

CHAPTER 1228
CONFIDENTIAL SITES
H.F. 2245

AN ACT relating to the confidentiality of archaeological sites, ecologically sensitive sites, or resource information and subjecting violators to civil and criminal penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 22.7, Code Supplement 1985, is amended by adding the following new subsections:

NEW SUBSECTION. 21. Information concerning the nature and location of any archaeological resource or site if, in the opinion of the state archaeologist, disclosure of the information will result in unreasonable risk of damage to or loss of the resource or site where the resource is located. This subsection shall not be construed to interfere with the responsibilities of the federal government or the state historical preservation officer pertaining to access, disclosure, and use of archaeological site records.

NEW SUBSECTION. 22. Information concerning the nature and location of any ecologically sensitive resource or site if, in the opinion of the director of the department of natural resources after consultation with the state ecologist, disclosure of the information will result in unreasonable risk of damage to or loss of the resource or site where the resource is located. This subsection shall not be construed to interfere with the responsibilities of the federal government or the director of the department of natural resources and the state ecologist pertaining to access, disclosure, and use of the ecologically sensitive site records.

Sec. 2. **NEW SECTION. 305A.10 CONFIDENTIALITY OF ARCHAEOLOGICAL LOCATIONS AND INFORMATION.**

The state archaeologist shall comply with the requirements of section 22.7, subsection 21, regarding information pertaining to the nature and location of archaeological resources or sites. The state archaeologist shall consult with other public officers serving as lawful custodians of archaeological information to determine whether the information should be confidential or be released.

Sec. 3. **NEW SECTION. 111B.14 CONFIDENTIALITY OF ECOLOGICALLY SENSITIVE SITES AND INFORMATION.**

The director of the department of natural resources and the state ecologist shall comply with the requirements of section 22.7, subsection 22, regarding information pertaining to the nature and location of ecologically sensitive resources or sites. The director of the department of natural resources, in consultation with the state ecologist, shall consult with other public officers serving as lawful custodians of ecologically sensitive information to determine whether the information should be confidential or be released.

Approved May 28, 1986