

STATE GOVERNMENT
FILED FEB 17 1999

SENATE FILE 163
BY HAMMOND

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to foundations established pursuant to state
2 direction by requiring that certain financial information be
3 available for public examination and reproduction.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 163
STATE GOVERNMENT

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1 Section 1. Section 22.7, Code 1999, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 38. Information which identifies an
4 individual making a contribution to a foundation as provided
5 in section 22.15, unless the foundation elects to disclose the
6 information.

7 Sec. 2. NEW SECTION. 22.15 FINANCIAL RECORDS --
8 FOUNDATIONS.

9 1. As used in this section:

10 a. "Contribution" means a transfer of money, property, or
11 services, including but not limited to a loan, advance, grant,
12 or gift.

13 b. "Foundation" means any entity which is not a government
14 body, but which is established by statute or required by
15 statute to be organized under the laws of this state,
16 including under chapter 504A, in order to carry out a purpose
17 established by statute.

18 2. Information stored and preserved by a foundation which
19 relates to the financial condition or affairs of the
20 foundation, including but not limited to its budget, sources
21 of revenue, and expenditures, shall be considered a public
22 record, and the foundation shall be considered a governmental
23 body for purposes of allowing public examination, copying,
24 publishing, or disseminating of the information as provided
25 under this chapter.

26 If the source of revenue is an individual making a
27 contribution to the foundation, and the identity of the
28 individual is confidential information as provided in section
29 22.7, the foundation shall provide the information by
30 aggregating the amount of contributions made to the foundation
31 by all individuals. Upon request, the foundation shall
32 prepare an itemized statement listing the names of
33 contributors other than individuals and the types and amounts
34 of their contributions.

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EXPLANATION

1 This bill provides that the financial records of
2 foundations which are established by statute or required by
3 statute to be organized under the laws of this state, in order
4 to carry out a purpose established by statute, are public
5 records under the open records law. The foundation must allow
6 public access to that information as if it were a government
7 body.

8 The bill provides that if the source of revenue is an
9 individual making a contribution to the foundation, and the
10 foundation protects the individual's confidentiality, the
11 foundation must provide the information by aggregating the
12 amount of contributions made to the foundation by all
13 individuals. Upon request, the foundation must prepare an
14 itemized statement listing the names of contributors other
15 than individuals and the types and amounts of their
16 contributions.

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