

Senate File 499 - Enrolled

Senate File 499

AN ACT

PROHIBITING THE USE OF CERTAIN MONITORING DEVICES IN CERTAIN
LOCATIONS OPEN TO THE PUBLIC, AND INCLUDING EFFECTIVE DATE
PROVISIONS.

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

Section 1. NEW SECTION. 27.1 Definitions.

1. For purposes of this section:

a. "Monitoring device" means a digital video or audio streaming or recording device that is part of a system of monitoring activity in an area or building using a system in which signals are transmitted from a video camera or microphone to the receivers by cables or wirelessly, forming a closed circuit.

b. "Public hospital" means a hospital licensed pursuant to chapter 135B and governed pursuant to chapter 145A, 263, 347, 347A, or 392.

c. "Public library" means a library district as described in chapter 336.

d. "Public school" means a school district as described in chapter 274.

e. "Reasonable expectation of privacy" means a person's reasonable belief, under the circumstances, that the person can disrobe or partially disrobe in privacy without being concerned that the person is being viewed, photographed, or filmed when doing so.

Sec. 2. NEW SECTION. **27.2 Monitoring devices prohibited.**

The state or a political subdivision of the state, including but not limited to a public library, public school, or other government office open to the public, shall not use a monitoring device in a toilet, bath, or shower facility; locker room; common area within such a facility or room, including an area where a sink or changing table is located; or other space open to the public where a person has a reasonable expectation of privacy.

Sec. 3. NEW SECTION. **27.3 Removal of monitoring devices.**

On or before July 1, 2017, the state or a political subdivision of the state, including but not limited to a public library, public school, or other government office open to the public, using a monitoring device in a toilet, bath, or shower facility; locker room; common area within such a facility or room, including an area where a sink or changing table is located; or other space open to the public where a person has a reasonable expectation of privacy shall cease use of and remove the monitoring device.

Sec. 4. NEW SECTION. **27.4 Limitation on political subdivisions.**

On July 1, 2017, any ordinance, resolution, rule, or other measure adopted or enforced by a political subdivision of the state permitting the use of a monitoring device in a toilet, bath, or shower facility; locker room; common area within such a facility or room, including an area where a sink or changing table is located; or other space open to the public where a person has a reasonable expectation of privacy is void.

Sec. 5. NEW SECTION. **27.5 Public hospital exception.**

This chapter does not apply to a public hospital where use of a monitoring device is necessary to protect the health or safety of a patient during a patient's course of treatment.

Sec. 6. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

JACK WHITVER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 499, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2017

TERRY E. BRANSTAD
Governor