

3/23/95 State Sen  
S-4/5/95 Do Pass

MAR 16 1995  
Place On Calendar

HOUSE FILE 475  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 176)

Passed House, <sup>(p.955)</sup> Date 3/23/95 Passed Senate, Date 4/10/95 (p.1094)  
Vote: Ayes 97 Nays 0 Vote: Ayes 49 Nays 0  
Approved April 17, 1995

A BILL FOR

1 An Act relating to the state archivist's office.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 475

1 Section 1. Section 303.12, Code 1995, is amended to read  
2 as follows:

3 303.12 ARCHIVES.

4 "Archives" means documents, books, papers, photographs,  
5 sound recordings, electronic records, or similar material  
6 produced or received pursuant to law in connection with  
7 official government business, which no longer have  
8 administrative, legal, or fiscal value to the office having  
9 present custody of them, and which have been appraised by the  
10 state archivist as having sufficient historical, research, or  
11 informational value to warrant permanent preservation. The  
12 state archivist is the ~~trustee and~~ custodian of the archives  
13 ~~of Iowa, except that county or,~~ which have been transferred  
14 and delivered to the state archives of Iowa. County,  
15 municipal, and local government archives are not included in  
16 the state archives of Iowa unless they are voluntarily  
17 ~~deposited with~~ transferred to the custody of the state  
18 archivist with the written consent of the state archivist and  
19 are physically delivered to the state archives of Iowa. The  
20 state archivist shall prescribe rules for the systematic  
21 arrangement of archives as to the proper labeling to indicate  
22 the contents and order of filing and the archives must be  
23 labeled before the archives may be transferred to the state  
24 archivist's custody.

25 Sec. 2. Section 303.13, Code 1995, is amended to read as  
26 follows:

27 303.13 TRANSFER OF ARCHIVES.

28 The state executive and administrative departments,  
29 officers or offices, councils, boards, bureaus, and  
30 commissions, shall deliver to the state archives of Iowa and  
31 transfer and-deliver-to-the-state to the custody of the state  
32 archivist all archives as defined in section 303.12 and-as  
33 prescribed, in accordance with the retention schedules in the  
34 records management manual. Before transferring and delivering  
35 archives, the office of present custody shall file with the

1 state archivist a classified list of the archives being  
2 transferred in detail as the state archivist prescribes. If  
3 the state archivist, on receipt of the list, and after  
4 consultation with the chief executive of the office filing the  
5 classified list or with a representative designated by the  
6 executive, finds that, according to the records management  
7 manual, certain classifications of the archives records listed  
8 are not of sufficient historical, legal, or administrative  
9 informational value to justify permanent preservation, the  
10 state archivist shall not accept or retain the material for  
11 deposit in the state archives.

12 Sec. 3. Section 303.15, Code 1995, is amended to read as  
13 follows:

14 303.15 CERTIFIED COPIES -- FEES.

15 Upon request of a person, the state archivist shall make a  
16 certified copy of any document, manuscript, or record  
17 contained in the archives or in the custody of the department  
18 except-if state archivist unless reproduction is inappropriate  
19 because of legal, curatorial, or physical considerations. If  
20 a copy is properly authenticated it has the same legal effect  
21 as though certified by the officer from whose office it was  
22 obtained or by the secretary of state. The copy may be made  
23 in writing, or by a suitable photographic process. The state  
24 archivist shall charge and collect for copies the fees allowed  
25 by law to the official in whose office the document originates  
26 for certified copies. The state archivist shall charge a  
27 person requesting a search of census records for the purpose  
28 of determining genealogy the actual cost of performing the  
29 search.

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#### EXPLANATION

31 This bill adds electronic records to the definition of  
32 archives. It states that county, municipal, and local  
33 government archives are not considered to be state archives  
34 unless they are delivered to the state archives and accepted  
35 by the written consent of the state archivist. The bill

1 requires that records for state archives must be delivered to  
2 the state archives and that they will be kept according to a  
3 retention schedule set up in the records management manual.  
4 Section 303.15 is amended to show that the records are in the  
5 custody of the archivist and not the department.

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HSB 176  
STATE GOVERNMENT

THOMSON, chair  
Houser  
CATALDO

Succeeded D.  
HOUSE FILE 475  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON MARTIN)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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HOUSE FILE 475

AN ACT

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RON J. CORBETT  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 475, Seventy-sixth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved April 17, 1995

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TERRY E. BRANSTAD  
Governor