

**Senate File 370 - Introduced**

SENATE FILE 370

BY WEBSTER

**A BILL FOR**

1 An Act relating to the civil enforcement of open records  
2 violations and administrative remedies.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 22.10, subsection 1, Code 2023, is  
2 amended to read as follows:

3 1. The rights and remedies provided by **this section** are  
4 in addition to any rights and remedies provided by section  
5 17A.19. ~~Any~~ Upon exhaustion of all administrative remedies,  
6 any aggrieved person, any taxpayer to or citizen of the state  
7 of Iowa, or the attorney general or any county attorney, may  
8 seek judicial enforcement of the requirements of **this chapter**  
9 in an action brought against the lawful custodian and any  
10 other persons who would be appropriate defendants under the  
11 circumstances. Suits to enforce **this chapter** shall be brought  
12 in the district court for the county in which the lawful  
13 custodian has its principal place of business.

14 Sec. 2. Section 22.10, Code 2023, is amended by adding the  
15 following new subsection:

16 NEW SUBSECTION. 5. The exhaustion of remedies requirement  
17 of **this section** applies notwithstanding any applicable election  
18 of remedies provisions to the contrary in section 23.5.

19 EXPLANATION

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

22 This bill relates to the civil enforcement of open records  
23 violations.

24 The bill provides that a person aggrieved by a violation  
25 of Iowa's open records law must exhaust all available  
26 administrative remedies prior to filing an action in district  
27 court.