

House File 4 - Introduced

HOUSE FILE 4

BY JONES

A BILL FOR

1 An Act relating to the assessment of fees when a public
2 defender or designee requests copies of certain documents.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 815.16 Fees for requests for copies
2 of documents.

3 1. As used in this section:

4 a. "Agency" means the judicial branch, a state department or
5 agency, the office of a county attorney, a criminal or juvenile
6 justice agency, or a political subdivision of the state.

7 b. "Document" includes but is not limited to a copy of the
8 following:

- 9 (1) Police reports.
- 10 (2) Photographs.
- 11 (3) Grand jury transcripts.
- 12 (4) Audiotapes.
- 13 (5) Videotapes.
- 14 (6) Transcripts of audiotapes or videotapes.
- 15 (7) Audio or video files on storage systems, including
16 but not limited to disk, tape, optical, and other structured
17 repositories for storing digital information.
- 18 (8) Transcripts of audio or video files on storage systems.
- 19 (9) Reports prepared by the department of human services.

20 2. An agency shall furnish copies of any document in the
21 possession of the agency, at no cost, upon request of the state
22 public defender, a public defender office, or an attorney
23 or nonprofit legal organization appointed by the court as a
24 designee of the state public defender, if the document is
25 relevant to an investigation or legal representation being
26 conducted by the state public defender, a public defender
27 office, or an attorney or nonprofit legal organization
28 appointed by the court as a designee of the state public
29 defender. When a document is provided on a storage system, the
30 agency shall, upon request, include the software necessary to
31 access the storage system.

32 EXPLANATION

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

35 This bill relates to the assessment of fees when a public

1 defender or designee requests copies of certain documents.

2 The bill defines "agency" to mean the judicial branch, a
3 state department or agency, the office of a county attorney, a
4 criminal or juvenile justice agency, or a political subdivision
5 of the state.

6 The bill requires that an agency furnish copies of any
7 document in the possession of the agency, at no cost, upon
8 request of the state public defender, a public defender office,
9 or an attorney or nonprofit legal organization appointed by the
10 court as a designee of the state public defender.

11 The documents to be provided under the bill include but
12 are not limited to copies of police reports, photographs,
13 grand jury transcripts, audiotapes, videotapes, transcripts
14 of audiotapes or videotapes, audio or video files on storage
15 systems, transcripts of such audio or video files on storage
16 systems, and reports prepared by the department of human
17 services.

18 The document requested must be relevant to an investigation
19 or legal representation being conducted by the public defender
20 or designee.

21 Under the bill, when a document is provided on a storage
22 system, the agency shall, upon request, include the software
23 necessary to access the storage system.