

Senate Study Bill 1184 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON BREITBACH)

A BILL FOR

1 An Act prohibiting the use of certain monitoring devices
2 in certain locations open to the public, and including
3 effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 27.1 Definitions.

2 1. For purposes of this section:

3 a. "*Monitoring device*" means a digital video and audio
4 streaming or recording device that is part of a system of
5 monitoring activity in an area or building using a system
6 in which signals are transmitted from a video camera to the
7 receivers by cables or wirelessly, forming a closed circuit.

8 b. "*Public library*" means a library district as described
9 in chapter 336.

10 c. "*Public school*" means a school district as described in
11 chapter 274.

12 d. "*Reasonable expectation of privacy*" means a person's
13 reasonable belief, under the circumstances, that the person can
14 disrobe or partially disrobe in privacy without being concerned
15 that the person is being viewed, photographed, or filmed when
16 doing so.

17 Sec. 2. NEW SECTION. 27.2 Monitoring devices prohibited.

18 The state or a political subdivision of the state, including
19 but not limited to a public library, public school, or
20 other government office open to the public, shall not use a
21 monitoring device in a toilet, bath, or shower facility, locker
22 room, or other space open to the public where a person has a
23 reasonable expectation of privacy.

24 Sec. 3. NEW SECTION. 27.3 Removal of monitoring devices.

25 On or before July 1, 2017, the state or a political
26 subdivision of the state, including but not limited to a public
27 library, public school, or other government office open to the
28 public, using a monitoring device in a toilet, bath, or shower
29 facility, locker room, or other space open to the public where
30 a person has a reasonable expectation of privacy shall cease
31 use of and remove the monitoring device.

32 Sec. 4. NEW SECTION. 27.4 Limitation on political
33 subdivisions.

34 On July 1, 2017, any ordinance, resolution, rule, or other
35 measure adopted or enforced by a political subdivision of the

1 state permitting the use of a monitoring device in a toilet,
2 bath, or shower facility, locker room, or other space open
3 to the public where a person has a reasonable expectation of
4 privacy is void.

5 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
6 immediate importance, takes effect upon enactment.

7 EXPLANATION

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

10 This bill prohibits the state or a political subdivision of
11 the state, including a public library, public school, or other
12 government office open to the public, from using a monitoring
13 device in a toilet, bath, or shower facility, locker room, or
14 other space where a person has a reasonable expectation of
15 privacy. The bill defines "monitoring device" as a digital
16 video and audio streaming or recording device that is part of
17 a system of monitoring activity in an area or building using
18 a system in which signals are transmitted from a video camera
19 to the receivers by cables or wirelessly, forming a closed
20 circuit.

21 The bill requires the state or a political subdivision of the
22 state using a monitoring device to cease doing so and to remove
23 the monitoring device by July 1, 2017. The bill nullifies any
24 local ordinance, rule, or other measure that permits the use
25 of a monitoring device in a toilet, bath, or shower facility,
26 locker room, or other space where a person has a reasonable
27 expectation of privacy.

28 The bill takes effect upon enactment.