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IPIB AO 2016-05

February 18, 2016

SUBJECT: Iowa State Fair Authority and Open Records

Harold Ault
57154 245th Street
Ames, Iowa 50010

Dear Mr. Ault:

This opinion is in response to your letter of December 26, 2015, requesting an opinion from the Iowa Public Information Board (IPIB) pursuant to Iowa Code section 23.6 and rule 497—1.2. We note at the outset that IPIB's jurisdiction is limited to the application of Iowa Code chapters 21, 22, and 23, and rules in Iowa Administrative Code chapter 497. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.

FACTUAL STATEMENT:

You inform us that the definition of "governmental body" in Iowa Code section 22.1(1) exempts a "fair conducting a fair event as provided in chapter 174." You further inform us that the Iowa State Fair Authority is governed by Iowa Code chapter 173. You raise the issue of whether or not the Iowa State Fair Authority is subject to the open records laws in Iowa Code chapter 22.

QUESTIONS:

Is the Iowa State Fair Authority subject to the open records laws in Iowa Code chapter 22?

OPINION:

As of the date of this opinion, the Iowa State Fair Authority has adopted administrative rules in 371—Chapter 9 concerning public records and the access to records belonging to the Fair Board. As such, the Iowa State Fair Authority has made the determination that records in its possession are subject to Iowa Code chapter 22 as set out in those administrative rules and IPIB does not need to issue a further opinion on the matter at this time.

Board Members

Robert Andeweg • Anthony Gaughan • Jo Martin • Andrew McKean • Gary Mohr • William Monroe
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BY DIRECTION AND VOTE OF THE BOARD

Suzan Stewart, Chair
Kathleen Richardson, Vice Chair
Robert Andeweg
Anthony Gaughan
Jo Martin
Andrew McKean
Gary Mohr
William Monroe
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Submitted by: W. Charles Smithson, IPIB Director