

FEB 19 2004  
PUBLIC SAFETY

HOUSE FILE 2316  
BY McCARTHY and J. R. VAN FOSSEN

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 regarding  
2 a person who received a deferred judgment.

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

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HF 2316

1 Section 1. Section 692.2, subsection 1, paragraph b,  
2 subparagraph (4), Code 2003, 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~~, 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. If  
13 criminal history data regarding a person has been disseminated  
14 to a criminal or juvenile justice agency prior to receiving  
15 official notification of the successful completion of  
16 probation following a deferred judgment, the department shall  
17 order the criminal or juvenile justice agency that received  
18 such data to expunge any criminal history data related to the  
19 deferred judgment.

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EXPLANATION

21 This bill relates to the release of criminal history data  
22 of a person who received a deferred judgment.

23 Under the bill, the department of public safety shall not  
24 disseminate to criminal or juvenile justice agencies, as  
25 defined in Code section 692.1, a person's criminal history  
26 data related to receiving a deferred judgment. If criminal  
27 history data regarding a person has been released prior to the  
28 department receiving official notification of the deferred  
29 judgment, the department shall order the criminal or juvenile  
30 justice agencies that received such data to expunge any  
31 criminal history data related to the deferred judgment.

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