



THOMAS J. VILSACK  
GOVERNOR

**OFFICE OF THE GOVERNOR**

SALLY J. PEDERSON  
LT. GOVERNOR

May 20, 2005

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 685**, an Act establishing the Child Identification and Protection Act, which prohibits the fingerprinting of children, and providing for exceptions.

**House File 718**, an Act allowing a refund of unexpired motor vehicle registration fees to a vehicle owner who moves out of state.

**House File 859**, an Act relating to the establishment of a form of business association referred to as a cooperative, and providing for fees and tax credits, providing penalties, and providing an effective date.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 685

AN ACT

ESTABLISHING THE CHILD IDENTIFICATION AND PROTECTION ACT,  
WHICH PROHIBITS THE FINGERPRINTING OF CHILDREN, AND  
PROVIDING FOR EXCEPTIONS.

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

Section 1. NEW SECTION. 726.21 SHORT TITLE.

This division shall be known as and may be cited as the  
"Child Identification and Protection Act".

Sec. 2. NEW SECTION. 726.22 DEFINITIONS.

As used in this division, unless the context otherwise  
requires:

1. "Child" means any person under eighteen years of age.

2. "Governmental unit" means the state, or any county,  
municipality, or other political subdivision of the state, or  
any department, board, division, or other agency of any of  
these entities; an authorized representative of the state, or  
any county, municipality, or other political subdivision of  
the state, or of a department, board, division, or other  
agency of any of these entities; or a school district or an  
authorized representative of a school district.

Sec. 3. NEW SECTION. 726.23 FINGERPRINTING OF CHILDREN  
PROHIBITED -- EXCEPTION -- CONDITIONS.

1. Except as provided in subsection 2, a governmental unit  
shall not fingerprint a child.

2. A governmental unit may fingerprint a child if one or  
more of the following conditions apply:

a. A parent or guardian has given written authorization  
for the taking of the fingerprints for use in the future in  
case the child becomes a runaway or a missing child. Only one  
set of prints shall be taken and the fingerprint cards shall

be given to the parent or guardian. The fingerprints, written authorizations for fingerprinting, or notice of the fingerprints' existence shall not be recorded, stored, or kept in any manner by a law enforcement agency, except as provided in this division or except at the request of the parent or guardian if the child becomes a runaway or a missing child. When the child is located or the case is otherwise disposed of, the fingerprint cards shall be returned to the parents or guardian.

b. Fingerprints are required to be taken pursuant to section 232.148, 690.2, or 690.4.

c. Fingerprints are required by court order.

d. Fingerprints are voluntarily given with the written permission of the child and parent or guardian, upon request of a law enforcement officer, to aid in a specific criminal investigation. Only one set of prints shall be taken and, upon completion of the investigation, the law enforcement agency shall return the fingerprint cards to the parent or guardian of the child.



CHRISTOPHER C. RANTS

Speaker of the House



JOHN P. KIBBIE

President of the Senate

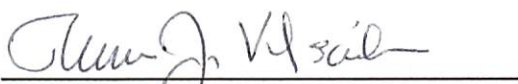
I hereby certify that this bill originated in the House and is known as House File 685, Eighty-first General Assembly.



MARGARET THOMSON

Chief Clerk of the House

Approved May 20, 2005



THOMAS J. VILSACK

Governor