

**Senate File 2331 - Introduced**

SENATE FILE 2331  
BY COMMITTEE ON TECHNOLOGY

(SUCCESSOR TO SSB 3107)

**A BILL FOR**

1 An Act relating to publication requirements for official  
2 publications, and including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 372.13, subsection 6, Code 2024, is  
2 amended to read as follows:

3 6. Within fifteen days following a regular or special  
4 meeting of the council, the clerk shall cause the minutes of  
5 the proceedings of the council, including the total expenditure  
6 from each city fund, to be ~~published in~~ delivered to a  
7 newspaper of general circulation in the city for publication.  
8 The publication shall include a list of all claims allowed and  
9 a summary of all receipts and shall show the gross amount of  
10 the claims. The list of claims allowed shall show the name  
11 of the person or firm making the claim, the reason for the  
12 claim, and the amount of the claim. If the reason for the  
13 claims is the same, two or more claims made by the same vendor,  
14 supplier, or claimant may be consolidated if the number of  
15 claims consolidated and the total consolidated claim amount are  
16 listed in the statement. However, the city shall provide at  
17 its office upon request an unconsolidated list of all claims  
18 allowed. Matters discussed in closed session pursuant to  
19 section 21.3 shall not be published until entered on the public  
20 minutes. However, in cities having more than one hundred fifty  
21 thousand population, the council shall each month print in  
22 pamphlet form a detailed itemized statement of all receipts and  
23 disbursements of the city, and a summary of its proceedings  
24 during the preceding month, and furnish copies to the city  
25 library, the daily newspapers of the city, and to persons who  
26 apply at the office of the city clerk, and the pamphlet shall  
27 constitute publication as required. Failure by the clerk to  
28 make publication is a simple misdemeanor. The provisions of  
29 this subsection are applicable in cities in which a newspaper  
30 is published, or in cities of two hundred population or over,  
31 but in all other cities, posting the statement in three public  
32 places in the city which have been permanently designated by  
33 ordinance is sufficient compliance with [this subsection](#).

34 Sec. 2. Section 618.3, Code 2024, is amended to read as  
35 follows:

1       **618.3 Requirements for newspaper for official publication.**

2       For the purpose of establishing and giving assured  
3 circulation to all notices and reports of proceedings required  
4 by statute to be published within the state, if newspapers  
5 are required to be used, only a newspaper which meets all of  
6 the following requirements shall be designated for official  
7 publication purposes:

8       1. Is a newspaper of general circulation that has been  
9 published at least once a week for at least fifty weeks per  
10 year within the area and regularly mailed through the post  
11 office of entry for at least ~~two years~~ one year.

12       2. Has a list of subscribers who have paid, or promised to  
13 pay, at more than a nominal rate, for copies to be received  
14 during a stated period.

15       3. Devotes at least twenty-five percent of its total  
16 column space in more than one-half of its issues during any  
17 twelve-month period to information of a public character other  
18 than advertising.

19       4. Is paid for by at least fifty percent of the persons or  
20 subscribers to whom it is distributed.

21       5. If the newspaper operates an internet site, the newspaper  
22 must do one of the following:

23       a. Provide free access on the homepage of the internet  
24 site to all public notices posted on the internet site. The  
25 link providing free access to public notices must be displayed  
26 conspicuously.

27       b. Display a link conspicuously on the homepage of the  
28 internet site of the newspaper to the statewide public notice  
29 internet site established pursuant to section 618.3A if such  
30 an internet site exists.

31       6. Publish the address of the statewide public notice  
32 internet site established pursuant to section 618.3A, if such  
33 an internet site exists, in each edition of the newspaper  
34 in the section of the newspaper regularly designated for  
35 the publication of public notices, and on the section of

1 the newspaper's internet site regularly designated for the  
2 publication of public notices, if the newspaper operates an  
3 internet site.

4 7. Post all notices and reports of proceedings required by  
5 statute to be published within the state by the newspaper to  
6 the statewide public notice internet site established pursuant  
7 to section 618.3A, if such an internet site exists, at no  
8 additional cost, and within seventy-two hours of receipt of the  
9 notice or report of proceedings.

10 **Sec. 3. NEW SECTION. 618.3A Statewide public notice**  
11 **internet site.**

12 1. A statewide association representing a majority of  
13 newspapers in the state may operate and maintain a statewide  
14 public notice internet site containing all notices and reports  
15 of proceedings required by statute to be published within the  
16 state by newspapers.

17 2. To qualify as a statewide public notice internet site, an  
18 internet site must meet all of the following requirements:

19 a. Public notices and reports of proceedings shall be  
20 available to the public at no cost.

21 b. The internet site must allow a person to search for a  
22 notice by criteria contained in the public notice or report of  
23 proceedings.

24 c. The internet site must provide access to all public  
25 notices and reports of proceedings for at least one year after  
26 initial publication.

27 d. The internet site must allow access through the use of  
28 common internet browsers.

29 e. The internet site must provide a method to allow  
30 members of the public to subscribe to alerts of public  
31 notices and reports of proceedings by means of electronic mail  
32 notifications. Notwithstanding paragraph "a", if the service  
33 provider for the statewide public notice internet site charges  
34 a fee for subscription services, the statewide public notice  
35 internet site may charge a fee to an individual subscriber in

1 an amount not to exceed the cost of providing the subscription  
2 to the individual.

3 Sec. 4. NEW SECTION. **618.3B Publication on internet sites.**

4 1. *a.* Public notice requirements may be satisfied through  
5 publication of the notice to a newspaper's internet site.

6 *b.* A notice published pursuant to this subsection shall be  
7 at a rate equal to five percent of the rate established for  
8 publication in a newspaper pursuant to section 618.11.

9 *c.* A notice published pursuant to this subsection must  
10 be posted by a newspaper within seventy-two hours of receipt  
11 of the notice by the newspaper and shall be available to the  
12 public at no cost.

13 2. An error in a public notice or report of proceedings  
14 posted on an internet site or a temporary internet site outage  
15 or service interruption preventing the publication or display  
16 of a public notice or report of proceedings is a harmless  
17 error so long as the public notice or report of proceedings is  
18 published in a newspaper as required by law or on the official  
19 internet site of all counties in which notice is required to  
20 be given to any person.

21 Sec. 5. NEW SECTION. **618.3C No official newspaper in**  
22 **county.**

23 If no newspaper meeting the requirements of section 618.3 is  
24 published in a county, public notice requirements are satisfied  
25 with respect to that county by causing a notice or report of  
26 proceedings to be posted on the official internet site of the  
27 county.

28 Sec. 6. Section 618.8, Code 2024, is amended by striking the  
29 section and inserting in lieu thereof the following:

30 **618.8 Refusal to publish.**

31 If a newspaper refuses to publish a statutorily required  
32 public notice, a government body, as defined in section 22.1,  
33 satisfies public notice requirements with respect to that  
34 public notice by publishing the public notice on the official  
35 internet site of the government body and forwarding the notice

1 to each county in which notice is required to be given to  
2 any person. A county receiving a public notice pursuant to  
3 this section shall publish the public notice on the county's  
4 internet site within seventy-two hours of receipt.

5 Sec. 7. Section 618.11, Code 2024, is amended to read as  
6 follows:

7 **618.11 Fees for publication and proof of publication.**

8 1. The compensation, when not otherwise fixed, for the  
9 publication in a newspaper of any notice, order, citation, or  
10 other publication required or allowed by law shall be at a  
11 rate of thirty-four cents for one insertion and twenty-three  
12 cents for each subsequent insertion for each line of eight  
13 point type two inches in length, or its equivalent. Beginning  
14 June 1, 2001, and each June 1 thereafter, the director of  
15 the department of administrative services shall calculate a  
16 new rate for the following fiscal year as prescribed in this  
17 ~~section~~ subsection, and shall publish this rate as a notice in  
18 the Iowa administrative bulletin prior to the first day of the  
19 following calendar month. The new rate shall be effective on  
20 the first day of the calendar month following its publication.  
21 The rate shall be calculated by applying the percentage change  
22 in the consumer price index for all urban consumers for the  
23 last available twelve-month period published in the federal  
24 register by the federal department of labor, bureau of labor  
25 statistics, to the existing rate as an increase or decrease  
26 in the rate rounded to the nearest one-tenth of a cent. The  
27 calculation and publication of the rate by the director of the  
28 department of administrative services shall be exempt from the  
29 provisions of **chapters 17A and 25B.**

30 2. A newspaper shall not charge a fee to a government body,  
31 as defined in section 22.1, for proof of publication of a  
32 public notice.

33 Sec. 8. Section 618.18, Code 2024, is amended by striking  
34 the section and inserting in lieu thereof the following:

35 **618.18 Timely publication required.**

1 1. A newspaper shall publish all public notices and reports  
2 of proceedings that are required by law to be published by a  
3 certain date within seventy-two hours of receipt unless one of  
4 the following applies:

5 a. The newspaper publishes less than daily, in which case  
6 the newspaper shall publish the public notice or report of  
7 proceedings within forty-eight hours of the next scheduled  
8 publication of the newspaper.

9 b. The newspaper maintains an internet site, in which case  
10 the newspaper shall publish the notice or report of proceedings  
11 within seventy-two hours of receipt and make the notice or  
12 report of proceedings available to the public at no cost.

13 2. A newspaper that receives payment to publish a  
14 statutorily required public notice and fails to timely or  
15 accurately publish the public notice as required by subsection  
16 1 shall refund all moneys received to publish the notice to the  
17 government body that paid to publish the notice.

18 3. A government body, as defined in section 22.1, satisfies  
19 public notice requirements with respect to a statutorily  
20 required public notice that was untimely or inaccurately  
21 published by a newspaper if the government body timely and  
22 accurately published the public notice on the official internet  
23 site of all counties in which notice is required to be given to  
24 any person.

25 **Sec. 9. NEW SECTION. 618.19 Disputes — resolution.**

26 A dispute arising between a government body, as defined in  
27 section 22.1, and a newspaper regarding the publication of a  
28 notice or report of proceedings under this chapter shall be  
29 heard by the Iowa public information board created pursuant to  
30 section 23.3 as a contested case proceeding pursuant to chapter  
31 17A.

32 **Sec. 10. EFFECTIVE DATE.** The following, being deemed of  
33 immediate importance, take effect upon enactment:

34 1. The section of this Act amending section 372.13,  
35 subsection 6.





1 in a newspaper. The bill provides specific requirements for  
2 access to and use of the internet site that an internet site  
3 must meet to qualify as a statewide public notice internet  
4 site. This provision of the bill takes effect July 1, 2025.

5 The bill allows public notice requirements for a notice to be  
6 satisfied through publication of the notice to a newspaper's  
7 internet site. The bill sets the rate paid by a government  
8 body for publication to a newspaper's internet site at 5  
9 percent of the rate established in the Code for publication  
10 in a printed newspaper. The bill requires a newspaper that  
11 publishes a public notice on its internet site to publish  
12 the notice within 72 hours of receipt and to make the notice  
13 available at no cost to the public. The bill makes an error in  
14 publication to an internet site harmless if the notice was also  
15 published in a newspaper as required by law or on the official  
16 internet site of all counties in which notice is required to  
17 be given to any person.

18 If no newspaper meeting the requirements established in  
19 the Code for designation of an official newspaper exists in  
20 a county, the bill allows public notice requirements to be  
21 satisfied with respect to that county by publication of the  
22 notice or report of proceedings on the official internet site  
23 of that county. This provision of the bill takes effect upon  
24 enactment.

25 If a newspaper refuses to publish a public notice, the bill  
26 allows a government body to satisfy public notice requirements  
27 by publishing the notice on the internet site of the government  
28 body and forwarding the public notice to each county in  
29 which notice is required to be given to any person. The bill  
30 requires a county receiving such a notice to publish the notice  
31 on the county's internet site within 72 hours of receipt. This  
32 provision of the bill takes effect upon enactment.

33 The bill prohibits a newspaper from charging a fee to a  
34 government body for proof of publication of a public notice.  
35 This provision of the bill takes effect upon enactment.

1 The bill requires a newspaper to publish all public notices  
2 and reports of proceedings required by law to be published by a  
3 certain date within 72 hours of receipt, except under certain  
4 circumstances. If the newspaper publishes less than daily, the  
5 bill requires the newspaper to publish the notice within 48  
6 hours of the next scheduled publication of the newspaper. If  
7 the newspaper maintains an internet site, the bill allows the  
8 newspaper to instead publish the public notice on the internet  
9 site within 72 hours of receipt if the notice is made available  
10 to the public at no cost. If a newspaper fails to timely  
11 or accurately publish a public notice, the bill requires the  
12 newspaper to refund all moneys received to publish the notice.  
13 In the case of a notice that was not timely or accurately  
14 published by a newspaper, a government body still satisfies  
15 public notice requirements if the notice was published on the  
16 official internet site of all counties in which notice was  
17 required to be given to any person. This provision of the bill  
18 takes effect upon enactment.

19 The bill requires disputes arising between a government body  
20 and a newspaper regarding the publication of a notice or report  
21 of proceedings to be heard by the Iowa public information board  
22 as a contested case proceeding.