

*See Judiciary 5/7 Do pass per 5292 3/2 (p. 443)*

HOUSE FILE 299

Judiciary  
Glenn, Chairperson  
Scott  
Rush  
Ramsey  
Holden

*Enforcement Do Pass 5/11 (p. 2141)*

HOUSE FILE 299

By DOYLE

Nielsen

Passed House, Date 5-13-77 (p. 2332) Passed Senate, Date 3-9-78 (p. 501)

Vote: Ayes 85 Nays 0 Vote: Ayes 45 Nays 0

Approved April 17, 1978  
*Repassed House per Senate amendment 5641*  
3-22-78 (p. 1171)

77-0

# A BILL FOR

1 An Act relating to the confidentiality of documents filed  
2 for the purpose of obtaining a warrant for an arrest or  
3 a search.

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

## HOUSE FILE 299

S-5292

1 Amend House File 299 as follows:

2 1. Page 1, by striking lines 1 through 3 and  
3 inserting in lieu thereof the following:

4 "Section 1. Chapter eight hundred four (804),  
5 Code 1977 Supplement, is amended by adding".

6 2. Page 1, by striking lines 15 through 17 and  
7 inserting in lieu thereof the following:

8 "Sec. 2. Chapter eight hundred eight (808), Code  
9 1977 Supplement, is amended by adding the".

S-5292 FILED *Adopted 3/9 (p. 499)* BY GENE W. GLENN, Chairperson  
MARCH 6, 1978 COMMITTEE ON JUDICIARY

## SENATE AMENDMENT TO HOUSE FILE 299

H-5641

1 Amend House File 299 as follows:

2 1. Page 1, by striking lines 1 through 3 and inserting  
3 in lieu thereof the following:

4 "Section 1. Chapter eight hundred four (804), Code 1977  
5 Supplement, is amended by adding".

6 2. Page 1, by striking lines 15 through 17 and inserting  
7 in lieu thereof the following:

8 "Sec. 2. Chapter eight hundred eight (808), Code 1977  
9 Supplement, is amended by adding the".

H-5641 FILED  
RECEIVED FROM SENATE  
MARCH 14, 1978

*House concurred 3/22 (p. 1120)*

1 Section 1. Chapter one thousand two hundred forty-five  
2 (1245), Acts of the Sixty-sixth General Assembly, 1976 Session,  
3 chapter two (2), division four (IV), is amended by adding  
4 the following new section:

5 NEW SECTION. CONFIDENTIALITY. All information filed with  
6 the court for the purpose of securing a warrant for an arrest,  
7 including but not limited to a citation and affidavits, shall  
8 be a confidential record until such time as a peace officer  
9 has made the arrest and has made his or her return on the  
10 warrant. During the period of time that information is  
11 confidential, it shall be sealed by the court and the  
12 information contained therein shall not be disseminated to  
13 any person other than a peace officer, magistrate, or another  
14 court employee, in the course of official duties.

15 Sec. 2. Chapter one thousand two hundred forty-five (1245),  
16 Acts of the Sixty-sixth General Assembly, 1976 Session, chapter  
17 two (2), division eight (VIII), is amended by adding the  
18 following new section:

19 NEW SECTION. CONFIDENTIALITY. All information filed with  
20 the court for the purpose of securing a warrant for a search,  
21 including but not limited to an application and affidavits,  
22 shall be a confidential record until such time as a peace  
23 officer has executed the warrant and has made return thereon.  
24 During the period of time that information is confidential  
25 it shall be sealed by the court, and the information contained  
26 therein shall not be disseminated to any person other than  
27 a peace officer, magistrate, or another court employee, in  
28 the course of official duties.

29 EXPLANATION

30 This bill amends S.F. 85, the new criminal code, to provide  
31 that information on file with the court for the purpose of  
32 securing an arrest warrant or a search warrant shall be treated  
33 as confidential, and shall not be disseminated to any person  
34 other than officially to a peace officer, magistrate, or other  
35 court employee, until the warrant has been executed.

HOUSE FILE 299

AN ACT

RELATING TO THE CONFIDENTIALITY OF DOCUMENTS FILED FOR THE  
PURPOSE OF OBTAINING A WARRANT FOR AN ARREST OR A  
SEARCH.

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

Section 1. Chapter eight hundred four (804), Code 1977  
Supplement, is amended by adding the following new section:  
NEW SECTION. CONFIDENTIALITY. All information filed with  
the court for the purpose of securing a warrant for an arrest,  
including but not limited to a citation and affidavits, shall  
be a confidential record until such time as a peace officer  
has made the arrest and has made his or her return on the  
warrant. During the period of time that information is  
confidential, it shall be sealed by the court and the  
information contained therein shall not be disseminated to  
any person other than a peace officer, magistrate, or another  
court employee, in the course of official duties.

Sec. 2. Chapter eight hundred eight (808), Code 1977  
Supplement, is amended by adding the following new section:  
NEW SECTION. CONFIDENTIALITY. All information filed with  
the court for the purpose of securing a warrant for a search,  
including but not limited to an application and affidavits,  
shall be a confidential record until such time as a peace  
officer has executed the warrant and has made return thereon.  
During the period of time that information is confidential  
it shall be sealed by the court, and the information contained  
therein shall not be disseminated to any person other than

a peace officer, magistrate, or another court employee, in  
the course of official duties.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 299, Sixty-seventh General Assembly.

Approved April 17, 1978

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DAVID L. WRAY  
Chief Clerk of the House

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ROBERT D. RAY  
Governor