

Senate File 124 - Introduced

SENATE FILE 124

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A BILL FOR

1 An Act relating to the issuance of a subpoena or search warrant
2 for menstrual health data.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 622.63, Code 2025, is amended to read as
2 follows:

3 **622.63 Subpoenas.**

4 1. The clerks of the several courts shall, on application of
5 any person having a cause or matter pending in court, issue a
6 subpoena for witnesses under the seal of the court, inserting
7 all the names required by the applicant in one subpoena, if
8 practicable, which may be served by the sheriff of the county,
9 or by the party or any other person.

10 2. No subpoena shall be issued or served for the purpose
11 of seeking menstrual health data as defined in section 808.2,
12 subsection 2.

13 Sec. 2. Section 808.2, Code 2025, is amended to read as
14 follows:

15 **808.2 Authorization.**

16 1. A search warrant may be issued:

17 ~~1.~~ a. For property which has been obtained in violation of
18 law.

19 ~~2.~~ b. For property, the possession of which is unlawful.

20 ~~3.~~ c. For property used or possessed with the intent to be
21 used as the means of committing a public offense or concealed to
22 prevent an offense from being discovered.

23 ~~4.~~ d. For any other property relevant and material as
24 evidence in a criminal prosecution.

25 2. No search warrant shall be issued for the search and
26 seizure of menstrual health data stored on a computer, computer
27 network, or other device containing electronic or digital
28 information. For purposes of this subsection, "menstrual health
29 data" means any information, recorded in any form or medium, that
30 is created or received by an entity that relates to or is used
31 to determine, predict, or estimate the past, present, or future
32 menstrual health or menstrual status of an individual.

33 EXPLANATION

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

1 This bill relates to the issuance of a subpoena or search
2 warrant for menstrual health data.

3 The bill provides that no subpoena shall be issued or served
4 for the purpose of seeking menstrual health data as defined in
5 Code section 808.2(2).

6 Code section 808.2 currently provides that a search warrant
7 may be issued for property which has been obtained in violation
8 of law; for the unlawful possession of property; for property
9 used or possessed to commit a public offense or to conceal an
10 offense from being discovered; or for any other property relevant
11 and material as evidence in a criminal prosecution.

12 The bill provides that no search warrant shall be issued for
13 the search and seizure of menstrual health data stored on a
14 computer, computer network, or other device containing electronic
15 or digital information. The bill defines "menstrual health data"
16 as any information, recorded in any form or medium, that is
17 created or received by an entity that relates to or is used
18 to determine, predict, or estimate the past, present, or future
19 menstrual health or menstrual status of an individual.