

House Study Bill 687

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON ELGIN)

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

A BILL FOR

1 An Act providing for the confidentiality of certain records
2 relating to charitable donations for the benefit of a
3 government body.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6409HC 81
6 rh/sh/81

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1 1 Section 1. Section 22.7, Code Supplement 2005, is amended
1 2 by adding the following new subsection:
1 3 NEW SUBSECTION. 52. The following records relating to a
1 4 charitable donation for the benefit of a government body:
1 5 a. Portions of records that disclose information about a
1 6 donor's or prospective donor's personal, financial, estate
1 7 planning, or gift planning matters.
1 8 b. Records received from a prospective donor regarding
1 9 such donor's prospective gift or pledge.
1 10 c. Records containing information about a donor or a
1 11 prospective donor in regard to the appropriateness of the
1 12 solicitation and dollar amount of the gift or pledge.
1 13 d. Portions of records that identify a prospective donor
1 14 and that provide information on the appropriateness of the
1 15 solicitation, the form of the gift or dollar amount requested
1 16 by the solicitor, and the name of the solicitor.
1 17 e. Portions of records that identify a donor and the
1 18 specific form of gift or pledge payment schedule, except where
1 19 a donor authorized or permitted the public disclosure of such
1 20 information.
1 21 f. Portions of records disclosing the identity of a donor
1 22 or prospective donor when such donor has requested anonymity
1 23 in connection with the gift or pledge.

EXPLANATION

1 24 This bill amends Code section 22.7 by establishing a
1 25 confidentiality exception to Iowa's public records law for
1 26 certain records relating to charitable donations for the
1 27 benefit of a governmental body.
1 28 The bill provides that records or portions of records that
1 29 disclose information about a donor's or prospective donor's
1 30 personal, financial, estate planning, or gift planning
1 31 matters, records received from a prospective donor regarding
1 32 such donor's prospective gift or pledge, records containing
1 33 information about a donor or a prospective donor in regard to
1 34 the appropriateness of the solicitation and dollar amount of
2 1 the gift or pledge, records that identify a prospective donor
2 2 and that provide information on the appropriateness of the
2 3 solicitation, the form of the gift or dollar amount requested
2 4 by the solicitor, and the name of the solicitor, records that
2 5 identify a donor and the specific form of gift or pledge
2 6 payment schedule, except where a donor authorized or permitted
2 7 the public disclosure of such information, and records that
2 8 disclose the identity of a donor or prospective donor when
2 9 such donor has requested anonymity in connection with the gift
2 10 or pledge shall be confidential.
2 11 For purposes of Iowa's open records law, the term
2 12 "government body" means this state, or any county, city,
2 13 township, school corporation, political subdivision, tax=
2 14 supported district, nonprofit corporation other than a fair
2 15 conducting a fair event as provided in Code chapter 174, whose
2 16 facilities or indebtedness are supported in whole or in part
2 17 with property tax revenue and which is licensed to conduct

2 18 pari-mutuel wagering pursuant to Code chapter 99D, or other
2 19 entity of this state, or any branch, department, board,
2 20 bureau, commission, council, committee, official, or officer
2 21 of any of the foregoing or employee responsible for
2 22 implementing the requirements of the open records law.
2 23 LSB 6409HC 81
2 24 rh:nh/sh/8