

House File 265 - Reprinted

HOUSE FILE 265
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 5)

(As Amended and Passed by the House March 13, 2019)

A BILL FOR

1 An Act relating to the confidentiality of search warrant
2 information.

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

1 Section 1. Section 808.13, Code 2019, is amended to read as
2 follows:

3 **808.13 Confidentiality.**

4 1. All Except as otherwise provided in subsection 2, all
5 information filed with the court for the purpose of securing
6 a warrant for a search, including but not limited to an
7 application and affidavits, shall be a confidential record
8 until such time as a peace officer has executed the warrant
9 and has made return thereon. If no criminal charges have
10 been filed within six months of the return of the warrant,
11 and the warrant includes the name of a specific person, the
12 warrant shall be sealed by the court upon application to the
13 court by the person named in the warrant. During the period
14 of time that information is confidential it shall be sealed
15 by the court, and the information contained therein shall not
16 be disseminated to any person other than a peace officer,
17 magistrate, or another court employee, in the course of
18 official duties.

19 2. a. All information filed with the court for the purpose
20 of securing a warrant for a search or seizure of property in
21 a criminal case that results in an acquittal or the dismissal
22 of all criminal charges, including a dismissal relating to a
23 deferred judgment under section 907.9, upon application to
24 the court by the person named in the warrant following such
25 acquittal or dismissal, shall be a confidential record, shall
26 be sealed by the court, and shall not be disseminated to any
27 person other than a peace officer, county attorney, magistrate,
28 or another court employee, in the course of official duties.

29 b. This subsection shall only apply to a warrant identifying
30 one defendant and not multiple defendants.