HOUSE FILE 265
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 5)

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

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to the confidentiality of search warrant [information.]*

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

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

808.13 Confidentiality.

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

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

[*b.* This subsection shall only apply to a warrant identifying one defendant and not multiple defendants.]