

House File 2204 - Introduced

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A BILL FOR

1 An Act relating to identification cards for employees engaged
2 in off-site work.

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

1 Section 1. NEW SECTION. 91F.1 Definitions.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Custodian*" means the individual who is authorized to
5 provide or restrict access to off-site premises, including
6 security personnel for a commercial building or multiple-unit
7 residential building.

8 2. "*Employee*" means an individual employed by an employer.

9 3. "*Employer*" means a person, as defined in chapter 4, who
10 employs an employee for wages in this state.

11 4. "*Employer-issued identification card*" means an
12 identification card issued by an employer to an employee that
13 contains, at a minimum, the name of the employer and the
14 employee's name and photograph.

15 5. "*Government-issued identification card*" means a
16 state-issued driver's license or identification card containing
17 the individual's photograph, an identification card or passport
18 issued by the federal government containing the individual's
19 photograph, a native American tribal document identifying the
20 individual and containing the individual's photograph, or
21 any other form of identification issued by the federal or a
22 state government that contains the individual's photograph and
23 identifying information.

24 6. "*Off-site premises*" means a building or property that
25 is not owned, leased, operated, or otherwise under the control
26 of the employer of the employee who is sent to the premises,
27 including:

28 a. A commercial building, other than a federal, state, or
29 local government building.

30 b. A multiple-unit residential building.

31 Sec. 2. NEW SECTION. 91F.2 Identification of employees
32 engaged in off-site work — permissible forms of identification
33 — exceptions.

34 1. When an employer sends an employee who has an
35 employer-issued identification card to off-site premises

1 to perform work on behalf of the employer for a customer
2 located at the off-site premises, the employee may provide an
3 employer-issued identification card to the custodian of the
4 off-site premises in lieu of a government-issued identification
5 card for purposes of verifying the identity of the employee.

6 2. If the employee provides an employer-issued
7 identification card pursuant to subsection 1, the custodian
8 shall not require the employee to surrender the employee's
9 government-issued identification card to the custodian
10 while the employee is physically present on the off-site
11 premises engaged in the performance of work, but may require
12 the employee to surrender the employee's employer-issued
13 identification card to the custodian while the employee
14 is physically present on the off-site premises engaged
15 in the performance of work, and may require the employee
16 to allow the custodian to examine a secondary form of
17 identification containing the employee's photograph, including
18 a government-issued identification card.

19 3. If the employee does not provide an employer-issued
20 identification card pursuant to subsection 1, the custodian
21 may require the employee to provide a government-issued
22 identification card to the custodian for purposes of verifying
23 the identity of the employee and to surrender the employee's
24 government-issued identification card to the custodian while
25 the employee is physically present on the off-site premises
26 engaged in the performance of work.

27 **Sec. 3. NEW SECTION. 91F.3 Applicability — federal defense**
28 **contracts.**

29 This chapter does not apply to a person who enters into a
30 defense contract with the federal government pursuant to the
31 national industrial security program, or a successor program,
32 under which the person is contractually obligated to verify
33 identification using a government-issued identification card.

34 **EXPLANATION**

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill provides that an employee sent by an employer to
3 off-site premises to perform work on behalf of the employer
4 for a customer located at the off-site premises may provide an
5 employer-issued identification card to the custodian of the
6 off-site premises in lieu of a government-issued identification
7 card for purposes of verifying the identity of the employee.

8 If the employee does so, the bill prohibits the custodian
9 from requiring the employee to surrender the employee's
10 government-issued identification card to the custodian while
11 the employee is physically present on the off-site premises
12 engaged in the performance of work, but authorizes the
13 custodian to require the employee to surrender the employee's
14 employer-issued identification card to the custodian while the
15 employee is physically present on the off-site premises engaged
16 in the performance of work and also authorizes the custodian
17 to require the employee to allow the custodian to examine a
18 secondary form of identification containing the employee's
19 photograph, including a government-issued identification card.

20 If the employee does not do so, the bill authorizes
21 the custodian to require the employee to provide a
22 government-issued identification card to the custodian for
23 purposes of verifying the identity of the employee and to
24 surrender the employee's government-issued identification card
25 to the custodian while the employee is physically present on
26 the off-site premises engaged in the performance of work.

27 The bill does not apply to a person who enters into a
28 defense contract with the federal government pursuant to the
29 national industrial security program, or a successor program,
30 under which the person is contractually obligated to verify
31 identification using a government-issued identification card.