

Bandler, chair
Davis
Bell

HSB 567

JUDICIARY

Succeeded By

SF/HF 2172

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON LARSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to polygraph examinations of applicants for
2 certain law enforcement or correctional facility positions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1999

1 Section 1. Section 730.4, subsection 3, Code Supplement
2 1999, is amended to read as follows:

3 3. Subsection 2 does not apply to the state or a political
4 subdivision of the state when in the process of selecting a
5 candidate for employment as-a-peace for any of the following
6 positions:

7 a. Peace officer, or-a-corrections

8 b. Corrections officer.

9 c. Any employee of a law enforcement agency or
10 correctional facility who would have access to confidential
11 information or funds in connection with their employment.

12 EXPLANATION

13 This bill amends Code section 730.4, relating to the
14 prohibition of certain polygraph examinations, to expand the
15 exception for polygraph examinations in connection with
16 employment of peace officers and corrections officers to
17 include law enforcement or correctional facility employees who
18 would have access to confidential information or funds in
19 connection with their employment.

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S-2/17/00 Judiciary
S-3/4/00 Amend/Do Pass
W/S-5115

FEB 8 2000

Place On Calendar

HOUSE FILE 2172
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 567)

Passed House, Date 2/17/00 (P.353) Passed Senate, Date 3-21-00 (P.762)
Vote: Ayes 84 Nays 8 Vote: Ayes 45 Nays 4
Approved April 6, 2000

Re-Read 3-23-00

Vote 93-7 (P.956) A BILL FOR

1 An Act relating to polygraph examinations of applicants for
2 certain law enforcement or correctional facility positions.

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

HOUSE FILE 2172

H-8039

1 Amend House File 2172 as follows:

2 1. Page 1, by striking lines 3 through 11 and
3 inserting the following:

4 "3. a. Subsection 2 does not apply to the state
5 or a political subdivision of the state when in the
6 process of selecting a any of the following:

7 (1) A candidate for employment as a peace officer

8 or
9 (2) A candidate for employment as a corrections
10 officer.

11 (3) An applicant for any position within a law
12 enforcement agency with access to confidential
13 information or funds in connection with employment.

14 b. Polygraph examinations under this subsection
15 shall adhere to the published antidiscrimination
16 policy of the state or political subdivision
17 conducting the examination."

18 2. Title page, line 2, by striking the words "or
19 correctional facility".

By BAUDLER of Adair
DAVIS of Wapello
BELL of Jasper

H-8039 FILED FEBRUARY 16, 2000

Adopted 2-17-00
(P.353)

HF 2172

1 Section 1. Section 730.4, subsection 3, Code Supplement
2 1999, is amended to read as follows:

3 3. Subsection 2 does not apply to the state or a political
4 subdivision of the state when in the process of selecting a
5 candidate for employment as-a-peace for any of the following
6 positions:

7 a. Peace officer or-a-corrections.

8 b. Corrections officer.

9 c. Any employee of a law enforcement agency or
10 correctional facility who would have access to confidential
11 information or funds in connection with their employment.

12 EXPLANATION

13 This bill amends Code section 730.4, relating to the
14 prohibition of certain polygraph examinations, to expand the
15 exception for polygraph examinations in connection with
16 employment of peace officers and corrections officers to
17 include law enforcement or correctional facility employees who
18 would have access to confidential information or funds in
19 connection with their employment.

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HOUSE FILE 2172
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 567)

(As Amended and Passed by the House, February 17, 2000)

Re Passed House, Date 3-23-00 Passed Senate, Date 3-21-00
Vote: Ayes 93 Nays 7 Vote: Ayes 45 Nays 4
Approved _____

A BILL FOR

1 An Act relating to polygraph examinations of applicants for
2 certain law enforcement positions.

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

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House Amendments _____

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Deleted Language *

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1 Section 1. Section 730.4, subsection 3, Code Supplement
2 1999, is amended to read as follows:

3 3. a. Subsection 2 does not apply to the state or a
4 political subdivision of the state when in the process of
5 selecting a any of the following:

6 (1) A candidate for employment as a peace officer or.

7 (2) A candidate for employment as a corrections officer.

8 (3) An applicant for any position within a law enforcement
9 agency with access to confidential information or funds in
10 connection with employment.

11 b. Polygraph examinations under this subsection shall
12 adhere to the published antidiscrimination policy of the state
13 or political subdivision conducting the examination.

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HOUSE FILE 2172

S-5115

1 Amend House File 2172, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 8 through 10 and
4 inserting the following:

5 "(3) An applicant for a position with a law
6 enforcement agency of a political subdivision of the
7 state when the applicant is being considered for a
8 position in which the employee filling the position
9 has direct access to prisoner funds, any other cash
10 assets, and confidential information."

By COMMITTEE ON JUDICIARY
Andy McKean, Chairperson

Adopted
3-21-00 (P.761)

S-5115 FILED MARCH 9, 2000

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SENATE AMENDMENT TO HOUSE FILE 2172

H-8444

1 Amend House File 2172, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 8 through 10 and
4 inserting the following:

5 "(3) An applicant for a position with a law
6 enforcement agency of a political subdivision of the
7 state when the applicant is being considered for a
8 position in which the employee filling the position
9 has direct access to prisoner funds, any other cash
10 assets, and confidential information."

RECEIVED FROM THE SENATE

H-8444 FILED MARCH 21, 2000

House Concurred

3/23/00 (p.956) HOUSE FILE 2172

H-8456

1 Amend the Senate amendment, H-8444, to House File
2 2172, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 10, by striking the word "and"
5 and inserting the following: "or".

By BAUDLER of Adair

H-8456 FILED MARCH 21, 2000

W/10

3/23/00

(p.956)

applicant is being considered for a position in which the employee filling the position has direct access to prisoner funds, any other cash assets, and confidential information.

b. Polygraph examinations under this subsection shall adhere to the published antidiscrimination policy of the state or political subdivision conducting the examination.

HOUSE FILE 2172

AN ACT
RELATING TO POLYGRAPH EXAMINATIONS OF APPLICANTS FOR
CERTAIN LAW ENFORCEMENT POSITIONS.

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

Section 1. Section 730.4, subsection 3, Code Supplement 1999, is amended to read as follows:

3. a. Subsection 2 does not apply to the state or a political subdivision of the state when in the process of selecting a any of the following:

- (1) A candidate for employment as a peace officer or,
- (2) A candidate for employment as a corrections officer.
- (3) An applicant for a position with a law enforcement agency of a political subdivision of the state when the

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2172, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 4/6, 2000

THOMAS J. VILSACK
Governor

HF
2172