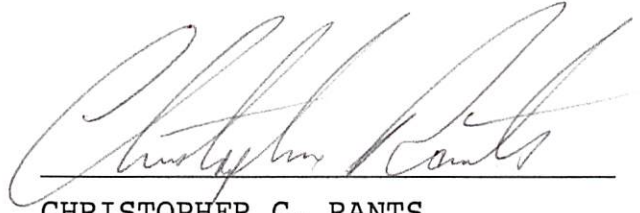Chief Clerk of the House

AN ACT

TO MAKE ELECTRONIC MAIL AND TELEPHONE BILLING RECORDS OF LAW
ENFORCEMENT AGENCIES CONFIDENTIAL IF THAT INFORMATION IS
PART OF AN INVESTIGATION.

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

   Section 1.  Section 22.7, subsection 5, Code Supplement
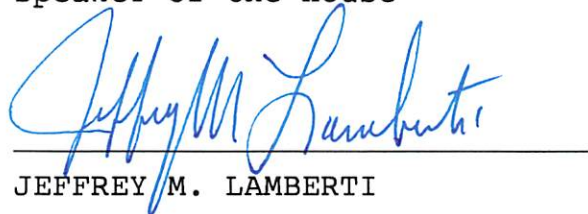2005, is amended to read as follows:
   5.  Peace officers' investigative reports, and specific
portions of electronic mail and telephone billing records of
law enforcement agencies if that information is part of an
ongoing investigation, except where disclosure is authorized
elsewhere in this Code.  However, the date, time, specific
location, and immediate facts and circumstances surrounding a
crime or incident shall not be kept confidential under this
section, except in those unusual circumstances where
disclosure would plainly and seriously jeopardize an
investigation or pose a clear and present danger to the safety
of an individual.  Specific portions of electronic mail and
telephone billing records may be kept confidential under this
subsection only for as long as the statute of limitations

would have run on a respective crime that is under
investigation.

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CHRISTOPHER C. RANTS
Speaker of the House

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JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2562, Eighty-first General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

Approved ___May 24___, 2006

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THOMAS J. VILSACK
Governor