

FEB 1 1973

Place On Calendar

HOUSE FILE 108

By COMMITTEE ON COUNTY  
GOVERNMENT  
(Committee on County  
Government)

*Int. for S. F. 108 2/10*

Passed House, Date 2-5-73 (261)

Passed Senate, Date 2-19-73 (356)

Vote: Ayes 72 Nays 2

Vote: Ayes 45 Nays 0

Approved 3-9-73

*Per Senate amendment 2-27-73 (438)  
88-0*

## A BILL FOR

1 An Act relating to the destruction of original court records.

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

3 Section 1. Section six hundred six point twenty-one

4 (606.21), Code 1973, is amended to read as follows:

5 606.21 DESTRUCTION OF ORIGINAL RECORDS. After the clerk  
6 has reproduced the original records, as authorized in section

7 606.20, and upon the application of the clerk, a majority

8 of the judges of the district court may order the clerk to

9 destroy the original records ~~on-file-ten-years-or-more,~~

10 including, but not limited to, dockets, journals, scrapbooks,

11 files, and marriage license applications. Any order of the

12 court authorizing destruction of any of the records referred

13 to in this Act shall state what records are to be destroyed.

14

### EXPLANATION

15 The bill deletes the provision that original records of

16 the district court must be on file ten years or more before

17 being destroyed. Present law would still require that original

18 records be reproduced before the judges may order them

19 destroyed and provides that the reproductions have the same

20 authenticity as the original records.

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S-31

1 Amend House File 108 as follows:  
2 Page 1, line 9, by striking the words "on-file-ten  
3 or-more", and inserting in lieu thereof the words "on  
4 ten five years or more".

Filed - *Withdrawn 2/19/73*  
February 5, 1973

By RILEY

S-93

1 Amend House File 108, page 1, by adding a new paragraph  
2 line 13.  
3 Original court files cannot be destroyed until the  
4 of ten years after a decree or judgment entry is signed  
5 entered of record and after the contents have been  
6 as authorized in section six hundred and six point twenty  
7 (606.20) of the Code, however, if the matter is dismissed  
8 prejudice before judgment or decree the file may be  
9 one year from the date of the dismissal and after  
10 as authorized in section six hundred and six point twenty  
11 of the Code.

Filed and adopted  
February 19, 1973

By RILEY

SENATE AMENDMENT TO HOUSE FILE 108

1 Amend House File 108, page 1, by adding after line 13 the  
2 following new paragraph:  
3 Original court files cannot be destroyed until the  
4 of ten years after a decree or judgment entry is signed  
5 entered of record and after the contents have been  
6 as authorized in section six hundred and six point twenty  
7 (606.20) of the Code, however, if the matter is  
8 prejudice before judgment or decree the file may be  
9 one year from the date of the dismissal and after  
10 as authorized in section six hundred and six point twenty  
11 (606.20) of the Code.

Received from Senate  
February 21, 1973

*House concurred 2-27*