

MAR 4 1999

JUDICIARY

HOUSE FILE
BY DODERER

507

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the release of criminal history data upon the
2 successful completion of probation following a deferred
3 judgment.

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

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HF 507

1 Section 1. Section 692.2, subsection 1, paragraph b,
2 subparagraph (4), Code 1999, is amended to read as follows:

3 (4) Upon receipt of official notification of the
4 successful completion of probation following a deferred
5 judgment, criminal history data regarding the person who
6 successfully completed the probation shall only be
7 disseminated by the department to a criminal or juvenile
8 justice agency, or to the person who is the subject of the
9 criminal history data or the person's attorney, ~~or to another~~
10 ~~person with a signed release from the person who is the~~
11 ~~subject of the criminal history data authorizing the~~
12 ~~requesting person access to the criminal history data.~~

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EXPLANATION

14 This bill amends Code section 692.2, pertaining to the
15 release of criminal history data.

16 The bill provides that a person who successfully completes
17 probation following a deferred judgment and the person's
18 attorney shall only have access to any criminal history data
19 that pertains to the underlying criminal offense and the
20 deferred judgment.

21 Existing law permits access to criminal history data if a
22 person has written authorization from the person who received
23 the deferred judgment.

24 A person who receives a deferred judgment is entitled to
25 have the court's criminal record expunged pursuant to Code
26 section 907.9, subsection 4.

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