

House File 2474 - Introduced

HOUSE FILE 2474
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 613)

A BILL FOR

1 An Act relating to the confidentiality of information filed
2 with the court to secure an arrest warrant.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 804.29, subsection 2, Code 2020, is
2 amended to read as follows:

3 2. However, during the period of confidentiality
4 in subsection 1, the information in the record may be
5 disseminated, without court order, during the course of
6 official duties to the following persons unless access to such
7 information is expressly denied by court order:

8 a. A peace officer, or any other employee of a law
9 enforcement agency if allowed access pursuant to section 692.14
10 and if authorized in writing by the head of the agency.

11 b. An employee of the county attorney's office.

12 c. A judicial officer or other court employees.

13 d. An employee of the department of corrections or judicial
14 district department of correctional services, if authorized by
15 the director of the department of corrections.

16 e. A court-appointed attorney in a specific case where an
17 arrest warrant has been issued but not served, provided the
18 defendant is in custody and subject to a hold for that arrest
19 warrant.

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 bill relates to the confidentiality of information
24 filed with the court used to secure an arrest warrant. Current
25 law specifies that information filed with the court used to
26 secure an arrest warrant shall be confidential until a peace
27 officer has made the arrest and has made the officer's return
28 on the warrant, or the defendant has made an initial appearance
29 in court, unless otherwise ordered by the court. During the
30 period of confidentiality, the information in the record may be
31 disseminated, without court order, to certain listed persons
32 during the course of their official duties. The bill provides
33 that, during the confidentiality period, access to such
34 information can be expressly restricted by court order. The
35 bill includes an attorney appointed by the court to represent

1 the defendant in a specific case where an arrest warrant has
2 been issued but not served, if the defendant is in custody
3 and subject to a hold for that arrest warrant, in the list
4 of persons to whom information filed with the court for the
5 purpose of securing a warrant for an arrest may be disseminated
6 during the confidentiality period.