

CHAPTER 5
PUBLIC RECORDS AND
FAIR INFORMATION PRACTICES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

721—5.1(17A,22) Definitions. As used in this chapter:

“Agency.” In lieu of the words “(official or body issuing these rules)”, insert “secretary of state”.

721—5.3(17A,22) Requests for access to records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.9(17A,22) Disclosures without the consent of the subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.10(17A,22) Routine use. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.11(17A,22) Consensual disclosure of confidential records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.12(17A,22) Release to subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.13(17A,22) Availability of records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

721—5.14(17A,22) Personally identifiable information. This rule describes the nature and extent of personally identifiable information which is collected, maintained, and retrieved by the agency by personal identifier in record systems as defined in rule 5.1(17A,22). All records described in this rule are public records. For each record system, this rule describes the legal authority for the collection of that information, and the means of storage of that information. The agency maintains no record systems in which a data processing system matches, collates, or permits the comparison of personally identifiable information in one record system with personally identifiable information in another record system. The record systems maintained by the agency are:

5.14(1) Liens. The agency maintains lien records, pursuant to 2000 Iowa Acts, chapter 1149, sections 72 and 90; the Uniform Commercial Code; pursuant to Iowa Code section 570.1 as amended by 2000 Iowa Acts, chapter 1149, section 176, landlord’s liens; pursuant to Iowa Code section 570A.4, agricultural supply dealer’s liens; pursuant to Iowa Code section 571.3, thresher’s or cornsheller’s liens; pursuant to Iowa Code section 579A.2(2) as amended by 2001 Iowa Acts, House File 549, section 3, custom cattle feedlot liens; pursuant to Iowa Code section 579B.4(1) as amended by 2001 Iowa Acts, House File 549, section 3, commodity production contract liens; and pursuant to Iowa R.C.P. 260, levies on personalty. Personally identifiable information includes the name and address of the debtor and the secured party, and the time and date of filing of the lien or levy. The information is stored in a computer database, and is indexed by the name of the debtor.

5.14(2) Candidates for public office. The agency maintains records of candidates for public office, pursuant to Iowa Code sections 43.11, 43.18, 44.3, 44.4, and 45.3. Personally identifiable information includes the name, address, and political party affiliation of the candidate, and the name of the public office sought by the candidate. The information is stored in a computer database, and is indexed by the name of the candidate.

5.14(3) Donor and donee records. The agency maintains records of gifts made to certain public officials, pursuant to Executive Order number 31, and Iowa Code section 68B.11(2). Personally identifiable information includes the name of the donor or donee, the nature, amount, and date of gifts made to a donee in excess of \$15 in cumulative value in any calendar day, the title, agency or organization of the donor or donee, and the mailing address of a donor. The information is stored in a manual filing system, and indexed by the name of the donor or the donee.

5.14(4) County auditors. The agency maintains records of county auditors in the state of Iowa, pursuant to Iowa Code section 47.1. Personally identifiable information includes the name and address of the county auditor. The information is stored in a computer database, and is indexed by the name of the county auditor.

5.14(5) Substitute service of process. The agency maintains records of plaintiffs to litigation in which service of process is achieved pursuant to Iowa Code section 617.3, the “long-arm statute.” Personally identifiable information includes the name of the plaintiff and other information included in the document by the plaintiff. The information is stored in a manual filing system, and is indexed by the name of the plaintiff.

5.14(6) Commissions. The agency maintains records of commissions issued by the governor, pursuant to Iowa Code section 9.3. Personally identifiable information includes the name and address of the recipient of the commission. The information is stored in a manual filing system, and is indexed by the name of the recipient of the commission.

5.14(7) Patents and deeds. The agency maintains records of land patents and deeds to property, pursuant to Iowa Code chapter 10. Personally identifiable information includes the name of the recipient of the land patent or the conveyor of the deed, the county in which the land is located, and a legal description of the land. The information is stored in a manual filing system, and is indexed by the name of the recipient of the land patent or the conveyor of the deed.

5.14(8) Notary public records. The agency maintains records of notaries public commissioned pursuant to Iowa Code chapter 77. The records include the name, address, and county of residence of the notary public, the beginning and ending date of the commission, status as a new or renewal notary public, a certificate number, and an audit number. The information is stored in a computer database and on microfilm, and is indexed by the name of the notary public.

5.14(9) Transient merchants. The agency maintains records containing information about transient merchants, pursuant to Iowa Code chapter 9C. The records include the name and address of the merchant, and other information required by Iowa Code section 9C.3. The information is stored in manual files and indexed by the name of the transient merchant.

721—5.15(17A,22) Personnel files. The agency maintains files containing information about employees, families and dependents, and applicants for positions with the agency. The files include payroll records, biographical information, medical information relating to disability, performance reviews and evaluations, disciplinary information required for tax withholding, information concerning employee benefits, affirmative action reports, and other information concerning the employer-employee relationship. Some of this information is confidential under Iowa Code section 2.7(11).

721—5.16(17A,22) Other groups of records. This rule describes records maintained by the agency other than record systems as defined in rule 5.14(17A,22). These records are routinely available to the public except records maintained pursuant to Iowa Code chapter 172C. However, the agency’s files of these records may contain confidential information as discussed in rule 5.13(17A,22). The records may contain information about individuals.

Records are maintained regarding:

1. Corporations organized in Iowa or authorized to do business in Iowa pursuant to Iowa Code chapters 491, 496A, 496B, 496C, 504, and 504A.
2. Cooperative associations organized in Iowa or authorized to do business in Iowa pursuant to Iowa Code chapters 497, 498, 499, and 499A.
3. Limited partnerships organized in Iowa or authorized to do business in Iowa pursuant to Iowa Code chapter 487.

4. Farm operations subject to Iowa Code chapters 9H and 567.
5. Athlete agents registered pursuant to Iowa Code chapter 9A.
6. Out-of-state contractors pursuant to Iowa Code section 103A.24.
7. Postsecondary educational institutions pursuant to Iowa Code chapter 261B.
8. Organizations soliciting public donations pursuant to Iowa Code chapter 13C.
9. Agreements relating to the joint exercise of governmental powers filed pursuant to Iowa Code chapter 28E.
10. Files relating to administration of the election laws found in Iowa Code chapters 39 through 41, 43 through 55, 57 through 63, 66, 69, 75, 145A, 161A, 174, 260C, 273, 274, 275, 277, 278, 279, 296, 297, 298, 300, 303, 303B, 306C, 330, 331, 336, 347, 347B, 349, 357, 357B, 357C, 357D, 358, 359 through 362, 368, 372, 376, 384, 392, 394, 400, 420, 422A, 422B, 442, 456, 462, 602, 659, 720, 721, and 722.
11. Administrative records including documents concerning budget, property inventory, purchasing, yearly reports, office policies for employees, time sheets, printing and supply requisitions, and other documents associated with the management of the agency.

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