House File 2445 - Enrolled

House File 2445

AN ACT

RELATING TO THE PRIVACY OF A VICTIM OF A SEX OFFENSE IN A
   CRIMINAL OR CIVIL PROCEEDING.

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

   Section 1. Section 915.36, subsections 1 and 2, Code 2020,
are amended to read as follows:
   1. Prior to an arrest or the filing of an information or
indictment, whichever occurs first, against a person charged
with a violation of chapter 709, section 726.2, or section
728.12, committed with or on a child, as defined in section
~~702.5~~ 232.2, the identity of the child or any information
reasonably likely to disclose the identity of the child shall
not be released to the public by any public employee except as
authorized by the court of jurisdiction.
   2. In order to protect the welfare of the child, the name of
the child and identifying biographical information shall not
appear on the information or indictment or any other public
record including any civil filings arising from the criminal
violation. Instead, a nondescriptive designation shall appear
on all public records. The nonpublic records containing the
child's name and identifying biographical information shall
be kept by the court. This subsection does not apply to the
release of information to ~~an accused~~ a defendant or ~~accused's~~
defendant's counsel; however, the use or release of this
information by the ~~accused~~ defendant or ~~accused's~~ defendant's

counsel for purposes other than the preparation of defense constitutes contempt.

Sec. 2. Section 915.36, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This section also applies to a child victim of a violation of chapter 709, section 726.2, or section 728.12, after attaining the age of eighteen.

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PAT GRASSLEY
Speaker of the House

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CHARLES SCHNEIDER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2445, Eighty-eighth General Assembly.

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MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2020

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KIM REYNOLDS
Governor