



HOUSE REPUBLICAN STAFF ANALYSIS

Bill: Senate File 2296	House Committee: PASSED on March 9 (12-7)
Committee: Judiciary	House Floor:
Floor Manager: Rep. Holt	Senate Floor: PASSED on February 22 (49-0)
Date: March 21, 2022	Governor:
Staff: Amanda Wille (1-5230)	

Searching Garbage

- SF 2296 is a response to an Iowa Supreme Court Case. Prior to the decision law enforcement could search through garbage on a curb without a warrant. The case requires law enforcement to have a warrant before searching garbage.
- SF 2296 clarifies that garbage left on the curb for pickup is considered abandoned property, there is no expectation of privacy, and law enforcement can search it without a warrant.

Section by Section Analysis

Section 1 – Search and Seizure- Exception to Search Warrant Requirement-Garbage Searches (808.16)

Public policy of the state- a person has no expectation of privacy when they leave garbage out for pickup.

Prohibits cities and counties from adopting a policy that could create a reasonable expectation of privacy for garbage left in a publicly assessable area.

Garbage placed outside of a residence for pickup in a publicly accessible area shall be deemed abandoned property and not considered connotationally protected papers or effects.

A peace officer may conduct a search and may seize garbage left outside a residence for waste collection in a public area without requesting a warrant

Amendment Analysis