

House File 804 - Introduced

HOUSE FILE 804
BY GOSA

A BILL FOR

1 An Act requiring schools to perform criminal history checks prior
2 to engaging any person to construct a new attendance center or
3 to perform certain specified renovations or remodeling work.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 256E.7, subsection 2, Code 2025, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0t.* Be subject to and comply with the
4 requirements of section 280.36 relating to state criminal history
5 checks for persons who are engaged to perform construction work
6 in the same manner as a school district.

7 Sec. 2. Section 256F.4, subsection 2, Code 2025, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *r.* Be subject to and comply with the
10 requirements of section 280.36 relating to state criminal history
11 checks for persons who are engaged to perform construction work
12 in the same manner as a school district.

13 Sec. 3. NEW SECTION. **280.36 Contractors — background**
14 **investigations.**

15 1. Prior to engaging any person to perform construction
16 work, the board of directors of each school district and
17 the authorities in charge of each accredited nonpublic school
18 shall have access to and shall review the sex offender
19 registry information under section 692A.121 available to
20 the general public, the central registry for child abuse
21 information established under section 235A.14, and the central
22 registry for dependent adult abuse information established under
23 section 235B.5, for information regarding all of the following
24 individuals:

25 a. The person engaged to perform the construction work.

26 b. Employees of the person who will perform any part of the
27 construction work.

28 c. Employees of any contractor or subcontractor engaged by
29 the person to perform any part of the construction work.

30 2. The board of directors of each school district and the
31 authorities in charge of each accredited nonpublic school shall
32 maintain documentation demonstrating compliance with subsection
33 1.

34 3. The board of directors of a school district or the
35 authorities in charge of an accredited nonpublic school may

1 charge the person who is engaged to perform the construction
2 work for the cost of the registry checks conducted pursuant to
3 subsection 1.

4 4. The board of directors of each school district and
5 the authorities in charge of each accredited nonpublic school
6 shall not allow any individual described in subsection 1,
7 paragraph "a", "b", or "c", who is listed in the sex offender
8 registry established under chapter 692A, the central registry
9 for child abuse information established under section 235A.14,
10 or the central registry for dependent adult abuse information
11 established under section 235B.5, to perform any part of the
12 construction work.

13 5. For purposes of this section, "construction work" means
14 all of the following:

15 a. The construction of a new attendance center.

16 b. The renovation or remodeling of an attendance center
17 during the school calendar and where students are in attendance.

18 EXPLANATION

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

21 This bill requires schools to perform criminal history checks
22 prior to engaging any person to construct a new attendance center
23 or to perform certain specified renovations or remodeling work.

24 The bill defines "construction work" as the construction of
25 a new attendance center and the renovation or remodeling of an
26 attendance center during the school calendar and where students
27 are in attendance.

28 Prior to engaging any person to perform construction work,
29 the bill requires school districts, accredited nonpublic schools,
30 charter schools, and innovation zone schools to have access
31 to and review the sex offender registry information under
32 Code section 692A.121 available to the general public, the
33 central registry for child abuse information established under
34 Code section 235A.14, and the central registry for dependent
35 adult abuse information established under Code section 235B.5,

1 for information regarding the person engaged to perform the
2 construction work, employees of the person who will perform any
3 part of the construction work, and employees of any contractor
4 or subcontractor engaged by the person to perform any part
5 of the construction work. Schools are required to maintain
6 documentation demonstrating compliance with these requirements.

7 Schools are authorized to charge the person who is engaged to
8 perform the construction work for the cost of the state criminal
9 history checks.

10 The bill provides that schools shall not allow any individual
11 who is the subject of the state criminal history check
12 requirements and who is listed in the sex offender registry,
13 the central registry for child abuse information, or the central
14 registry for dependent adult abuse information, to perform any
15 part of the construction work.

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