

# House File 168 - Introduced

HOUSE FILE \_\_\_\_\_  
BY TYMESON

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

## A BILL FOR

1 An Act relating to certain open meeting requirements.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 1997HH 83  
4 rh/rj/8

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1 1 Section 1. Section 21.3, Code 2009, is amended to read as  
1 2 follows:

1 3 21.3 MEETINGS OF GOVERNMENTAL BODIES.

1 4 1. Meetings of governmental bodies shall be preceded by  
1 5 public notice as provided in section 21.4 and shall be held in  
1 6 open session unless closed sessions are expressly permitted by  
1 7 law. Except as provided in section 21.5, all actions and  
1 8 discussions at meetings of governmental bodies, whether formal  
1 9 or informal, shall be conducted and executed in open session.

1 10 2. Each governmental body shall keep minutes of all its  
1 11 meetings showing the date, time and place, the members  
1 12 present, and the action taken at each meeting. The minutes  
1 13 shall show the results of each vote taken and information  
1 14 sufficient to indicate the vote of each member present. The  
1 15 vote of each member present shall be made public at the open  
1 16 session. The minutes shall be public records open to public  
1 17 inspection.

1 18 3. Each governmental body shall provide to all persons in  
1 19 attendance at a meeting of a governmental body copies of all  
1 20 material distributed in connection with the meeting at the  
1 21 time the meeting is held, if practicable, or within three days  
1 22 after the meeting is held by posting such material on the  
1 23 internet site of the governmental body or, upon request, by  
1 24 sending such material to a requester by regular mail or  
1 25 electronic mail.

1 26 4. Each governmental body shall schedule at least fifty  
1 27 percent of the governmental body's meetings in the evening  
1 28 hours.

1 29 Sec. 2. Section 21.4, subsections 1 and 2, Code 2009, are  
1 30 amended to read as follows:

1 31 1. A governmental body, except township trustees, shall  
1 32 give notice of the time, date, and place of each meeting, and  
1 33 its tentative agenda, in a manner reasonably calculated to  
1 34 apprise the public of that information. Reasonable notice  
1 35 shall include advising the news media who have filed a request  
2 1 for notice with the governmental body and posting the notice  
2 2 on a bulletin board or other prominent place which is easily  
2 3 accessible to the public and clearly designated for that  
2 4 purpose at the principal office of the body holding the  
2 5 meeting, or if no such office exists, at the building in which  
2 6 the meeting is to be held. A meeting notice shall be posted  
2 7 at a designated location at the principal place of business of  
2 8 the governmental body holding the meeting or at the building  
2 9 in which the meeting is to be held.

2 10 2. a. ~~Notice~~ Unless otherwise provided by law, notice  
2 11 conforming with all of the requirements of subsection 1 of  
2 12 this section shall be given at least ~~twenty-four~~ seventy-two  
2 13 hours prior to the commencement of any meeting of a  
2 14 governmental body unless for good cause such notice is  
2 15 impossible or impractical, in which case as much notice as is  
2 16 reasonably possible shall be given. Each meeting shall be  
2 17 held at a place reasonably accessible to the public, and at a  
2 18 time reasonably convenient to the public, unless for good  
2 19 cause such a place or time is impossible or impractical.  
2 20 Special access to the meeting may be granted to persons with  
2 21 disabilities.

2 22 b. When Unless otherwise provided by law, when it is  
2 23 necessary to hold a meeting on less than ~~twenty-four~~  
2 24 ~~seventy-two~~ hours' notice, or at a place that is not  
2 25 reasonably accessible to the public, or at a time that is not  
2 26 reasonably convenient to the public, the nature of the good  
2 27 cause justifying that departure from the normal requirements  
2 28 shall be stated in the minutes.

2 29 Sec. 3. Section 28E.6, Code 2009, is amended by adding the  
2 30 following new subsection:

2 31 NEW SUBSECTION. 4. Each joint board of the entity created  
2 32 in the agreement shall provide to all persons in attendance at  
2 33 a meeting of the joint board copies of all material  
2 34 distributed in connection with the meeting at the time the  
2 35 meeting is held, if practicable, or within three days after  
3 1 the meeting is held by posting such material on the internet  
3 2 site of the joint board or, upon request, by sending such  
3 3 material to a requester by regular mail or electronic mail.

3 4 EXPLANATION

3 5 This bill makes changes to certain open meetings  
3 6 requirements.

3 7 The bill requires a governmental body subject to Iowa's  
3 8 open meetings law to provide to all persons in attendance at a  
3 9 meeting of a governmental body copies of all material  
3 10 distributed in connection with the meeting at the time the  
3 11 meeting is held, if practicable, or within three days after  
3 12 the meeting is held by posting such material on the internet  
3 13 site of the governmental body or, upon request, by sending  
3 14 such material to a requester by regular mail or electronic  
3 15 mail.

3 16 The bill requires a governmental body to schedule at least  
3 17 50 percent of the body's meetings in the evening hours.

3 18 The bill provides that a meeting notice shall be posted at  
3 19 a designated location at the principal place of business of  
3 20 the governmental body holding the meeting or at the building  
3 21 in which the meeting is to be held.

3 22 The bill requires public notice of a meeting of a  
3 23 governmental body to be posted at least 72 hours before the  
3 24 meeting is held.

3 25 The bill also requires a joint board of the entity created  
3 26 in a 28E agreement pursuant to Code chapter 28E to provide to  
3 27 all persons in attendance at a meeting of the joint board  
3 28 copies of all material distributed in connection with the  
3 29 meeting at the time the meeting is held, if practicable, or  
3 30 within three days after the meeting is held by posting such  
3 31 material on the internet site of the joint board or, upon  
3 32 request, by sending such material to a requester by regular  
3 33 mail or electronic mail.

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