

*Reprinted 3/5/85*

FILED FEB 21 1985

SENATE FILE 318  
BY COMMITTEE ON JUDICIARY

FORMERLY SSB 179  
*Approved 2/21 (p. 482)*

Passed Senate, Date 3-1-85 (p. 545) Passed House, Date 4-16-85 (P. 1584)  
Vote: Ayes 43 Nays 4 Vote: Ayes 83 Nays 8  
Approved April 23, 1985 (p. 1591)

### A BILL FOR

- 1 An Act relating to the authority of the court to issue admin-
- 2 istrative search warrants to government agencies having
- 3 the statutory authority to conduct inspections.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S-3154

SENATE FILE 318

- 1 Amend Senate File 318 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "warrants" the following: ", in accordance with the
- 4 statutory and common law requirements for the issuance
- 5 of such warrants,".
- 6 2. Page 1, line 7, by inserting after the word
- 7 "authority" the following: ", to be executed or
- 8 otherwise carried out by an officer or employee of the
- 9 agency or body".
- 10 3. Page 1, by inserting after line 7 the
- 11 following:
- 12 "Sec. 2. This Act, being deemed of immediate
- 13 importance, takes effect from and after its
- 14 publication in The Sioux City Journal, a newspaper
- 15 published in Sioux City, Iowa, and in The New Iowa
- 16 Bystander, a newspaper published in Des Moines, Iowa."

S-3154 Filed  
February 25, 1985  
*Adopted 2/1/85 (p. 545)*

By MANN

S-3166

SENATE FILE 318

- 1 Amend Senate File 318 as follows:
- 2 1. Page 1, by striking line 5 and inserting the
- 3 following: "bodies expressly or impliedly provided
- 4 with statutory or constitutional home rule authority
- 5 for inspections".

S-3166 Filed  
February 27, 1985  
*Adopted 2/1 (p. 545)*

By MANN

1 Section 1. NEW SECTION. 808.14 ADMINISTRATIVE WARRANTS.

2 The courts and other appropriate agencies of the judicial  
3 branch of the government of this state may issue  
4 administrative search warrants to all governmental agencies or  
5 bodies expressly provided with statutory inspection authority  
6 to the extent necessary for the agency or body to carry out  
7 such authority.

8 EXPLANATION

9 This bill, in response to the recent Iowa supreme court  
10 decision in the case of COMMISSIONER OF LABOR V. HONORABLE  
11 PAUL J. SULHOFF, creates a new section of chapter 808  
12 (relating to search and seizure) which provides the court with  
13 the authority to issue administrative warrants to governmental  
14 agencies seeking to enforce their statutory grant of the  
15 authority to inspect.

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3/6/85 Do Pass 4/8

Senate File 318

Judiciary and Law Enforcement: Peterson, Chair: Siegrist and Tabor.

SENATE FILE 318

BY COMMITTEE ON JUDICIARY

(AS AMENDED AND PASSED BY THE SENATE MARCH 1, 1985)

Passed Senate, Date \_\_\_\_\_ Passed House, Date 4-16-85 (p.1584)  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 83 Nays 8  
Approved April 23, 1985 (p.1591)

# A BILL FOR

1 An Act relating to the authority of the court to issue admin-  
2 istrative search warrants to government agencies having  
3 the statutory authority to conduct inspections.

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

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\_\_\_\_\_ = New Language  
by the Senate

1 Section 1. NEW SECTION. 808.14 ADMINISTRATIVE WARRANTS.  
2 The courts and other appropriate agencies of the judicial  
3 branch of the government of this state may issue  
4 administrative search warrants, in accordance with the  
5 statutory and common law requirements for the issuance of such  
6 warrants, to all governmental agencies or bodies expressly or  
7 impliedly provided with statutory or constitutional home rule  
8 authority for inspections to the extent necessary for the  
9 agency or body to carry out such authority, to be executed or  
10 otherwise carried out by an officer or employee of the agency  
11 or body.

12 Sec. 2. This Act, being deemed of immediate importance,  
13 takes effect from and after its publication in The Sioux City  
14 Journal, a newspaper published in Sioux City, Iowa, and in The  
15 New Iowa Bystander, a newspaper published in Des Moines, Iowa.

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New  
SF 318

SSB 179

SSB 179  
Judiciary

JUDICIARY: Mann, Chair; Drake and Horn

HOUSE/SENATE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
JUDICIARY AND COMMITTEE ON  
JUDICIARY AND LAW ENFORCEMENT  
BILL)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

## A BILL FOR

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S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

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10 decision in the case of COMMISSIONER OF LABOR V. HONORABLE  
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Journal, a newspaper published in Sioux City, Iowa, and in The New Iowa Bystander, a newspaper published in Des Moines, Iowa.

SENATE FILE 318

AN ACT

RELATING TO THE AUTHORITY OF THE COURT TO ISSUE ADMINISTRATIVE SEARCH WARRANTS TO GOVERNMENT AGENCIES HAVING THE STATUTORY AUTHORITY TO CONDUCT INSPECTIONS.

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

Section 1. NEW SECTION. 808.14 ADMINISTRATIVE WARRANTS.

The courts and other appropriate agencies of the judicial branch of the government of this state may issue administrative search warrants, in accordance with the statutory and common law requirements for the issuance of such warrants, to all governmental agencies or bodies expressly or impliedly provided with statutory or constitutional home rule authority for inspections to the extent necessary for the agency or body to carry out such authority, to be executed or otherwise carried out by an officer or employee of the agency or body.

Sec. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in The Sioux City

ROBERT T. ANDERSON  
President of the Senate

DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 318, Seventy-first General Assembly.

K. MARIE THAYER  
Secretary of the Senate

Approved *April 23*, 1985

TERRY E. BRANSTAD  
Governor

S.F. 318