

March 15, 1967

Passed on File

*Governmental Affairs 3-16, Pass 4-13
State Government Affairs 5-23*

Senate File 536

By STANLEY, DENMAN, RIGLER,
KRUCK, BENDA, SHIRLEY, RILEY,
HEYING, BALLOUN, RENO,
DeKOSTER, MILLS, FLATT,
LANGE, MESSERLY, LAMBORN,
HOUGEN, KOSEK, NEU, WALSH,
SHAFF, JEPSEN, VAN EATON,
DeHART, ERSKINE, NURSE, ELY,
HILL and REICHARDT

Passed Senate, Date 5-19-67

Passed House, Date 6-12-67

Vote: Ayes 40 Nays 3

Vote: Ayes 104 Nays 0

*motion to
reconsider tabled
5-19-67*

Approved June 26, 1967

A BILL FOR

An Act requiring meetings of governmental agencies to be open to the public.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. All meetings of the following public agencies
2 shall be public meetings open to the public at all times, and
3 meetings of any public agency which are not open to the public
4 are prohibited, unless closed meetings are expressly permitted
5 by law:

6 1. Any board, council, or commission created or authorized
7 by the laws of this state.

8 2. Any board, council, commission, trustees, or governing
9 body of any county, city, town, township, school corporation,
10 political subdivision, or tax-supported district in this state.

11 3. Any committee of any such board, council, commission,
12 trustees, or governing body.

13 Wherever used in this Act, "public agency" or "public
14 agencies" includes all of the foregoing, and "meeting" or
15 "meetings" includes all meetings of every kind, regardless of
16 where the meeting is held, and whether formal or informal.

1 Sec. 2. Every citizen of Iowa shall have the right to be

2 present at any such meeting. However, any public agency may
3 make and enforce reasonable rules and regulations for conduct
4 of persons attending its meetings and situations where there
5 is not enough room for all citizens who wish to attend a meet-
6 ing.

1 Sec. 3. Any public agency may hold a closed session by
2 affirmative vote of two-thirds (2/3) of its members present,
3 when necessary to prevent irreparable and needless injury to
4 the reputation of an individual whose employment or discharge
5 is under consideration, or to prevent premature disclosure of
6 information on real estate proposed to be purchased, or for
7 some other exceptional reason so compelling as to override
8 the general public policy in favor of public meetings. The
9 vote of each member on the question of holding the closed
10 session and the reason for the closed session shall be entered
11 in the minutes, but the statement of such reason need not state
12 the name of any individual or the details of the matter dis-
13 cussed in the closed session. Any final action on any matter
14 shall be taken in a public meeting and not in closed session,
15 unless some other provision of the Code expressly permits such
16 action to be taken in a closed session. No regular or general
17 practice or pattern of holding closed sessions shall be per-
18 mitted.

1 Sec. 4. Each public agency shall give advance public notice
2 of the time and place of each meeting, by notifying the com-
3 munications media or in some other way which gives reasonable
4 notice to the public. When it is necessary to hold an emergency
5 meeting without notice, the nature of the emergency shall be
6 stated in the minutes.

1 Sec. 5. Each public agency shall keep minutes of all its
2 meetings showing the time and place, the members present, and
3 the action taken at each meeting. The minutes shall be public
4 records open to public inspection.

1 Sec. 6. This Act does not apply to any court, jury, or
2 military organization.

1 Sec. 7. The provisions of this Act and all rights of citizens
2 under this Act may be enforced by mandamus or injunction, whether
3 or not any other remedy is also available.

1 Sec. 8. Any person knowingly violating or attempting to
2 violate any provision of this Act shall be guilty of a misde-
3 meanor and upon conviction shall be punished by a fine of not
4 more than one hundred (100) dollars.

1 Amend Senate File 536 as follows:
2 Amend section (6), line two (2) by adding following
3 the word "organization" and the words "or peace officers in
4 conducting investigations".

Filed and lost
May 19, 1967

By REPERT

1 Amend Senate File 536 by striking all of section
2 four (4) and renumbering the remaining sections.

Filed - *Last 5-11-67, Motion to reconsider filed 5-11-67*
May 2, 1967

By O'MALLEY

1 Amend Senate File 536 by striking all of section eight
2 (8).

Filed - *Last 5-19-67*
May 12, 1967

By FREY