

House Study Bill 117 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON KLEIN)

A BILL FOR

- 1 An Act relating to officer disciplinary actions.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80F.1, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 20. *a.* An officer shall not be discharged,
4 disciplined, or threatened with discharge or discipline by a
5 state, county, or municipal law enforcement agency solely due
6 to a prosecuting attorney making a determination or disclosure
7 that exculpatory evidence exists concerning the officer.

8 *b.* This subsection does not prohibit a law enforcement
9 agency from dismissing, suspending, demoting, or taking other
10 disciplinary actions against an officer based on the underlying
11 actions that resulted in the exculpatory evidence being
12 withheld. If a collective bargaining agreement applies, the
13 actions taken by the law enforcement agency shall conform to
14 the rules and procedures adopted by the collective bargaining
15 agreement.

16 Sec. 2. FUTURE REPEAL. This Act is repealed July 1, 2022.

17 EXPLANATION

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

20 This bill relates to officer disciplinary actions.

21 The bill amends Code chapter 80F, relating to the rights of
22 officers and public safety and emergency personnel. The bill
23 prohibits an officer from being discharged, disciplined, or
24 threatened with discharge or discipline by a state, county, or
25 municipal law enforcement agency solely due to a prosecuting
26 attorney making a determination or disclosure that exculpatory
27 evidence exists concerning the officer. However, a law
28 enforcement agency may dismiss, suspend, demote, or take other
29 disciplinary action against an officer based on the underlying
30 actions that resulted in the exculpatory evidence being
31 withheld. The bill specifies that if a collective bargaining
32 agreement applies, the actions taken by the law enforcement
33 agency shall conform to the rules and procedures adopted by the
34 collective bargaining agreement.

35 Under Code section 80F.1, "officer" means a certified

1 law enforcement officer, fire fighter, emergency medical
2 technician, corrections officer, detention officer, jailer,
3 probation or parole officer, communications officer, or
4 any other law enforcement officer certified by the Iowa law
5 enforcement academy and employed by a municipality, county, or
6 state agency.

7 The bill is repealed on July 1, 2022.