

JAN 25 2006
STATE GOVERNMENT

HOUSE FILE 2130
BY HUTTER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the destruction of state agency records and
2 providing for a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2130

1 Section 1. NEW SECTION. 305.17 DESTRUCTION OF RECORDS --
2 PENALTY.

3 The disposal and destruction of the records of an agency
4 shall be conducted in a manner to ensure the information
5 contained in such records is safeguarded against unauthorized
6 access, use, or disclosure. Paper records containing
7 identification information as defined in section 715A.8 shall
8 be destroyed by an employee of the state using a shredding
9 machine. A person who violates this section is guilty of a
10 simple misdemeanor.

11 EXPLANATION

12 This bill relates to the destruction of state agency
13 records. The bill requires the disposal and destruction of
14 state agency records to be conducted in a manner to ensure
15 that the information contained in the records is protected
16 from unauthorized access, use, or disclosure. If the record
17 is a paper record and contains identifying information, then
18 the record must be shredded by a state employee. Identifying
19 information is defined in Code section 715A.8 and includes a
20 person's name, address, date of birth, telephone number,
21 driver's license number, social security number, student
22 identification number, military identification number, savings
23 or checking account number, credit card number, and other
24 personal information.

25 The bill provides that a person who fails to destroy state
26 agency records in a manner to protect from unauthorized
27 disclosure or who fails to destroy paper agency records that
28 contain identifying information in a manner required by the
29 bill is guilty of a simple misdemeanor. A simple misdemeanor
30 is punishable by confinement for no more than 30 days or a
31 fine of at least \$50 but not more than \$500 or by both.

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