

House File 529 - Introduced

HOUSE FILE 529
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 4)

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 a copy of any of the following:

8 (1) Police reports.

9 (2) Photographs.

10 (3) Audiotapes.

11 (4) Videotapes.

12 (5) Audio or video files on storage systems, including
13 but not limited to disk, tape, optical, and other structured
14 repositories for storing digital information.

15 (6) Reports prepared by the department of human services.

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

29

EXPLANATION

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

32 This bill relates to the assessment of fees when a public
33 defender or designee requests copies of certain documents.

34 The bill defines "agency" to mean the judicial branch, a
35 state department or agency, the office of a county attorney, a

1 criminal or juvenile justice agency, or a political subdivision
2 of the state.

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

8 The documents to be provided under the bill includes copies
9 of police reports, photographs, audiotapes, videotapes, audio
10 or video files on storage systems, and reports prepared by the
11 department of human services.

12 The document requested must be relevant to an investigation
13 or legal representation being conducted by the public defender
14 or designee.

15 Under the bill, when a document is provided on a storage
16 system, the agency shall, upon request, include the software
17 necessary to access the storage system.