

STATE PUBLIC DEFENDER[493]

Notice of Intended Action

**Proposing rulemaking related to public records and fair information practices
and providing an opportunity for public comment**

The State Public Defender hereby proposes to rescind Chapter 4, “Public Records and Fair Information Practices,” and to adopt a new Chapter 2505, “Public Records and Fair Information Practices,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 13B.4(8) and 17A.24.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 17A and section 22.11.

Purpose and Summary

This proposed rulemaking modifies the Uniform Rules on Agency Procedure related to public records and fair information practices to ensure agency compliance with Iowa Code section 22.11 regarding personally identifiable information (PII) that is unique to the State Public Defender. Iowa Code section 22.11 imposes an obligation on each agency to adopt rules that provide the nature of PII collected by the agency and to indicate which records contain PII and if they are public or confidential. Since the Uniform Rules on Agency Procedure are not specific to each agency, this rulemaking is necessary to comply with the statute directive regarding PII.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Public Defender for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the State Public Defender no later than 4:30 p.m. on June 30, 2026. Comments should be directed to:

Kurt Swaim
Office of the State Public Defender
Department of Inspections, Appeals, and Licensing
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Phone: 515.218.2445
Email: kswaim@spd.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Emergency Rulemaking Adopted by Reference

This proposed rulemaking is also published herein as an Adopted and Filed Emergency rulemaking (see **ARC 0325D**, IAB 6/10/26). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rulemaking, whose subject matter is hereby adopted by reference.