

## CHAPTER 135

### USE OF MONITORING DEVICES BY GOVERNMENTAL ENTITIES WITHIN PUBLIC FACILITIES

S.F. 499

**AN ACT** prohibiting the use of certain monitoring devices in certain locations open to the public, and including effective date provisions.

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

Section 1. NEW SECTION. **27.1 Definitions.**

1. For purposes of this section:

a. “*Monitoring device*” means a digital video or audio streaming or recording device that is part of a system of monitoring activity in an area or building using a system in which signals are transmitted from a video camera or microphone to the receivers by cables or wirelessly, forming a closed circuit.

b. “*Public hospital*” means a hospital licensed pursuant to [chapter 135B](#) and governed pursuant to [chapter 145A](#), [263](#), [347](#), [347A](#), or [392](#).

c. “*Public library*” means a library district as described in [chapter 336](#).

d. “*Public school*” means a school district as described in [chapter 274](#).

e. “*Reasonable expectation of privacy*” means a person’s reasonable belief, under the circumstances, that the person can disrobe or partially disrobe in privacy without being concerned that the person is being viewed, photographed, or filmed when doing so.<sup>1</sup>

Sec. 2. NEW SECTION. **27.2 Monitoring devices prohibited.**

The state or a political subdivision of the state, including but not limited to a public library, public school, or other government office open to the public, shall not use a monitoring device in a toilet, bath, or shower facility; locker room; common area within such a facility or room, including an area where a sink or changing table is located; or other space open to the public where a person has a reasonable expectation of privacy.

Sec. 3. NEW SECTION. **27.3 Removal of monitoring devices.**

On or before July 1, 2017, the state or a political subdivision of the state, including but not limited to a public library, public school, or other government office open to the public, using a monitoring device in a toilet, bath, or shower facility; locker room; common area within such a facility or room, including an area where a sink or changing table is located; or other space open to the public where a person has a reasonable expectation of privacy shall cease use of and remove the monitoring device.

Sec. 4. NEW SECTION. **27.4 Limitation on political subdivisions.**

On July 1, 2017, any ordinance, resolution, rule, or other measure adopted or enforced by a political subdivision of the state permitting the use of a monitoring device in a toilet, bath, or shower facility; locker room; common area within such a facility or room, including an area where a sink or changing table is located; or other space open to the public where a person has a reasonable expectation of privacy is void.

Sec. 5. NEW SECTION. **27.5 Public hospital exception.**

This chapter does not apply to a public hospital where use of a monitoring device is necessary to protect the health or safety of a patient during a patient’s course of treatment.

Sec. 6. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 11, 2017

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<sup>1</sup> See chapter 170, §31 herein