

House File 429 - Introduced

HOUSE FILE 429

BY BRECKENRIDGE, HUNTER,
KACENA, HANSON, ANDERSON,
KEARNS, OURTH, BEARINGER,
COHOON, GASKILL, GAINES,
MASCHER, NIELSEN, and THEDE

A BILL FOR

1 An Act relating to the confidentiality of audio records and
2 transcripts of 911 service calls involving a child as a
3 witness or victim, or as the maker or the subject of the 911
4 service call.

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

1 Section 1. Section 22.7, Code 2017, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 5A. *a.* All audio and transcript records
4 information relating to 911 service calls dispatched or relayed
5 to a public or private safety agency, as defined in section
6 34A.2, including after any applicable statute of limitations
7 has expired, if such audio and transcript records involve
8 a child, as defined in section 232.2, who is any of the
9 following:

10 (1) A victim or witness to a crime.

11 (2) A victim or witness to a distressing event.

12 (3) The maker of a 911 service call.

13 (4) The subject of a 911 service call.

14 *b.* The provisions of this subsection shall not apply if the
15 child described in paragraph "a" is later prosecuted in adult
16 court for a crime related to the 911 service call.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to the confidentiality of audio records
21 and transcripts of 911 service calls when involving a child as
22 a witness or victim, or as the maker or the subject of the 911
23 service call.

24 Under current law in Code section 22.1(3), 911 service calls
25 which do not contain confidential information are considered
26 public records and may be kept confidential; however, the date,
27 time, specific location, and immediate facts and circumstances
28 must often be released except under unusual circumstances.

29 The bill creates new subsection 22.7(5A) to provide that
30 audio or transcripts of 911 service calls dispatched or
31 relayed to a public or private safety agency shall be kept
32 confidential, including after any applicable statute of
33 limitations has run, when the service calls involve a child as
34 a witness or victim, or as the maker or the subject of the 911
35 service call. For purposes of the bill, a child is defined as

1 a person under the age of 18.

2 The bill creates an exception to the required
3 confidentiality if the child is later prosecuted as an
4 adult for a crime related to the 911 service call.