

House File 2277 - Enrolled

House File 2277

AN ACT

RELATING TO THE INSPECTION AND EXAMINATION OF CERTAIN PUBLIC RECORDS UNDER THE CUSTODY OF THE STATE ARCHIVIST OR A COUNTY REGISTRAR.

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

Section 1. NEW SECTION. **22.16 Inspection of records — state archives.**

1. Notwithstanding any provision of law to the contrary, a public record that is an archive, as defined in section 305.2, shall be available for public examination and copying under this chapter if the public record was created at least one hundred years prior to a request for access to the record, subject to the requirements of this section.

2. A public record as described in this section shall not be available for examination and copying under any of the following circumstances:

a. The public record is ordered to be sealed and is not subject to inspection by any federal or state court.

b. The public record is prohibited from being disclosed under any federal law, rule, or regulation.

Sec. 2. Section 144.43, subsection 3, Code 2018, is amended to read as follows:

3. a. ~~However, the~~ The following vital statistics records in the custody of a county registrar may be inspected and copied as of right under **chapter 22** ~~when they are in the custody of a county registrar or when they are in the custody of the~~

~~state archivist and are at least seventy-five years old:~~

- ~~a.~~ (1) A record of birth.
- ~~b.~~ (2) A record of marriage.
- ~~c.~~ (3) A record of divorce, dissolution of marriage, or annulment of marriage.
- ~~d.~~ (4) A record of death if that death was not a fetal death.

b. The following vital statistics records in the custody of the state archivist may be inspected and copied as of right under chapter 22:

- (1) A record of birth that is at least seventy-five years old.
- (2) A record of marriage that is at least seventy-five years old.
- (3) A record of divorce, dissolution of marriage, or annulment of marriage that is at least seventy-five years old.
- (4) A record of death or fetal death, either of which is at least fifty years old.

LINDA UPMEYER
Speaker of the House

CHARLES SCHNEIDER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2277, Eighty-seventh General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2018

KIM REYNOLDS
Governor