

JAN 25 2006  
JUDICIARY

HOUSE FILE 2114  
BY ALONS

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

**A BILL FOR**

1 An Act relating to the confidentiality of the juvenile records of  
2 a juvenile sex offender.

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

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

HF 2114

1 Section 1. Section 232.150, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. a. Upon application of a person who was taken into  
4 custody for a delinquent act or was the subject of a complaint  
5 alleging delinquency or was the subject of a delinquency  
6 petition, or upon the court's own motion, the court, after  
7 hearing, shall order the records in the case including those  
8 specified in sections 232.147 and 232.149 sealed if the court  
9 finds all of the following:

10 a- (1) Two years have elapsed since the final discharge  
11 of the person or since the last official action in the  
12 person's case if there was no adjudication and disposition.

13 b- (2) The person has not been subsequently convicted of  
14 a felony or an aggravated or serious misdemeanor or  
15 adjudicated a delinquent child for an act which if committed  
16 by an adult would be a felony, an aggravated misdemeanor or a  
17 serious misdemeanor and no proceeding is pending seeking such  
18 conviction or adjudication.

19 (3) The person was not placed on the sex offender registry  
20 as provided in section 692A.2.

21 c- (4) The person was not placed on youthful offender  
22 status, transferred back to district court after the youthful  
23 offender's eighteenth birthday, and sentenced for the offense  
24 which precipitated the youthful offender placement.

25 b. However, if the person was adjudicated delinquent for  
26 an offense which if committed by an adult would be an  
27 aggravated misdemeanor or a felony, the court shall not order  
28 the records in the case sealed unless, upon application of the  
29 person or upon the court's own motion and after hearing, the  
30 court finds that paragraphs paragraph "a" and-"b",  
31 subparagraphs (1), (2), and (3), apply and that the sealing is  
32 in the best interests of the person and the public.

33 Sec. 2. Section 692A.13, subsection 7, Code Supplement  
34 2005, is amended to read as follows:

35 7. Notwithstanding sections 232.147 through 232.151,

1 records concerning convictions which are committed by a minor  
2 may be released in the same manner as records of convictions  
3 of adults, and shall not be sealed as provided in section  
4 232.150.

5 EXPLANATION

6 This bill relates to the confidentiality of the juvenile  
7 records of a juvenile sex offender.

8 Under the bill, the juvenile records relating to a person  
9 who has been required to register as a sex offender under Code  
10 chapter 692A as a juvenile shall be public records. Current  
11 law permits a judge to seal the juvenile records of a juvenile  
12 sex offender if it has been two years since the adjudication,  
13 the person has not subsequently been convicted of an  
14 aggravated misdemeanor or felony, and it is in the best  
15 interests of the person and the public.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35