

CHAPTER 2B

LEGAL PUBLICATIONS

Referred to in [§2.42](#), [2A.1](#), [2A.5](#), [25B.5](#)

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SUBCHAPTER I

GENERAL PROVISIONS

2B.1 Iowa Code and administrative code editors.

1. The director of the legislative services agency shall appoint the Iowa Code editor and the administrative code editor, subject to the approval of the legislative council, as provided in [section 2.42](#). The Iowa Code editor and the administrative code editor shall serve at the pleasure of the director of the legislative services agency.

2. The Iowa Code and administrative code editors are responsible for the editing, compiling, and proofreading of the publications they prepare, as provided in [this chapter](#). The Iowa Code editor is entitled to the temporary possession of the original enrolled Acts and resolutions as necessary to prepare them for publication.

[C51, §46; R60, §62, 113, 115, 144; C73, §§35, 155, 156; C97, p. 5, §38, 216; S13, p. 3; SS15, §224-c, -h; C24, 27, 31, 35, 39, §156; C46, 50, 54, 58, 62, 66, §14.3; C71, §14.5; C73, 75, 77, 79, 81, §14.1]

[91 Acts, ch 258, §8](#)

[C93, §2B.1](#)

[98 Acts, ch 1119, §13; 98 Acts, ch 1164, §1; 2003 Acts, ch 35, §13, 49](#)

2B.2 through 2B.4 Reserved.

2B.5 Duties of administrative code editor.

The administrative code editor shall do all of the following:

1. Supervise the publication of the Iowa administrative bulletin and the Iowa administrative code as provided in [section 2B.5A](#).

2. Notify the administrative rules coordinator if a rule is not in proper style or form.

3. Perform other duties as directed by the director of the legislative services agency, the legislative council, or the administrative rules review committee and as provided by law.

91 Acts, ch 258, §9

CS91, §14.5

C93, §2B.5

98 Acts, ch 1115, §1, 21; 2003 Acts, ch 35, §14, 49; 2005 Acts, ch 19, §1; 2010 Acts, ch 1031, §32, 33; 2014 Acts, ch 1141, §34; 2019 Acts, ch 92, §11

Section amended

2B.5A Iowa administrative bulletin and Iowa administrative code.

1. The legislative services agency shall control and maintain in a secure electronic repository custodial information used to produce the Iowa administrative bulletin and the Iowa administrative code.

2. In consultation with the administrative rules coordinator, the administrative code editor shall prescribe a uniform style and form required for a person filing a document for publication in the Iowa administrative bulletin or the Iowa administrative code, including but not limited to a rulemaking document. A rulemaking document includes a notice of intended action as provided in [section 17A.4](#) or an adopted rule for filing as provided in [section 17A.5](#). The rulemaking document shall correlate each rule to the uniform numbering system established by the administrative code editor. The administrative code editor shall provide for the publication of an electronic version of the Iowa administrative bulletin and the Iowa administrative code. The administrative code editor shall review all submitted documents for style and form and notify the administrative rules coordinator if a rulemaking document is not in proper style or form, and may return or revise a document which is not in proper style and form. The style and form prescribed shall require that a rulemaking document include a reference to the statute which the rules are intended to implement.

3. a. The administrative code editor may omit from the Iowa administrative bulletin or the Iowa administrative code any document for publication in the Iowa administrative bulletin or the Iowa administrative code, if the administrative code editor determines that its publication would be unduly cumbersome, expensive, or otherwise inexpedient. The person filing the document for publication shall provide the administrative code editor with an electronic version of the document. The administrative code editor shall publish the document on the general assembly's internet site and publish a notice in the Iowa administrative bulletin or the Iowa administrative code stating the specific subject matter of the omitted document and how the omitted document may be accessed.

b. The administrative code editor shall omit or cause to be omitted from the Iowa administrative code any rule or portion of a rule nullified by the general assembly pursuant to Article III, section 40, of the Constitution of the State of Iowa.

4. The administrative code editor who receives a publication from an agency because the publication is referenced in the Iowa administrative bulletin or Iowa administrative code shall make the publication available to the public pursuant to [section 17A.6](#).

5. The administrative code editor shall publish the Iowa administrative bulletin in accordance with [section 2.42](#) at least every other week, unless the administrative code editor and the administrative rules review committee determine that an alternative publication schedule is preferable. The administrative code editor shall provide for the arrangement of the contents of the Iowa administrative bulletin.

a. The Iowa administrative bulletin shall contain all of the following:

(1) Rulemaking documents, including notices of intended action as provided in [section 17A.4](#), and rules adopted and effective immediately upon filing and rules adopted and filed as provided in [section 17A.5](#).

(2) Resolutions nullifying administrative rules passed by the general assembly pursuant to Article III, section 40 of the Constitution of the State of Iowa.

(3) All proclamations and executive orders of the governor which are general and permanent in nature.

(4) Other materials deemed fitting and proper by the administrative rules review committee.

- (5) Items required to be published by statute.
 - (6) A comprehensive method to search and identify its contents. An electronic version may include search and retrieval programming and index.
 - b. The Iowa administrative bulletin may contain all of the following:
 - (1) A preface.
 - (2) A rulemaking schedule.
 - (3) The agenda for the next meeting of the administrative rules review committee as provided in [section 17A.8](#), if available.
 - (4) A schedule of known public hearings.
 - (5) A list of agencies referenced by agency identification number.
 - 6. The administrative code editor shall publish the Iowa administrative code in accordance with [section 2.42](#) at least every other week, unless the administrative code editor and the administrative rules review committee determine that an alternative publication schedule is preferable. However, the legislative services agency may publish supplements in lieu of the Iowa administrative code. The administrative code editor shall provide for the arrangement of the Iowa administrative code.
 - a. The Iowa administrative code shall include all of the following:
 - (1) Rules of general application adopted and filed with the administrative code editor by state agencies. However, the administrative code editor may delete a rule from the Iowa administrative code if the agency that adopted the rule has ceased to exist, no successor agency has jurisdiction over the rule, and no statutory authority exists supporting the rule.
 - (2) A comprehensive method to search and identify its contents, including rules.
 - (a) An electronic version may include search and retrieval programming and index.
 - (b) A print version may include an index.
 - b. The Iowa administrative code may include all of the following:
 - (1) A preface.
 - (2) Uniform rules on agency procedure.
- [2010 Acts, ch 1031, §34; 2014 Acts, ch 1141, §35, 36](#)
 Referred to in [§2B.5, 2B.13, 17A.4, 17A.6, 267.6](#)

2B.5B Iowa court rules.

- 1. The legislative services agency shall control and maintain in a secure electronic repository custodial information used to produce the Iowa court rules.
- 2. The legislative services agency, upon direction by the Iowa supreme court and in accordance with the policies of the legislative council pursuant to [section 2.42](#), shall prescribe a uniform style and form required for filing a document for publication in the Iowa court rules. The document shall correlate each rule to the uniform numbering system. The legislative services agency shall provide for the publication of an electronic version of the Iowa court rules. The legislative services agency shall review all submitted documents for style and form and notify the Iowa supreme court if a rulemaking document is not in proper style or form, and may return or revise a document which is not in proper style and form.
 - 3. a. The legislative services agency shall publish the Iowa court rules in accordance with [section 2.42](#). However, the legislative services agency may publish supplements in lieu of the Iowa court rules. The legislative services agency shall provide for arrangement of the Iowa court rules in consultation with the Iowa supreme court.
 - b. The Iowa court rules shall include all of the following:
 - (1) Rules prescribed by the supreme court, which may include the Iowa rules of civil procedure, the Iowa rules of criminal procedure, the Iowa rules of evidence, the Iowa rules of appellate procedure, the Iowa rules of professional conduct, and the Iowa code of judicial conduct.
 - (2) A comprehensive method to search and identify its contents, including court rules.
 - (a) An electronic version may include search and retrieval programming and index.
 - (b) A print version may include an index.
 - c. The Iowa court rules may include all of the following:
 - (1) A preface.

(2) Tables, including tables of corresponding rule numbers.

2010 Acts, ch 1031, §35; 2014 Acts, ch 1141, §37, 38; 2019 Acts, ch 92, §12, 13

Referred to in §602.1206, 602.4201

Subsection 2 amended

Subsection 3, paragraph a amended

2B.6 Duties of Iowa Code editor.

The Iowa Code editor shall:

1. Submit recommendations as the Iowa Code editor deems proper to each general assembly for the purpose of amending, revising, codifying, and repealing portions of the statutes which are inaccurate, inconsistent, outdated, conflicting, redundant, or ambiguous, and present the recommendations in bill form to the appropriate committees of the general assembly.

2. Provide for the publication of all of the following:

a. The Iowa Acts as provided in [section 2B.10](#).

b. The Iowa Code as provided in [section 2B.12](#).

3. Perform other duties as directed by the director of the legislative services agency or the legislative council and as provided by law.

[C51, §46; R60, §62, 113, 115, 144; C73, §35, 155, 156; C97, p. 5, §38, 216; S13, p. 3; SS15, §224-c, -h; C24, 27, 31, 35, 39, §156; C46, 50, 54, §14.3; C54, 58, 62, 66, §14.3, 17A.9; C71, 73, 75, 77, 79, 81, §14.6; [82 Acts, ch 1061, §1](#)]

[91 Acts, ch 258, §10](#)

C93, §2B.6

[2003 Acts, ch 35, §15, 49; 2010 Acts, ch 1031, §36; 2014 Acts, ch 1141, §39](#)

2B.7 through 2B.9 Reserved.

2B.10 Iowa Acts.

1. The legislative services agency shall control and maintain in a secure electronic repository custodial information used to produce the Iowa Acts.

2. The legislative services agency shall publish the annual edition of the Iowa Acts as soon as possible after the final adjournment of a regular session of the general assembly. The legislative services agency may also publish an updated edition of the Iowa Acts or a supplement to the Iowa Acts after a special session of the general assembly.

3. a. The arrangement, appearance, and contents of the Iowa Acts shall be determined by the Iowa Code editor in accordance with the policies of the legislative council and legislative services agency as provided in [section 2.42](#).

b. The bills and joint resolutions of the Iowa Acts may be arranged by chapter, numbered from one for the first regular session and numbered from one thousand one for the second regular session.

4. The Iowa Acts shall include all of the following:

a. A preface.

b. A table of contents.

c. A list of elective state officers and deputies, supreme court justices, judges of the court of appeals, members of the general assembly, and members of Iowa's congressional delegation.

d. A statement of the condition of the state treasury as provided by Article III, section 18, of the Constitution of the State of Iowa. The statement shall be furnished to the legislative services agency by the director of the department of administrative services.

e. An analysis of its chapters.

f. The text of bills that have been enacted and joint resolutions that have been enacted or passed by the general assembly, including text indicating items disapproved in appropriation bills.

g. Messages transmitted by the governor disapproving items in appropriation bills.

h. A notation of the filing of an estimate of a state mandate prepared by the legislative services agency pursuant to [section 25B.5](#).

i. Tables, including any analysis of tables.

j. A comprehensive method to search and identify its contents, including the text of bills

that have been enacted and joint resolutions that have been enacted or passed by the general assembly.

(1) An electronic version may include search and retrieval programming and an index and a summary index.

(2) A print version may include an index and a summary index.

k. Other reference material as determined by the Iowa Code editor in accordance with any policies of the legislative council.

5. The enrolling clerks of the house and senate shall arrange for the Iowa Code editor to receive suitable copies of all Acts and resolutions as soon as they are enrolled.

[C73, §36; C97, §39; SS15, §224-i; C24, 27, 31, 35, §162, 162-d1, 163, 164, 165, 167; C39, §221.1 – 221.5; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §14.10]

[83 Acts, ch 186, §10004, 10201](#); [91 Acts, ch 258, §11](#); [92 Acts, ch 1123, §3](#)

[C93, §2B.10](#)

[98 Acts, ch 1115, §2, 21](#); [2003 Acts, ch 35, §16, 45, 49](#); [2003 Acts, ch 145, §286](#); [2004 Acts, ch 1086, §1](#); [2010 Acts, ch 1031, §37](#)

Referred to in [§2B.6](#)

2B.11 Reserved.

2B.12 Iowa Code.

1. The legislative services agency shall control and maintain in a secure electronic repository custodial information used to publish the Iowa Code.

2. The legislative services agency shall publish an annual edition of the Iowa Code as soon as possible after the final adjournment of a regular or special session of a general assembly.

3. An edition of the Iowa Code shall contain each Code section in its new or amended form. However, a new section or amendment which does not take effect until after the probable publication date of a succeeding Iowa Code may be deferred for publication in that succeeding Iowa Code. The sections shall be inserted in each edition in a logical order as determined by the Iowa Code editor in accordance with the policies of the legislative council.

4. Each section of an Iowa Code shall be indicated by a number printed in boldface type and shall have an appropriate headnote printed in boldface type.

5. The Iowa Code shall include all of the following:

a. The Declaration of Independence.

b. The Articles of Confederation.

c. The Constitution of the United States.

d. The laws of the United States relating to the authentication of records.

e. The Constitution of the State of Iowa, original and codified versions.

f. The Act admitting Iowa into the union as a state.

g. The arrangement of the Code into distinct units, as established by the legislative services agency, which may include titles, subunits of titles, chapters, subunits of chapters, and sections, and subunits of sections. The distinct units shall be numbered and may include names.

h. All of the statutes of Iowa of a general and permanent nature, except as provided in [subsection 3](#).

i. A comprehensive method to search and identify its contents, including the text of the Constitution and statutes of the State of Iowa.

(1) An electronic version may include search and retrieval programming, analysis of titles and chapters, and an index and a summary index.

(2) A print version shall include an analysis of titles and chapters, and may include an index and a summary index.

6. The Iowa Code may include all of the following:

a. A preface.

b. A description of citations to statutes.

c. Abbreviations to other publications which may be referred to in the Iowa Code.

d. Appropriate historical references or source notes.

e. An analysis of the Code by titles and chapters.

f. Other reference materials as determined by the Iowa Code editor in accordance with any policies of the legislative council.

7. The Iowa Code may include appropriate tables showing the disposition of Acts of the general assembly, the corresponding sections from edition to edition of an Iowa Code, and other reference material as determined by the Iowa Code editor in accordance with policies of the legislative council.

8. In lieu of or in addition to publishing an annual edition of the Iowa Code, the legislative services agency, in accordance with the policies of the legislative council, may publish a supplement to the Iowa Code, as necessary or desirable, in a manner similar to the publication of an annual edition of the Iowa Code.

[C97, p. 5; S13, p. 3; C24, 27, 31, 35, 39, §168; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §14.12; 82 Acts, ch 1061, §2 – 4]

91 Acts, ch 258, §12

C93, §2B.12

94 Acts, ch 1107, §19; 2003 Acts, ch 35, §17, 49; 2005 Acts, ch 19, §2; 2010 Acts, ch 1031, §38 – 45; 2014 Acts, ch 1141, §40

Referred to in §2B.6

See also §2.42

2B.13 Editorial powers and duties.

1. The Iowa Code editor in preparing the copy for an edition of the Iowa Code shall not alter the sense, meaning, or effect of any Act of the general assembly, but may:

a. Correct manifestly misspelled words and grammatical and clerical errors, including punctuation, and change capitalization, spelling, and punctuation for purposes of uniformity and consistency in Code language.

b. Correct internal references to sections which are cited erroneously or have been repealed, amended, or renumbered.

c. Substitute the proper chapter, section, subsection, or other statutory reference for the term “this Act” or references to another Act of the general assembly when there appears to be no doubt as to the proper method of making the substitution.

d. Substitute the proper date for references to the effective or applicability dates of an Act when there appears to be no doubt as to the proper method of making the substitution.

e. Correct names of agencies, officers, or other entities when there appears to be no doubt as to the proper method of making the correction.

f. Transfer, divide, or combine sections or parts of sections and add or revise headnotes to sections and section subunits. Pursuant to [section 3.3](#), the headnotes are not part of the law.

g. Change words that designate one gender to reflect both genders when the provisions apply to both genders.

h. If any Code section or part of a Code section, or any Act of the general assembly which is intended to be codified, is amended by more than one Act or more than one provision in an Act of the general assembly, and the amendments do not expressly refer to or amend one of the other Acts or Act provisions in question, harmonize the amendments, if possible, so that effect may be given to each and incorporate the amendments as harmonized in the Code section. If amendments made by several Acts are irreconcilable, unless one of the amendments repeals or strikes the language in question, the Iowa Code editor shall codify the amendment that is latest in date of enactment by the general assembly. If amendments made by provisions within an Act are irreconcilable, unless one of the amendments repeals or strikes the language in question, the Iowa Code editor shall codify the provision listed last in the Act. If one of the amendments repeals or strikes the language in question, the Iowa Code editor shall codify the amendment that repeals or strikes the language.

2. The administrative code editor in preparing the copy for an edition of the Iowa administrative code or bulletin shall not alter the sense, meaning, or effect of any rule, but may:

a. Correct misspelled words and grammatical and clerical errors, including punctuation, and change capitalization, spelling, and punctuation for purposes of uniformity and consistency.

b. Correct references to rules or sections which are cited erroneously or have been repealed, amended, or renumbered.

c. Correct names of agencies, officers, or other entities when there appears to be no doubt as to the proper method of making the correction.

d. Transfer, divide, or combine rules or parts of rules and add or amend catchwords to rules and subrules.

e. Change words that designate one gender to reflect both genders when the provisions apply to both genders.

f. Perform any other editorial tasks required or authorized by section 2B.5A.

3. a. The Iowa Code editor may, in preparing the copy for an edition of the Iowa Code, establish standards for and change capitalization, spelling, and punctuation in any provision for purposes of uniformity and consistency in language.

b. The administrative code editor may establish standards for capitalization, spelling, and punctuation for purposes of uniformity and consistency in the Iowa administrative code.

4. a. The Iowa Code editor shall seek direction from the senate committee on judiciary and the house committee on judiciary when making Iowa Code changes.

b. The administrative code editor shall seek direction from the administrative rules review committee and the administrative rules coordinator when making Iowa administrative code changes, which appear to require substantial editing and which might otherwise be interpreted to exceed the scope of the authority granted in [this section](#).

5. The Iowa Code editor may prepare and publish comments deemed necessary for a proper explanation of the manner of publishing a section or chapter of the Iowa Code. The Iowa Code editor shall maintain a record of all of the corrections made under [subsection 1](#). The Iowa Code editor shall also maintain a separate record of the changes made under [subsection 1](#), paragraphs “b” through “h”. The records shall be available to the public.

6. The Iowa Code editor and the administrative code editor shall not make editorial changes which go beyond the authority granted in [this section](#) or other law.

[C24, 27, 31, 35, 39, §169; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §14.13]

84 Acts, ch 1117, §1; 85 Acts, ch 195, §1; 86 Acts, ch 1242, §5, 6; 91 Acts, ch 258, §13

C93, §2B.13

95 Acts, ch 67, §1; 96 Acts, ch 1099, §2; 2003 Acts, ch 35, §18, 49; 2010 Acts, ch 1031, §46 – 48; 2014 Acts, ch 1141, §41 – 47; 2019 Acts, ch 92, §14

Subsection 7 stricken

2B.14 through 2B.16 Reserved.

2B.17 Official legal publications — citations.

1. A legal publication designated as official by the legislative services agency as provided in [sections 2.42](#) and [2A.1](#) is the authoritative and official electronic or print version of the statutes, administrative rules, or court rules of the state of Iowa.

2. a. The codified state constitution shall be known as the Constitution of the State of Iowa.

b. For statutes, the official versions of publications shall be known as the Iowa Acts, the Iowa Code, and the Code Supplement for supplements for the years 1979 through 2011.

c. For administrative rules, the official versions of the publications shall be known as the Iowa Administrative Bulletin and the Iowa Administrative Code.

d. For court rules, the official legal publication shall be known as the Iowa Court Rules.

3. The legislative services agency may adopt a style manual providing a uniform system of citing the codified Constitution of the State of Iowa and the official versions of publications listed in [subsection 2](#), including by reference to commonly accepted legal sources. The legislative services agency style manual may provide for a different form of citation for electronic and printed versions of the same publication. Nothing in this section affects rules for style and format adopted pursuant to [section 2.42](#).

4. The codified Constitution of the State of Iowa, and statutes enacted and joint resolutions enacted or passed by the general assembly shall be cited as follows:

a. The codified Constitution of the State of Iowa shall be cited as the Constitution of the

State of Iowa, with a reference identifying the preamble or boundaries, or article, section, and subunit of a section. Subject to the legislative services agency style manual, the Constitution of the State of Iowa may be cited as the Iowa Constitution.

b. The Iowa Acts shall be cited as the Iowa Acts with a reference identifying the year of the publication in conformance with [section 2.2](#), and the chapter of a bill enacted or joint resolution enacted or passed during a regular session, or in the alternative the bill or joint resolution chamber designation, and the section of the chapter or bill or subunit of a section. A bill or joint resolution enacted or passed during a special session shall be cited by the extraordinary session designation in conformance with [section 2.2](#). If the Iowa Acts have not been published, a bill or joint resolution may be cited by its bill or joint resolution chamber designation.

c. The Iowa Code shall be cited as the Iowa Code. Supplements to the Iowa Code published for the years 1979 through 2011 shall be cited as the Code Supplement. Subject to the legislative services agency style manual, the Iowa Code may be cited as the Code of Iowa or Code and the Code Supplement may be cited as the Iowa Code Supplement, with references identifying parts of the publication, including but not limited to title or chapter, section, or subunit of a section. If the citation refers to a past edition of the Iowa Code or Code Supplement, the citation shall identify the year of publication. The legislative services agency style manual shall provide for a citation form for any supplements to the Iowa Code published after the year 2013.

5. Administrative rules shall be cited as follows:

a. The Iowa Administrative Bulletin shall be cited as the IAB, with references identifying the volume number which may be based on a fiscal year cycle, the issue number, and the ARC number assigned to the rulemaking document by the administrative rules coordinator pursuant to [section 17A.4](#). Subject to the legislative services agency style manual, the citation may also include the publication's page number.

b. The Iowa Administrative Code shall be cited as the IAC, with references to an agency's identification number placed at the beginning of the citation and with references to parts of the publication, including but not limited to chapter, rule, or subunit of a rule.

6. The Iowa Court Rules shall be cited as the Iowa Court Rules, with references to the rule number and to subunits of the publication, which may include but are not limited to the Iowa Rules of Civil Procedure, the Iowa Rules of Criminal Procedure, the Iowa Rules of Evidence, the Iowa Rules of Appellate Procedure, the Iowa Rules of Professional Conduct, and the Iowa Code of Judicial Conduct. Subject to the legislative services agency style manual, the names of the rules may be abbreviated.

[C24, 27, 31, 35, 39, §172; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §14.17; [82 Acts, ch 1061, §5](#)]

[91 Acts, ch 258, §14](#)

C93, §2B.17

[96 Acts, ch 1099, §3, 4](#); [2003 Acts, ch 35, §19, 49](#); [2004 Acts, ch 1086, §2](#); [2005 Acts, ch 19, §3](#); [2010 Acts, ch 1031, §49](#); [2014 Acts, ch 1141, §48, 49](#); [2019 Acts, ch 92, §15, 16](#)

Referred to in [§2B.17A, 2B.32](#)

Subsection 1 amended

Subsection 2, paragraphs a and d amended

2B.17A Official legal publications — publication dates.

1. An edition of an official legal publication becomes effective on its publication date. A publication date is the date that an edition of a legal publication is conclusively presumed to be complete, incorporating all revisions or editorial changes. Nothing in [this section](#) affects an effective date of a codified or uncodified provision of law, including but not limited to as provided in Article III, section 26, of the Constitution of the State of Iowa, or [section 3.7](#).

2. If not otherwise established by statute or a policy of the legislative council pursuant to [section 2.42](#), the legislative services agency shall establish a publication date for each edition of a print or electronic version of an official legal publication as cited in [section 2B.17](#). The publication date may be based on the date that the edition of an official legal publication is first made available to the public accessing the general assembly's internet site. The publication date may also be the first date that an edition of a print version of an official legal publication is

first made available for public distribution. If the legislative services agency does not provide a publication date for the Iowa Code, the publication date shall be the first day of the next regular session of the general assembly convened pursuant to Article III, section 2, of the Constitution of the State of Iowa. Otherwise, the legislative services agency shall provide public notice of a publication date for each edition of an official legal publication on the general assembly's internet site.

3. A legal publication designated by the legislative services agency as unofficial shall not be used to establish a publication date for an official legal publication.

[2019 Acts, ch 92, §17](#)

NEW section

2B.18 Iowa Code, Iowa administrative code, and Iowa court rules — custody and authentication.

1. The Iowa Code editor is the custodian of the official legal publications known as the Iowa Acts, Iowa Code, and Code Supplement for supplements to the Iowa Code for the years 1979 through 2011, and for any other supplements to the Iowa Code. The Iowa Code editor may attest to and authenticate any portion of such official legal publication for purposes of admitting a portion of the official legal publication in any court or office of any state, territory, or possession of the United States or in a foreign jurisdiction.

2. The administrative code editor is the custodian of the official legal publications known as the Iowa administrative bulletin and the Iowa administrative code. The administrative code editor may attest to and authenticate any portion of such official legal publication for purposes of admitting a portion of the official legal publication in any court or office of any state, territory, or possession of the United States or in a foreign jurisdiction.

3. The legislative services agency, upon direction by the Iowa supreme court and in accordance with the policies of the legislative council pursuant to [section 2.42](#) and the legislative services agency pursuant to [section 2A.1](#), shall provide a process to attest to and authenticate any portion of Iowa court rules.

[2010 Acts, ch 1031, §50](#); [2014 Acts, ch 1141, §50](#); [2019 Acts, ch 92, §18, 19](#)

Referred to in [§2B.35](#)

Subsection 2 amended

NEW subsection 3

2B.19 and 2B.20 Reserved.

2B.21 Availability of parts of the Iowa Code and administrative code.

The Iowa Code editor and the administrative code editor, in accordance with policies established by the legislative council, may cause parts of the Iowa Code or administrative code to be made available for the use of public officers and other persons. This authority shall be exercised in a manner planned to avoid delay in the other publications of the editors.

[C97, p. 5; S13, p. 3; C24, 27, 31, 35, 39, §176; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §14.21]

[83 Acts, ch 181, §1](#); [85 Acts, ch 197, §2](#); [86 Acts, ch 1238, §1](#); [91 Acts, ch 258, §15](#)

C93, §2B.21

[2003 Acts, ch 35, §20, 49](#)

See also [§7A.27](#)

2B.22 Appropriation.

There is hereby appropriated out of any money in the treasury not otherwise appropriated an amount sufficient to defray all expenses incurred in the carrying out of the provisions of [this chapter](#).

[C24, 27, 31, 35, 39, §177; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §14.22]

C93, §2B.22

2B.23 through 2B.30 Reserved.

SUBCHAPTER II
UNIFORM ELECTRONIC LEGAL MATERIAL ACT

2B.31 Short title.

[This subchapter](#) may be cited as the “*Uniform Electronic Legal Material Act*”.

[2019 Acts, ch 92, §1](#)

NEW section

2B.32 Definitions.

As used in [this subchapter](#), unless the context otherwise requires:

1. “*Electronic*” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

2. “*Legal material*” means an edition, including any part of that edition of the following legal publications as cited in [section 2B.17](#), whether or not in effect:

a. The Constitution of the State of Iowa.

b. The Iowa Acts.

c. The Iowa Code.

d. The Iowa administrative bulletin.

e. The Iowa administrative code.

3. “*Publish*” means to display, present, or release to the public, or cause to be displayed, presented, or released to the public by the legislative services agency.

4. “*Record*” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form, including printed and electronic versions of legal publications.

5. “*State*” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

[2019 Acts, ch 92, §2](#)

NEW section

2B.33 Applicability.

1. [This subchapter](#) applies to all legal material in an electronic record that is designated as official under the applicable provisions of [section 2.42](#), [chapter 2A](#), and [this chapter](#) and which is first published electronically on or after the implementation date of this subchapter.

2. [This subchapter](#) applies to electronic records that are publicly available by accessing the general assembly’s internet site.

[2019 Acts, ch 92, §3](#)

NEW section

2B.34 Legal material in official electronic record.

1. If the legislative services agency publishes legal material only in an electronic record, the legislative services agency shall do all of the following:

a. Designate the electronic record as official.

b. Comply with the applicable provisions of [section 2.42](#), [chapter 2A](#), and [this chapter](#).

2. If the legislative services agency publishes legal material in an electronic record and also publishes the legal material in a record other than an electronic record, the legislative services agency may designate the electronic record as official if the electronic record complies with the applicable provisions of [section 2.42](#), [chapter 2A](#), and [this chapter](#).

3. Except as provided in [subsection 1](#), the legislative services agency may designate an electronic record as unofficial.

[2019 Acts, ch 92, §4](#)

NEW section

2B.35 Authentication of official electronic record.

1. The legislative services agency in publishing legal material in an electronic record that is designated as official under the applicable provisions of [section 2.42](#), [chapter 2A](#), and [this chapter](#) shall authenticate the electronic record. To authenticate an electronic record, the

legislative services agency shall provide a method for a user to determine that the record received by the user from the legislative services agency is unaltered from the official record published by the legislative services agency.

2. [Subsection 1](#) does not affect any other process to authenticate legal material under [section 2B.18](#) or any other authentication process adopted by the legislative council or the legislative services agency.

2019 Acts, ch 92, §5

Referred to in §2B.36

NEW section

2B.36 Effect of authentication.

1. Legal material in an electronic record that is authenticated under [section 2B.35](#) is presumed to be an accurate copy of the legal material.

2. If another state has adopted a law substantially similar to [this subchapter](#), legal material in an electronic record that is designated as official and authenticated by the official publisher in that state is presumed to be an accurate copy of the legal material.

3. A party contesting the authentication of legal material in an electronic record authenticated under [section 2B.35](#) has the burden of proving by a preponderance of the evidence that the electronic record is not authentic.

2019 Acts, ch 92, §6

NEW section

2B.37 Preservation and security of legal material in official electronic record.

1. The legislative services agency in maintaining custodial information as provided in [subchapter I](#) and that is or was designated as official under the applicable provisions of [section 2.42](#), [chapter 2A](#), and [this chapter](#) shall provide for the preservation and security of the record in an electronic form or a form that is not electronic.

2. If legal material is preserved under [subsection 1](#) in an electronic record, the legislative services agency shall do all of the following:

- a. Ensure the integrity of the record.
- b. Provide for backup and disaster recovery of the record.
- c. Ensure the continuing usability of the legal material.

2019 Acts, ch 92, §7

Referred to in §2B.38

NEW section

2B.38 Public access to legal material in official electronic record.

The legislative services agency, in preserving legal material in an electronic record as required under [section 2B.37](#), shall ensure that the legal material is reasonably available for use by the public on a permanent basis.

2019 Acts, ch 92, §8

NEW section

2B.39 Standards.

1. In implementing [this subchapter](#), the legislative services agency may consider any of the following:

- a. The most recent standards regarding authentication of, preservation and security of, and public access to, legal material in an electronic record and other electronic records, as promulgated by national standard-setting bodies.
- b. The needs of users of legal material in an electronic record.
- c. The views of governmental officials and entities and other interested persons.
- d. To the extent practicable, methods and technologies for the authentication of, preservation and security of, and public access to, legal material which are compatible with the methods and technologies used by other official publishers in other states that have adopted a law substantially similar to this subchapter.

2. The provisions of [this subchapter](#) shall be implemented when the legislative council approves a plan presented by the legislative services agency. The plan shall provide for the implementation of [this subchapter](#) in a manner that best benefits users of the general

assembly's internet site on a reliable, long-term, and cost-effective basis, and which may include a budget estimate necessary to complete implementation. The legislative services agency may request the legislative council to approve a policy for the use of an account in which receipts from the revenue from distributions of publications credited to the account may be expended by the legislative services agency on a multiyear revolving basis, so long as such revenue is used exclusively to pay for costs associated with implementing the provisions of [this subchapter](#) as well as ordinary expenditures associated with producing and distributing printed and electronic versions of publications including as provided in [section 2.42](#), [chapter 2A](#), and [this chapter](#). However, if the legislative services agency determines that it may fully implement [this subchapter](#) without preparing a detailed plan for approval by the legislative council, it shall prepare and submit a report to the legislative council describing the implementation.

3. [This section](#) shall be implemented on July 1, 2019.

[2019 Acts, ch 92, §9](#)

NEW section

2B.40 Relation to Electronic Signatures in Global and National Commerce Act.

[This subchapter](#) modifies, limits, or supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §7001 et seq., but does not modify, limit, or supersede section 101(c) of that Act, 15 U.S.C. §7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that Act, 15 U.S.C. §7003(b).

[2019 Acts, ch 92, §10](#)

NEW section