

**Senate File 69 - Introduced**

SENATE FILE 69  
BY TAYLOR

**A BILL FOR**

- 1 An Act relating to confidential records including booking
- 2 photographs.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 22.7, Code 2025, is amended by adding the  
2 following new subsection:

3 NEW SUBSECTION. 5B. a. A booking photograph.

4 Notwithstanding any other provision of this section, a booking  
5 photograph may be released, published, or disseminated for any of  
6 the following reasons:

7 (1) A court has determined that the person in the booking  
8 photograph is a fugitive and that the release and publication of  
9 the booking photograph will assist in apprehending the person.

10 (2) A court has determined that the person in the booking  
11 photograph is an imminent threat to an individual or to public  
12 safety and that the release and publication of the booking  
13 photograph will assist in reducing or eliminating the threat.

14 (3) The person in the booking photograph has been convicted  
15 of a class "A" or class "B" felony not involving a controlled  
16 substance.

17 b. For purposes of this subsection, "booking photograph"  
18 means a photograph or still, nonvideo image of a person generated  
19 by a law enforcement agency for identification purposes after  
20 an arrest or while the person is in the custody of the law  
21 enforcement agency.

22 c. This subsection shall not apply to a law enforcement  
23 agency's confidential dissemination of a booking photograph to  
24 other law enforcement agencies in the performance of official  
25 duties.

26 d. For purposes of this subsection, "conviction" does not  
27 include a deferred judgment unless the deferred judgment was  
28 subsequently revoked by the court and judgment was pronounced and  
29 a sentence was imposed.

30 EXPLANATION

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

33 This bill relates to confidential records including booking  
34 photographs.

35 The bill defines "booking photograph" as a photograph or

1 still, nonvideo image of a person generated by a law enforcement  
2 agency for identification purposes after an arrest or while the  
3 person is in the law enforcement agency's custody.

4 The bill provides that a booking photograph is a confidential  
5 record, but may be released, published, or disseminated for any  
6 of the following reasons: a court has determined that the  
7 person in the booking photograph is a fugitive, and releasing or  
8 disseminating the booking photograph will assist in apprehending  
9 the person; a court determines that the person is an imminent  
10 threat to an individual or to public safety; or the person is  
11 convicted of a class "A" or class "B" felony not involving a  
12 controlled substance.

13 The bill does not apply to interagency dissemination of  
14 booking photographs between law enforcement agencies.

15 For purposes of the bill, "conviction" does not include a  
16 deferred judgment unless the deferred judgment was subsequently  
17 revoked by the court and judgment was pronounced and a sentence  
18 was imposed.