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[HF 2539](#) – Public Records, Education, and Enforcement (LSB5526HV)  
Staff Contact: Joey Lovan (515.242.5925) [joey.lovan@legis.iowa.gov](mailto:joey.lovan@legis.iowa.gov)  
Fiscal Note Version – New

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## **Description**

[House File 2539](#) increases the penalty for violation by a member of a governmental body of Iowa Code chapter [21](#) to no more than \$2,500 and no less than \$500 in damages. This Bill also increases the penalty for a member of a governmental body who knowingly violates Iowa Code chapter 21 to no more than \$12,500 and no less than \$5,000 in damages. The Bill also removes the requirement that damages need to have been assessed due to a previous violation of Iowa Code chapter 21 for a court to issue an order removing a member of a governmental body from office.

The Bill adds a requirement for newly elected or appointed members to a governmental body to complete an educational course on the provisions of Iowa Code chapters 21 and [22](#) that are relevant to the member's position. The training is required to take place no later than 90 days after one of the following:

- Member takes oath of office.
- Member assumes the responsibilities if not required to take oath.
- Member is reelected or reappointed to the position.

The Bill requires the Iowa Public Information Board (IPIB) to approve training and to ensure at least one training course is available at no cost. The Bill requires the IPIB or other entity providing the training to provide a certificate of course completion to a person who completes the required training and to make the certificate public for inspection. The Bill also provides that if training is not completed, the failure in training does not affect the validity of an action taken by the governmental body. However, training is required to be completed within 60 days or the member may be assessed penalties or damages.

## **Background**

Currently, Iowa Code section [21.6](#) requires a court to assess damages to a member of a governmental body in an amount no less than \$100 and no more than \$500. For a violation that is knowingly committed, damages are assessed in an amount no less than \$1,000 and no more than \$2,500. To remove a member of a governmental body from the member's position for a violation of Iowa Code chapter 21, damages must have been assessed due to a previous violation of Iowa Code chapter 21 against that member during that member's term.

The IPIB provides training on Iowa Code chapters 21 and 22.

There are approximately 13,800 elected and appointed officials in Iowa.

## **Assumptions**

- House File 2539 requires the IPIB to facilitate mandatory training which will require an additional 1.0 full-time equivalent (FTE) position for a Staff Attorney 2.
- The total costs for one Staff Attorney 2 FTE position is \$104,000.

**Fiscal Impact**

The fiscal impact of HF 2539 to the IPIB is an increase of \$104,000 and 1.0 Staff Attorney 2 FTE position.

**Source**

Iowa Public Information Board

*/s/ Jennifer Acton*

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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