

Senate File 546

S-3115

1 Amend Senate File 546 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 24.9, subsection 1, paragraph a, Code
5 2023, is amended to read as follows:

6 a. Each municipality shall file with the secretary or clerk
7 thereof the estimates required to be made in sections 24.3
8 through 24.8, at least twenty days before the date fixed by
9 law for certifying the same to the levying board and shall
10 forthwith fix a date for a hearing on the estimates, and
11 shall publish such estimates and any annual levies previously
12 authorized as provided in [section 76.2](#), with a notice of the
13 time when and the place where such hearing shall be held not
14 less than ten nor more than twenty days before the hearing.
15 Provided that in municipalities of ~~less than two hundred one~~
16 thousand population or less such estimates and the notice
17 of hearing shall be posted in three public places in the
18 district in lieu of publication. For any other municipality
19 such publication shall be in a newspaper published in the
20 municipality, if any, if not, then in a newspaper of general
21 circulation in the municipality.

22 Sec. 2. Section 362.3, subsection 1, paragraph b, Code 2023,
23 is amended to read as follows:

24 b. A publication required by the city code must be in a
25 newspaper published at least once weekly and having general
26 circulation in the city. However, if the city has a population
27 of ~~two hundred one thousand~~ one thousand or less, or in the case of
28 ordinances and amendments to be published in a city in which no
29 newspaper is published, a publication may be made by posting
30 in three public places in the city which have been permanently
31 designated by ordinance.

32 Sec. 3. Section 362.3, subsection 2, Code 2023, is amended
33 to read as follows:

34 2. In the case of notices of elections, a city with a
35 population of ~~two hundred one thousand~~ one thousand or less meets the

1 publication requirement of [this section](#) by posting notices of
2 elections in three public places which have been designated by
3 ordinance.

4 Sec. 4. Section 372.13, subsection 6, Code 2023, is amended
5 to read as follows:

6 6. Within fifteen days following a regular or special
7 meeting of the council, the clerk shall cause the minutes of
8 the proceedings of the council, including the total expenditure
9 from each city fund, to be published in a newspaper of general
10 circulation in the city. The publication shall include a
11 list of all claims allowed and a summary of all receipts
12 and shall show the gross amount of the claims. The list of
13 claims allowed shall show the name of the person or firm
14 making the claim, the reason for the claim, and the amount of
15 the claim. If the reason for the claims is the same, two or
16 more claims made by the same vendor, supplier, or claimant
17 may be consolidated if the number of claims consolidated
18 and the total consolidated claim amount are listed in the
19 statement. However, the city shall provide at its office
20 upon request an unconsolidated list of all claims allowed.
21 Matters discussed in closed session pursuant to [section 21.3](#)
22 shall not be published until entered on the public minutes.
23 However, in cities having more than one hundred fifty thousand
24 population, the council shall each month print in pamphlet
25 form a detailed itemized statement of all receipts and
26 disbursements of the city, and a summary of its proceedings
27 during the preceding month, and furnish copies to the city
28 library, the daily newspapers of the city, and to persons who
29 apply at the office of the city clerk, and the pamphlet shall
30 constitute publication as required. Failure by the clerk to
31 make publication is a simple misdemeanor. The provisions of
32 this subsection are applicable in cities in which a newspaper
33 is published, or in cities of ~~two hundred~~ over one thousand
34 population ~~or over~~, but in all other cities, posting the
35 statement in three public places in the city which have been

1 permanently designated by ordinance is sufficient compliance
2 with [this subsection](#).

3 Sec. 5. Section 384.15A, subsection 4, paragraph a,
4 unnumbered paragraph 1, Code 2023, is amended to read as
5 follows:

6 The council shall set a time and place for a public
7 hearing on the resolution before the date for adoption of the
8 resolution and shall publish notice of the hearing not less
9 than ten nor more than twenty days prior to the hearing in a
10 newspaper published at least once weekly and having general
11 circulation in the city. However, if the city has a population
12 of ~~two hundred~~ one thousand or less, publication may be made
13 by posting in three public places in the city. If the city has
14 an internet site, the notice shall also be posted and clearly
15 identified on the city's internet site for public viewing
16 beginning on the date of the newspaper publication or public
17 posting, as applicable. Additionally, if the city maintains a
18 social media account on one or more social media applications,
19 the public hearing notice or an electronic link to the public
20 hearing notice shall be posted on each such account on the same
21 day as the publication of the notice. All of the following
22 shall be included in the notice:

23 Sec. 6. Section 384.16, subsection 3, Code 2023, is amended
24 to read as follows:

25 3. Following, and not until, adoption of the resolution
26 under [section 384.15A](#), the council shall set a time and place
27 for public hearing on the budget before the final certification
28 date and shall publish notice of the hearing not less than ten
29 nor more than twenty days before the hearing in a newspaper
30 published at least once weekly and having general circulation
31 in the city. However, if the city has a population of ~~two~~
32 ~~hundred~~ one thousand or less, publication may be made by
33 posting in three public places in the city. A summary of
34 the proposed budget and a description of the procedure for
35 protesting the city budget under [section 384.19](#), in the form

1 prescribed by the director of the department of management,
2 shall be included in the notice. Proof of publication of the
3 notice under [this subsection 3](#) and a copy of the resolution
4 adopted under [section 384.15A](#) must be filed with the county
5 auditor. The department of management shall prescribe the form
6 for the public hearing notice for use by cities.

7 Sec. 7. Section 618.1, Code 2023, is amended to read as
8 follows:

9 **618.1 ~~Publications in English~~ Publication requirements.**

10 1. All notices, proceedings, and other matter whatsoever,
11 required by law or ordinance to be published in a newspaper,
12 shall be published only in the English language and in official
13 newspapers published primarily in the English language.

14 2. a. All publications made in an official newspaper at the
15 rates contained in section 618.11 shall also be posted by the
16 official newspaper to the official newspaper's internet site
17 within forty-eight hours of receipt from the public posting
18 entity, independent of the publication schedule of the official
19 newspaper's printed version and not subject to any paywall or
20 subscription.

21 b. A public posting entity's statutory notice requirement
22 is satisfied as soon as a statutorily required public notice
23 is posted pursuant to this subsection regardless of whether
24 the statutorily required public notice has been printed in the
25 official newspaper's printed version.

26 3. If no official newspaper exists in a public posting
27 entity's jurisdiction, the public posting entity satisfies the
28 requirements of this chapter by posting a statutorily required
29 public notice to the public posting entity's official internet
30 site or the relevant county's official internet site, and as
31 provided in section 4.

32 4. A public posting entity shall also post a physical
33 copy of a required public notice on a bulletin board or other
34 prominent place which is easily accessible to the public and
35 clearly designated for that purpose at the principal office of

1 the public posting entity, or if no such office exists, at the
2 building in which a meeting is to be held, if applicable.

3 5. Nothing in this chapter modifies the duty of a public
4 posting entity to make public use copies of required notices
5 available to the public as otherwise required by law.

6 6. Nothing in this chapter modifies a public posting
7 entity's requirement to keep a record of statutorily required
8 public postings if another section requires such records to be
9 kept.

10 Sec. 8. NEW SECTION. 618.1A **Definitions.**

11 For the purposes of this chapter, unless the context
12 otherwise requires:

13 1. *"Official internet site"* means the internet site used
14 by a public posting entity to conduct or communicate official
15 business and information.

16 2. *"Official newspaper"* means a newspaper meeting the
17 requirements of section 618.3,

18 3. *"Official newspaper's internet site"* means an internet
19 site owned and operated by an official newspaper to publish an
20 electronic version of the official newspaper.

21 4. *"Official newspaper's printed version"* means the physical
22 version of an official newspaper.

23 5. *"Paywall"* or *"subscription"* means a fee charged by an
24 official newspaper to members of the public to receive or
25 access printed or electronic publications of the official
26 newspaper.

27 6. *"Publication schedule"* means the time of and interval
28 between the publication of an official newspaper's printed
29 version.

30 7. *"Public posting entity"* means the state of Iowa, a
31 county, a city, a public school district, a private agency as
32 defined in section 28E.2, a public agency as defined in section
33 28E.2, or any other public entity who is required by law or
34 ordinance to post a public notice.

35 8. *"Statutorily required public notice"* means a notice

1 required by the Iowa code to be made available to members of
2 the public.

3 Sec. 9. Section 618.3, Code 2023, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 5. Has an official newspaper's internet
6 site that provides public access to statutorily required public
7 notices that are to be published in the official newspaper's
8 printed version independent of the publication schedule of
9 the official newspaper's printed version and not subject to a
10 paywall or subscription.

11 Sec. 10. EFFECTIVE DATE. This Act takes effect January 1,
12 2025.>

13 2. Title page, line 2, by striking <providing for fees,>

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