

House File 2174 - Reprinted

HOUSE FILE 2174
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 510)

(As Amended and Passed by the House March 5, 2014)

A BILL FOR

1 An Act relating to strip searches at a county jail or municipal
2 holding facility.

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

1 Section 1. Section 804.30, subsection 1, unnumbered
2 paragraph 1, Code 2014, is amended to read as follows:

3 A Except as otherwise provided in subsection 1A, a person
4 arrested for a scheduled violation or a simple misdemeanor
5 shall not be subjected to a strip search unless there is
6 probable cause to believe the person is concealing a weapon or
7 contraband. A strip search pursuant to this ~~section~~ subsection
8 shall not be conducted except under all of the following
9 conditions:

10 Sec. 2. Section 804.30, Code 2014, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 1A. A person arrested for a scheduled
13 violation or a simple misdemeanor and who is being committed to
14 the general population of a jail or municipal holding facility
15 shall be subjected to a strip search if there is a reasonable
16 suspicion that the person is concealing a weapon or contraband.
17 The conditions specified in subsection 1 apply to a search
18 pursuant to this subsection.

19 Sec. 3. Section 804.30, subsection 2, Code 2014, is amended
20 to read as follows:

21 2. Subsequent to a strip search pursuant to this section,
22 a written report shall be prepared which includes the written
23 authorization required by ~~subsection 1, paragraph "a"~~ this
24 section, the name of the person subjected to the search, the
25 names of the persons conducting the search, the time, date, and
26 place of the search and, if required by ~~subsection 1, paragraph~~
27 ~~"b"~~ this section, a copy of the search warrant authorizing the
28 search. A copy of the report shall be provided to the person
29 searched.