

Red Tape Review Rule Report (Due: September 1, 2026)

Department Name:	Public Safety	Date:	10/13/2025	Total Rule Count:	10
IAC #:	661	Chapter/ SubChapter/ Rule(s):	156	Iowa Code Section Authorizing Rule:	81.4
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of these rules is to govern the administration of the DNA database and the collection, submission, analysis, identification, storage, and disposition of DNA records gathered for the DNA database.

Is the benefit being achieved? Please provide evidence.

Yes. The administration of the DNA database as well as the processes for the collection, submission, analysis, identification, storage, and disposition of DNA records gathered for the DNA database are clearly defined.

What are the costs incurred by the public to comply with the rule?

There are no costs incurred by the public to comply with the rule.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the Department or any other agency to implement or enforce these rules.

Do the costs justify the benefits achieved? Please explain.

Yes. There are no costs to comply or implement these rules and law enforcement agencies benefit from clear guidance as to how to submit DNA samples to the DCI Lab for testing. Agencies also benefit from having highly trained laboratory personnel analyzing samples to aid in the investigation and prosecution of criminal cases.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The Department has determined this to be the least restrictive method to accomplish the intended benefit of the rule.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Yes, 156.10 is duplicative of statutory language.

RULES PROPOSED FOR REPEAL (list rule number[s]):

156.10

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

CHAPTER 156
DNA DATABASE

661—156.1(81) Establishment of DNA database. There is established a DNA database within the division of criminal investigation criminalistics laboratory.

These rules govern the administration of the DNA database and the collection, submission, analysis, identification, storage, and disposition of DNA records gathered for the DNA database. These rules do not apply to the collection and handling of DNA samples gathered as evidence in the course of criminal investigations.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.2(81) Definitions. The following definitions apply to rules 661—156.1(81) through 661—156.10(81):

“*Administrator*” means the administrator of the division of criminal investigation criminalistics laboratory.

“*Commissioner*” means the commissioner of public safety.

“*Database*” means the DNA database located in the division of criminal investigation criminalistics laboratory.

“*Department*” means the Iowa department of public safety.

“*Director*” means the director of the division of criminal investigation.

“*Division*” means the division of criminal investigation (DCI).

“*DNA*” means deoxyribonucleic acid.

“*Expungement*” means the removal of information from the DNA database, effectively severing any ability to link a DNA profile and an individual.

“*Laboratory*” means the division of criminal investigation criminalistics laboratory.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.3(81) Administration of DNA database. The DNA database is under the direct supervision of a supervising criminalist employed by the laboratory and designated by the administrator.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.4(81) Collection of DNA samples. Samples of DNA will be collected from any person required to submit a sample pursuant to the provisions of Iowa Code chapter 81.

156.4(1) The sample will be collected by the agency to which custody or responsibility for supervision has been assigned by the court issuing the sentencing order.

156.4(2) Each DNA sample will be collected as soon as practical after an agency assumes custody or supervision of the person required to submit the DNA sample and submitted to the laboratory in accordance with rule 661—156.5(81).

156.4(3) Each DNA sample will be collected using a DNA collection kit provided by the laboratory, following the instructions provided for the kit by the laboratory.

EXCEPTION: A DNA sample may be collected without the use of a DNA collection kit provided by the laboratory. If a sample is collected without the use of a kit, the person submitting the sample will include a signed and dated statement describing the collection procedure.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.5(81) Submission of DNA samples.

156.5(1) All samples collected for inclusion in the DNA database should be submitted to the following address:

Iowa DCI Criminalistics Laboratory
2240 S. Ankeny Boulevard
Ankeny, Iowa 50023-9093

EXCEPTION: Each sample submitted in a package with a preprinted mailing address or with a mailing label with a preprinted address, when such package or label has been provided by the Division of Criminal Investigation Criminalistics Laboratory, will be mailed to the preprinted address. Any other sample will be mailed in accordance with instructions provided by the Division of Criminal Investigation Criminalistics Laboratory.

156.5(2) Each sample submitted will be accompanied by a completed DNA sample donor identification form included in the DNA collection kit provided by the laboratory. If the sample is submitted without the donor identification form, the sample will be accompanied by a statement signed and dated by the person submitting it, with at least the following information identifying the subject of the DNA sample: full name, date of birth, and a clear fingerprint. Additional identifying information, such as the social security number of the person providing the sample or identifying numbers assigned by state agencies, will be provided if available.

[Editorial change: IAC Supplement 6/17/09; ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.6(81) Analysis of DNA samples. Samples of DNA submitted to the laboratory will be analyzed by laboratory personnel and the results of the analysis entered into the database in accordance with the provisions of the “Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories” published by the DNA Advisory Board to the Federal Bureau of Investigation, July 1, 2025.

EXCEPTION: Analysis of DNA samples may be conducted by other laboratories under contract with the department, with the approval of the administrator. Any other laboratory conducting analysis of DNA samples for inclusion in the database will comply with the requirements and procedures to which the division of criminal investigation criminalistics laboratory is subject under this rule.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.7(81) Identification of DNA samples. Each sample of DNA submitted for inclusion in the database will be identified by a unique number that will reference the full name of the person whose sample is submitted, the person’s date of birth, and a clear fingerprint taken from the person.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.8(81) Storage of DNA samples. Samples of DNA submitted for inclusion in the database will be stored at room temperature.

[ARC 0219C, IAB 7/25/12, effective 9/1/12]

661—156.9(81GA,HF619) Disposition of DNA samples. Rescinded ARC 0219C, IAB 7/25/12, effective 9/1/12.

These rules are intended to implement Iowa Code chapter 81.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	428
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	29

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.