HOUSE FILE 2592
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2295)

(As Amended and Passed by the House February 29, 2024)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to the placement of a police officer on a Brady-Giglio list, including the right of a police officer to petition the court and the standard of proof required for actions regarding such placement.

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

Section 1. Section 80F.1, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 25. An officer shall have the right to petition the district court, appeal, or intervene in an action regarding a prosecuting agency's decision to place an officer on a Brady-Giglio list. The district court shall have jurisdiction over the review of the prosecuting agency's decision. The district court shall perform an in camera review [of the evidence] and may hold a closed hearing upon the request of the officer or prosecuting agency, or upon the court's own motion. The district court may affirm, modify, or reverse a prosecuting agency's decision, and issue orders or provide relief, including removal of the officer from a Brady-Giglio list, as justice may require. Evidence presented to the district court shall be provided under seal and kept confidential unless otherwise provided by law and ordered by the district court.

Sec. 2. NEW SECTION. **80F.3 Standard of proof.**

The standard of proof for an allegation, administrative charge, complaint, cause of action, claim, or defense under this chapter shall be a preponderance of the evidence unless a higher standard of proof is required by law.