

Senate File 2058 - Introduced

SENATE FILE 2058

BY DANIELSON

A BILL FOR

1 An Act relating to certain records of city utilities and city
2 enterprises containing private customer information.

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

1 Section 1. Section 388.9, subsection 2, paragraph a, Code
2 2011, is amended to read as follows:

3 a. Notwithstanding section 22.2, subsection 1, public
4 records of a city utility or combined utility system, or a city
5 enterprise or combined city enterprise as defined in section
6 384.80, which shall not be examined or copied as of right,
7 include proprietary information, records of customer names
8 and accounts, any portion of a record that contains private
9 customer information, records associated with marketing or
10 pricing strategies, preliminary working papers, spreadsheet
11 scenarios, and cost data, if the competitive position of the
12 city utility, combined utility system, city enterprise, or
13 combined city enterprise would be harmed by public disclosure
14 not required of a potential or actual competitor, and if
15 no public purpose would be served by such disclosure. A
16 public record not subject to examination or copying under
17 this subsection shall be available for public examination and
18 copying at that point in time when public disclosure would
19 no longer harm the competitive position of the city utility,
20 combined utility system, city enterprise, or combined city
21 enterprise.

22 Sec. 2. Section 388.9, subsection 2, Code 2011, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. c. For purposes of this subsection, "*private*
25 *customer information*" means information concerning a specific
26 customer, a specific customer account, or a specific user of
27 an internet site if the governing body of the city utility or
28 combined utility system, or the city enterprise or combined
29 city enterprise adopts a policy defining such information as
30 private customer information in order to protect the privacy of
31 customers or internet site user information and records.

32 EXPLANATION

33 This bill relates to the customer records of city utilities
34 and city enterprises.

35 The bill provides that portions of records of a city utility

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1 or combined utility system, or a city enterprise or combined
2 city enterprise containing private customer information shall
3 not be examined or copied as of right pursuant to Code section
4 22.2(1). The bill defines private customer information
5 as information concerning a specific customer, a specific
6 customer account, or a specific user of an internet site if
7 the governing body of the city utility or city enterprise has
8 adopted a privacy policy defining such information as private
9 customer information.