

House Joint Resolution 1 - Introduced

HOUSE JOINT RESOLUTION 1
BY RIZER

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to searches and seizures of
3 electronic communications and data.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Section 8 of Article I of the Constitution of the State of
4 Iowa is amended beginning July 1, 2021, to read as follows:

5 **Personal security — searches and seizures.** SEC. 8. The
6 right of the people to be secure in their persons, houses,
7 papers, and effects, and electronic communications and data,
8 against unreasonable seizures and searches shall not be
9 violated; and no warrant shall issue but on probable cause,
10 supported by oath or affirmation, particularly describing the
11 place to be searched, and the persons and things to be seized,
12 and the electronic communications and data to be accessed.

13 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
14 amendment to the Constitution of the State of Iowa is referred
15 to the general assembly to be chosen at the next general
16 election for members of the general assembly, and the secretary
17 of state is directed to cause the proposed amendment to be
18 published for three consecutive months previous to the date of
19 that election as provided by law.

20 EXPLANATION

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

23 This joint resolution proposes an amendment to the
24 Constitution of the State of Iowa relating to searches and
25 seizures of electronic communications and data.

26 The amendment to the Constitution provides that a person's
27 electronic communications and data shall be secure against
28 unreasonable searches and seizures and that such communications
29 and data shall only be subject to search and seizure if a
30 warrant under oath based upon probable cause has first been
31 issued.

32 The resolution, if adopted, would be published and then
33 referred to the next general assembly (Eighty-eighth) for
34 adoption, before being submitted to the electorate for
35 ratification.

H.J.R. 1

1 The resolution, if adopted and ratified by the electorate,
2 would take effect July 1, 2021.