

IOWA PUBLIC INFORMATION BOARD

LEGISLATIVE COMMITTEE MEMBERS

Joan Corbin, Pella (Government Representative, 2024-2028)
E. J. Giovannetti, Urbandale (Public Representative, 2022-2026)
Barry Lindahl, Dubuque (Government Representative, 2024-2028)
Luke Martz, Ames (Public Representative, 2024-2028)

STAFF

Erika Eckley, Executive Director
Kim Murphy, Deputy Director

Use the following link to watch the IPIB meeting live:

<https://youtube.com/@IowaPublicInformationBoard>

Note: If you wish to make public comment to the Board, please send an email to IPIB@iowa.gov prior to the meeting.

Legislative Committee Agenda

July 25, 2024, 3:30 p.m.

This meeting will be conducted electronically

- I. Call to Order
- II. Approve Agenda*
- III. Elect (or re-elect) Chair of Committee
- IV. Approve Minutes from May 1, 2024, Legislative Committee meeting.*
- V. Public Comment
- VI. Discuss 2023/24 IPIB proposed legislation:
 - HF350 (Adds requirement that upon receipt of a records request that the request be promptly acknowledged, inform the requestor of an estimate of the reasonable costs and when the records may be available, and to notify the requestor of any delays.)*
 - Amendment to language-
 - a. Promptly acknowledge the request and provide contact information for the lawful custodian's authorized designee. Promptly means using reasonable, good-faith efforts to respond taking into account the circumstances as they exist at the time the request was received.
 - HF333 (Increases the timeframe for filing complaints with the IPIB from 60 to 90 days.)*
- VII. Discuss potential topics to consider and review for 2025 session.

*** Attachments**

VIII. Schedule next committee meeting

IX. Adjourn

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LEGISLATIVE COMMITTEE MEMBERS

E. J. Giovannetti, Urbandale (Public Representative, 2022-2026)
Barry Lindahl, Dubuque (Government Representative, 2024-2028)
Joel McCrea, Pleasant Hill (Media Representative, 2022-2026)

STAFF

Erika Eckley, Executive Director
Brett Toresdahl, Deputy Director

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Legislative Committee Agenda

May 1, 2024, 9:00 a.m.

Due to the short nature of the meeting and the distance between the participants, this meeting will be conducted electronically

I. Call to Order

The meeting was called to order at 9:03.

II. Approve Agenda

Lindahl moved to approve the agenda and McCrea seconded. Motion passed 2-0; Giovannetti was not able to vote due to technical difficulties.

III. Public Comment

An email was received by Suzan Stewart regarding the bill.

IV. Discuss concerns with amended language on HF2539 and determine any potential action

"Meeting" does not include a gathering of members of a governmental body for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of this chapter, or a gathering including members of a local governmental body that is hosted or organized by a political party, political candidate, or civic organization.

The Committee discussed a draft letter and interpretation of the legislation's language. Motion was made by Lindahl to approve the letter and send to the Governor's office for consideration of HF 2539. Seconded by McCrea. Motion passed 3-0.

Motion was made by McCrea to adjourn the meeting and Lindahl seconded. Motion passed 3-0.

The meeting adjourned at 9:15 a.m.

House File 350 - Introduced

HOUSE FILE 350
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 144)

A BILL FOR

1 An Act relating to public records requests.

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

1 Section 1. Section 22.3, subsection 1, Code 2023, is amended
2 to read as follows:

3 1. The examination and copying of public records shall
4 be done under the supervision of the lawful custodian of the
5 records or the custodian's authorized designee. The lawful
6 custodian shall not require the physical presence of a person
7 requesting or receiving a copy of a public record and shall
8 fulfill requests for a copy of a public record received in
9 writing, by telephone, or by electronic means. Although
10 fulfillment of a request for a copy of a public record may be
11 contingent upon receipt of payment of reasonable expenses, the
12 lawful custodian shall make every reasonable effort to provide
13 the public record requested at no cost other than copying costs
14 for a record which takes less than thirty minutes to produce.
15 In the event expenses are necessary, such expenses shall be
16 reasonable and communicated to the requester upon receipt of
17 the request in accordance with section 22.4, subsection 3.
18 A person may contest the reasonableness of the custodian's
19 expenses as provided for in [this chapter](#). The lawful
20 custodian may adopt and enforce reasonable rules regarding the
21 examination and copying of the records and the protection of
22 the records against damage or disorganization. The lawful
23 custodian shall provide a suitable place for the examination
24 and copying of the records, but if it is impracticable to do
25 the examination and copying of the records in the office of
26 the lawful custodian, the person desiring to examine or copy
27 shall pay any necessary expenses of providing a place for the
28 examination and copying.

29 Sec. 2. Section 22.4, Code 2023, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 3. Upon receipt of a request for a copy of
32 a public record, the lawful custodian or the lawful custodian's
33 authorized designee shall do all of the following:

34 a. Promptly acknowledge the request and provide contact
35 information for the lawful custodian's authorized designee.

House File 333 - Introduced

HOUSE FILE 333
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 145)

A BILL FOR

1 An Act relating to the filing of complaints with the Iowa
2 public information board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 23.7, subsection 1, Code 2023, is amended
2 to read as follows:

3 1. The board shall adopt rules pursuant to **chapter 17A**
4 providing for the timing, form, content, and means by which any
5 aggrieved person, any taxpayer to or citizen of this state, the
6 attorney general, or any county attorney may file a complaint
7 with the board alleging a violation of **chapter 21** or **22**. The
8 complaint must be filed within ~~sixty~~ ninety days from the time
9 the alleged violation occurred or the complainant could have
10 become aware of the violation with reasonable diligence. All
11 complaints filed with the board shall be public records.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill provides that a person has 90 days, not the current
16 60 days, to file a complaint with the Iowa public information
17 board after an alleged violation of Code chapter 21 (open
18 meetings) or Code chapter 22 (open records) occurred or the
19 complainant could have become aware of the alleged violation.