

Substituted for  
HF 366  
3/27/03

STATE GOVERNMENT

FILED FEB 5 '03

SENATE FILE 94

BY WARNSTADT

Passed Senate, Date Passed <sup>4/22/03</sup> ~~2/26~~ Passed House, Date Passed <sup>4/25/03</sup> ~~3/27/03~~  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved 5/9/03

A BILL FOR

1 An Act providing for the confidentiality of certain veterans'  
2 records maintained by county recorders.

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

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SF 94  
STATE GOVERNMENT

1 Section 1. Section 22.7, Code 2003, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 47. Military personnel records recorded  
4 by the county recorder pursuant to section 331.608.

5 Sec. 2. Section 331.608, Code 2003, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 5A. Unless otherwise provided by the  
8 person who requested the recording of a record under this  
9 section, notwithstanding section 22.2, subsection 1, such  
10 record shall be confidential and shall not be made available  
11 for examination or copying except as follows:

12 a. To the person who is the subject of the record, to a  
13 member of that person's immediate family, or to that person's  
14 agent or representative duly authorized in writing.

15 b. To a person requesting to examine or copy a record when  
16 the event that resulted in the record being made occurred more  
17 than seventy-five years prior to the request.

18 c. When otherwise ordered by a court of competent  
19 jurisdiction.

20 d. When otherwise required by a department or agency of  
21 the federal or state government or a political subdivision  
22 thereof.

23 EXPLANATION

24 This bill provides that military personnel records of  
25 veterans that are maintained by the county recorder are  
26 confidential records, notwithstanding Code section 22.2,  
27 subsection 1, unless the person who requested the recording of  
28 the record does not want the record to be confidential. The  
29 bill provides that the records shall not be available for  
30 examination and copying except by a person who is the subject  
31 of the record, that person's immediate family, or that  
32 person's duly authorized agent or representative, by a person  
33 requesting to examine or copy a record of an event occurring  
34 more than 75 years prior to the request, when otherwise  
35 ordered by a court of competent jurisdiction, or when required

1 by a department or agency of the state or federal government  
2 or a political subdivision thereof.

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SENATE FILE 94

H-1156

1 Amend Senate File 94, as passed by the Senate, a  
2 follows:  
3 1. Page 1, by inserting after line 22, the  
4 following:  
5 "Sec. \_\_\_\_ . Section 331.608, subsection 6, Code  
6 2003, is amended to read as follows:  
7 6. If a certified copy of a public record is  
8 required to perfect the claim of a veteran in service  
9 or honorably discharged or a claim of a dependent of  
10 the veteran, the certified copy shall be furnished by  
11 the custodian of the public record without charge."  
12 2. By renumbering as necessary.

By FALLON of Polk

H-1156 FILED MARCH 25, 2003

*Adopted 3/27/03*

HOUSE AMENDMENT TO  
SENATE FILE 94

S-3103

1 Amend Senate File 94, as passed by the Senate, as  
2 follows:  
3 1. Page 1, by inserting after line 22, the  
4 following:  
5 "Sec. \_\_\_\_ . Section 331.608, subsection 6, Code  
6 2003, is amended to read as follows:  
7 6. If a certified copy of a public record is  
8 required to perfect the claim of a veteran in service  
9 or honorably discharged or a claim of a dependent of  
10 the veteran, the certified copy shall be furnished by  
11 the custodian of the public record without charge."  
12 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3103 FILED MARCH 31, 2003

*Senate concurred 4/22/03*

SENATE FILE 94

S-3152

1 Amend the House amendment, S-3103, to Senate File  
2 94, as passed by the Senate, as follows:  
3 1. Page 1, by inserting after line 2, the  
4 following:  
5 "\_\_\_\_ . Page 1, by inserting after line 17, the  
6 following:  
7 "\_\_\_\_ . To a person who is a funeral director  
8 licensed pursuant to chapter 156 and who has custody  
9 of the body of a deceased veteran."  
10 2. By renumbering, redesignating, and correcting  
11 internal references as necessary.

By STEVEN H. WARNSTADT

S-3152 FILED APRIL 7, 2003

*Adopted 4/20/03*

SENATE AMENDMENT TO HOUSE AMENDMENT TO  
SENATE FILE 94

H-1389

1 Amend the House amendment, S-3103, to Senate File  
2 94, as passed by the Senate, as follows:

3 1. Page 1, by inserting after line 2, the  
4 following:

5 "\_\_\_". Page 1, by inserting after line 17, the  
6 following:

7 "\_\_\_". To a person who is a funeral director  
8 licensed pursuant to chapter 156 and who has custody  
9 of the body of a deceased veteran."

10 2. Page 1, by inserting after line 2, the  
11 following:

12 "\_\_\_". Page 1, by inserting after line 22, the  
13 following:

14 "\_\_\_". To a person conducting research who has  
15 received written approval from the county commissioner  
16 of veteran affairs to view the records."

17 3. By renumbering, relettering, or redesignating  
18 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-1389 FILED APRIL 22, 2003

*House concurred 4/25/03*

SENATE FILE 94

S-3270

1 Amend the House amendment, S-3103, to Senate File  
2 94, as passed by the Senate, as follows:

3 1. Page 1, by inserting after line 2, the  
4 following:

5 "\_\_\_". Page 1, by inserting after line 22, the  
6 following:

7 "\_\_\_". To a person conducting research who has  
8 received written approval from the county commissioner  
9 of veteran affairs to view the records."

By STEVEN H. WARNSTADT

S-3270 FILED APRIL 22, 2003

ADOPTED

SENATE FILE 94

AN ACT  
PROVIDING FOR THE CONFIDENTIALITY OF CERTAIN VETERANS' RECORDS  
MAINTAINED BY COUNTY RECORDERS.

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

Section 1. Section 22.7, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 47. Military personnel records recorded by the county recorder pursuant to section 331.608.

Sec. 2. Section 331.608, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. Unless otherwise provided by the person who requested the recording of a record under this section, notwithstanding section 22.2, subsection 1, such record shall be confidential and shall not be made available for examination or copying except as follows:

- a. To the person who is the subject of the record, to a member of that person's immediate family, or to that person's agent or representative duly authorized in writing.
- b. To a person requesting to examine or copy a record when the event that resulted in the record being made occurred more than seventy-five years prior to the request.
- c. To a person who is a funeral director licensed pursuant to chapter 156 and who has custody of the body of a deceased veteran.
- d. When otherwise ordered by a court of competent jurisdiction.
- e. When otherwise required by a department or agency of the federal or state government or a political subdivision thereof.

f. To a person conducting research who has received written approval from the county commissioner of veteran affairs to view the records.

Sec. 3. Section 331.608, subsection 6, Code 2003, is amended to read as follows:

6. If a certified copy of a public record is required to perfect the claim of a veteran in service or honorably discharged or a claim of a dependent of the veteran, the certified copy shall be furnished by the custodian of the public record without charge.

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MARY E. KRAMER  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 94, Eightieth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_, 2003

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THOMAS J. VILSACK  
Governor