

House Study Bill 160 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED IOWA PUBLIC
INFORMATION BOARD BILL)

A BILL FOR

1 An Act relating to governmental bodies and advisory bodies and
2 public notice requirements under the open meetings law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 21.2, subsection 1, paragraphs a, c, e,
2 h, and j, Code 2019, are amended to read as follows:

3 a. A board, council, commission, or other governing body
4 expressly created by the statutes of this state or by executive
5 order of the governor.

6 c. A multimembered body formally and directly created by
7 one or more boards, councils, commissions, or other governing
8 bodies subject to ~~paragraphs~~ paragraph "a" and or "b" of this
9 subsection.

10 e. An advisory board, advisory commission, advisory
11 committee, or task force formally and directly created by
12 the governor or the general assembly to develop and make
13 recommendations ~~on public policy issues~~.

14 h. An advisory board, advisory commission, advisory
15 committee, task force, or other body formally and directly
16 ~~created by statute or executive order of this state or created~~
17 ~~by an executive order of a political subdivision of this~~
18 state one or more boards, councils, commissions, or other
19 governing bodies subject to paragraph "a" or "b", by a mayor,
20 or by a superintendent of schools if the school board of a
21 school district has expressly authorized the superintendent
22 to act on behalf of the school district, to develop and make
23 recommendations on public policy issues to the board, council,
24 commission, or other governing body.

25 j. An advisory board, advisory commission, advisory
26 committee, task force, or other body formally and directly
27 created by an entity organized under **chapter 28E**, or by
28 the administrator or joint board specified in a **chapter 28E**
29 agreement, to develop and make recommendations ~~on public policy~~
30 issues to the entity or joint board.

31 Sec. 2. Section 21.2, subsection 2, Code 2019, is amended
32 to read as follows:

33 2. "*Meeting*" means a gathering in person or by electronic
34 means, formal or informal, of a majority of the members of
35 a governmental body where there is deliberation or action

1 upon any matter within the scope of the governmental body's
2 ~~policy-making~~ duties. Meetings shall not include a gathering
3 of members of a governmental body for purely ministerial or
4 social purposes when there is no discussion of ~~policy~~ duties or
5 no intent to avoid the purposes of this chapter.

6 Sec. 3. Section 21.4, subsection 1, paragraph a, Code 2019,
7 is amended to read as follows:

8 a. Except as provided in subsection 3, a governmental body
9 shall give notice of the time, date, and place of each meeting
10 including a reconvened meeting of the governmental body, and
11 the tentative agenda of the meeting, in a manner reasonably
12 calculated to apprise the public of that information.
13 Reasonable notice shall include advising ~~the news media~~
14 any person who ~~have~~ has filed a request for notice with the
15 governmental body and posting the notice on a bulletin board or
16 other prominent place which is easily accessible to the public
17 and clearly designated for that purpose at the principal office
18 of the body holding the meeting, or if no such office exists,
19 at the building in which the meeting is to be held.

20 Sec. 4. Section 21.4, subsection 2, paragraph a, Code 2019,
21 is amended to read as follows:

22 a. Except as otherwise provided in paragraph "c", notice
23 conforming with all of the requirements of subsection 1 shall
24 be given at least twenty-four hours prior to the commencement
25 of any meeting of a governmental body, excluding weekend days
26 and paid holidays as specified in section 1C.2, unless for good
27 cause such notice is impossible or impractical, in which case
28 as much notice as is reasonably possible shall be given.

29

EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 This bill relates to the regulation of a governmental body
33 and public notice requirements under the open meetings law
34 (Code chapter 21).

35 The bill amends the definition of governmental body under

1 the open meetings law to specify that only advisory boards,
2 advisory commissions, advisory committees, task forces, or any
3 other body that are formally and directly created by specified
4 governmental bodies, by a mayor, or by a superintendent of
5 schools if the school board of a school district has expressly
6 authorized the superintendent to act on behalf of the school
7 district, are considered governmental bodies subject to the
8 open meetings law.

9 The bill amends the definition of a meeting that is subject
10 to the requirements of the open meetings law to exclude
11 references to only policymaking actions, expanding the
12 definition to include any deliberations or actions (including
13 recommendations) taken by a governmental body as defined in
14 the open meetings law, that are within a governmental body's
15 duties.

16 The bill provides that reasonable notice of a meeting shall
17 include providing notice to any person, and not just the news
18 media, if the person has filed a request for notice.

19 The bill also excludes weekend days and paid holidays as
20 specified in Code section 1C.2 when determining the 24-hour
21 time period for purposes of public notice under the open
22 meetings law.