

reprinted

FEB 1 1989

LOCAL GOVERNMENT

HOUSE FILE 324

Amend & replace 3681(p.662)

BY TRENT

Passed House, Date 3-8-89 (p. 722) Passed Senate, Date 3-13-90 (p. 1021)
Vote: Ayes 97 Nays 0 Vote: Ayes 48 Nays 0
Approved March 19, 1990

A BILL FOR

3291-2 1 An Act relating to the confidentiality of county general relief records, and providing a penalty for violations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HOUSE FILE 324

H-3291

- 1 Amend House File 324 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 22.7, Code 1989, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 26. Applications, investigation
- 7 reports, and case records of persons applying for
- 8 county general relief pursuant to section 252.25."
- 9 2. Page 1, by striking lines 10 through 26 and
- 10 inserting the following: "Examination of an
- 11 individual's applications, reports, and records may
- 12 also be authorized by a signed release from the
- 13 individual."
- 14 3. Title page, line 2, by striking the words
- 15 "providing a penalty for violations" and inserting the
- 16 following: "subjecting violators to a penalty".
- 17 4. By renumbering as necessary.

By COMMITTEE ON LOCAL GOVERNMENT
FOGARTY of Palo Alto, Chairperson

H-3291 FILED MARCH 6, 1989
adopted 3-8-89 (p. 722)

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1 Section 1. Section 252.25, Code 1989, is amended by adding
2 the following new unnumbered paragraphs:

3211 3 NEW UNNUMBERED PARAGRAPH. All applications, investigation
4 reports, and case records of persons applying for county
5 general relief under this chapter are privileged communica-
6 tions and confidential, subject to use and inspection only by
7 persons authorized by law in connection with their official
8 duties relating to financial audits and administration of this
9 chapter or as authorized by order of a district court.

10 However, the general relief director shall prepare and file in
11 the office of the county auditor a quarterly report showing
12 the names and addresses of all recipients receiving county
13 general relief under this chapter, and the amount paid to each
14 recipient during the preceding quarter. Each report filed
15 shall be placed in a record book. The record book is a public
16 record open to public inspection during regular office hours
17 of the county auditor. Each person who desires to examine the
18 records shall sign an agreement that the signer shall not use
19 any information gained from the record book for commercial or
20 political purposes.

21 NEW UNNUMBERED PARAGRAPH. A person soliciting, disclosing,
22 receiving, or making use of information from the public record
23 relating to the names and addresses of county general relief
24 recipients or the amounts of relief received for commercial or
25 political purposes in violation of this section is guilty of a
26 serious misdemeanor.

27 EXPLANATION

28 This bill provides that applications, investigation re-
29 ports, and case records of county general relief recipients
30 are confidential, subject to use and inspection of auditors
31 and other persons whose official duties relate to adminis-
32 tration of the general relief program or as authorized by a
33 court. A record of the names and addresses of recipients and
34 the amounts received would be available to the public, but
35 this information could not be used for commercial or political

1 purposes.

2 A violation of the restrictions against using the public
3 records for commercial or political purposes is a serious
4 misdemeanor. A serious misdemeanor is punishable by a fine
5 not exceeding \$1,000 or imprisonment not exceeding one year,
6 or both fine and imprisonment.

7 This bill may impose a state mandate as provided in chapter
8 25B.

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Do pass per amend. 3442-3-28-89 (p. 1049)
2/22/90 (p. 694)

HOUSE FILE 324
BY TRENT

(As Amended and Passed by the House March 9, 1989)

Passed House, Date 3-9-89 (p. 722) Passed Senate, Date 3/13/90 (p. 1021)
Vote: Ayes 90 Nays 6 Vote: Ayes 48 Nays 0
Approved March 19, 1990

A BILL FOR

3442-1 An Act relating to the confidentiality of county general relief
2 records, and subjecting violators to a penalty.

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

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House Amendments _____

1 Section 1. Section 22.7, Code 1989, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 26. Applications, investigation reports,
4 and case records of persons applying for county general relief
5 pursuant to section 252.25.

6 Sec. 2. Section 252.25, Code 1989, is amended by adding
7 the following new unnumbered paragraphs:

8 NEW UNNUMBERED PARAGRAPH. All applications, investigation
9 reports, and case records of persons applying for county
10 general relief under this chapter are privileged communica-
11 tions and confidential, subject to use and inspection only by
12 persons authorized by law in connection with their official
13 duties relating to financial audits and administration of this
14 chapter or as authorized by order of a district court.

15 Examination of an individual's applications, reports, and
16 records may also be authorized by a signed release from the
17 individual.

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HOUSE FILE 324

S-3442

1 Amend House File 324, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 17, the
4 following:

5 "Sec. ____ . NEW SECTION. 331.610 USE OF LOAN
6 INFORMATION -- PENALTY.

7 1. A person engaged in a business which collects,
8 stores, or collates information concerning commercial
9 or consumer loans with respect to the amount borrowed,
10 amount of and schedule of payments, and interest rate,
11 shall not disclose, publish, publicize, transfer,
12 communicate, or sell a list, or any part of a list
13 containing this information. This subsection does not
14 prohibit the collection of this information for
15 legitimate use by a person in the person's own
16 business where the information is necessary for the
17 evaluation and completion of a transaction between the
18 person and any other person, and does not prohibit a
19 person from disclosing, publishing, publicizing,
20 transferring, communicating, or selling such
21 information if the consent of the person to whom the
22 information relates has been obtained.

23 2. A person violating subsection 1 is guilty of a
24 simple misdemeanor."

25 2. Title page, line 1, by striking the words "of
26 county relief" and inserting the following: "and use
27 of certain county".

By COMMITTEE ON LOCAL GOVERNMENT
ALVIN V. MILLER, Chairperson

S-3442 FILED MARCH 28, 1989

w/d 3/13/90 (p. 1021)

records may also be authorized by a signed release from the individual.

HOUSE FILE 324

AN ACT
RELATING TO THE CONFIDENTIALITY OF COUNTY GENERAL RELIEF
RECORDS, AND SUBJECTING VIOLATORS TO A PENALTY.

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

Section 1. Section 22.7, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 26. Applications, investigation reports, and case records of persons applying for county general relief pursuant to section 252.25.

Sec. 2. Section 252.25, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All applications, investigation reports, and case records of persons applying for county general relief under this chapter are privileged communications and confidential, subject to use and inspection only by persons authorized by law in connection with their official duties relating to financial audits and administration of this chapter or as authorized by order of a district court.

Examination of an individual's applications, reports, and

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 324, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 19, 1990

TERRY E. BRANSTAD
Governor

HF 324