

MAR 1 1999

JUDICIARY

HOUSE FILE  
BY JAGER

**419**

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the use of the law enforcement administrator's  
2 band by a law enforcement agency and making an appropriation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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**HF 419**

1 Section 1. NEW SECTION. 693.6 TRANSMISSIONS OVER LAW  
2 ENFORCEMENT ADMINISTRATOR'S BAND.

3 1. A law enforcement agency shall transmit in a timely  
4 manner information pertaining to an emergency situation over  
5 the law enforcement administrator's band in addition to any  
6 other band used by the agency. An emergency situation  
7 includes when a criminal suspect is attempting to flee or  
8 elude a law enforcement officer, or any emergency situation  
9 that requires a multijurisdictional effort by law enforcement  
10 agencies.

11 2. The law enforcement administrator's telecommunications  
12 advisory committee created in the department of public safety  
13 shall be responsible for conducting an investigation of any  
14 violations of subsection 1. Upon a finding of a violation,  
15 the committee may place the law enforcement agency on  
16 probation for a period of up to one year. If the law  
17 enforcement agency commits a second or subsequent violation  
18 during the probationary period, the committee may levy and  
19 collect a civil penalty in the amount of one thousand dollars  
20 for each violation.

21 3. a. The moneys received from civil penalties imposed  
22 under this section shall be deposited with the treasurer of  
23 state and the moneys shall be credited to the general fund of  
24 the state. The chairperson of the law enforcement  
25 administrator's telecommunications advisory committee shall  
26 keep an accurate and detailed account of penalties received  
27 and paid to the treasurer of state.

28 b. An amount equal to the amount of moneys collected under  
29 subsection 2 is annually appropriated to the Iowa law  
30 enforcement academy to be used for telecommunicator training.  
31 The moneys received shall be certified by the chairperson to  
32 the director of revenue and finance, and if found correct, the  
33 director shall draw warrants upon the treasurer of state from  
34 the funds appropriated, to be used for the purpose stated in  
35 this paragraph.

EXPLANATION

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This bill requires a law enforcement agency to use the law enforcement administrator's band (LEA) when broadcasting certain emergency situations over the radio. The emergency situations that require use of the law enforcement administrator's band include situations in which a suspect is fleeing or eluding a police officer or an emergency situation that requires multijurisdictional cooperation between law enforcement agencies.

If a law enforcement agency violates this bill, the law enforcement administrator's telecommunications advisory committee (LEATAC) may place the agency on probation for one year. If the law enforcement agency violates this bill while on probation, LEATAC may penalize the agency by imposing a \$1,000 civil penalty for each violation. Civil penalties collected are appropriated to the law enforcement academy for telecommunicator training. LEATAC is an advisory committee made up of department of public safety personnel and members of various law enforcement agencies.

Existing law does not require a law enforcement agency to use LEA when communicating by radio.