

Senate File 546 - Introduced

SENATE FILE 546

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 480)

(SUCCESSOR TO SSB 1190)

A BILL FOR

1 An Act relating to the publication of certain public notices
2 by designated public entities, providing for fees, and
3 including effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 6B.2A, subsection 2, unnumbered
2 paragraph 1, Code 2023, is amended to read as follows:

3 The acquiring agency shall cause a notice to be published
4 ~~once in a newspaper of general circulation in the county or~~
5 ~~city where the agricultural land is located. The notice shall~~
6 ~~be published~~ as provided in chapter 9J at least four but no
7 more than twenty days before the public hearing is held as
8 referred to in [subsection 1](#). The published notice shall, at a
9 minimum, include the following information:

10 Sec. 2. NEW SECTION. 9J.1 **Definitions.**

11 For the purposes of this chapter, unless the context
12 otherwise requires:

13 1. *"Official internet site"* means the internet site used
14 by a public posting entity to conduct or communicate official
15 business and information.

16 2. *"Official social media account"* means a social media
17 account used by a public posting entity to conduct or
18 communicate official business and information.

19 3. *"Online portal"* means the system established and
20 maintained by the secretary of state pursuant to this chapter
21 for public posting entities to post statutorily required public
22 notices.

23 4. *"Public posting entity"* means the state of Iowa, a
24 county, a city, a public school district, a private agency as
25 defined in section 28E.2, or a public agency as defined in
26 section 28E.2.

27 5. *"Statutorily required public notice"* means a notice
28 required by the Iowa code to be made available to members of
29 the public.

30 Sec. 3. NEW SECTION. 9J.2 **Online portal — statutorily**
31 **required public notices.**

32 1. Notwithstanding any provision of law requiring public
33 notice be provided through newspaper publication, publication
34 on a specific internet site, or other similar publication
35 location requirement, this chapter shall provide the sole

1 requirements for a public posting entity to satisfy public
2 notice requirements.

3 2. The secretary of state or the secretary of state's
4 designee shall establish and maintain an online portal through
5 which public posting entities shall post statutorily required
6 public notices.

7 3. The online portal shall be searchable by all of the
8 following categories:

9 a. County.

10 b. City.

11 c. School district.

12 d. Public notice type, including but not limited to meeting
13 notices, meeting minutes, elections, abandoned property,
14 proposed rulemaking, and proposed public project.

15 4. The secretary of state shall collect a fee of five
16 dollars from a public posting entity for each notice posted by
17 the public posting entity.

18 5. Moneys collected by the secretary of state pursuant to
19 this section shall be deposited in the business administration
20 fund created pursuant to section 9.13.

21 **Sec. 4. NEW SECTION. 9J.3 Public posting entities —**
22 **responsibilities.**

23 1. Each statutorily required public notice posted pursuant
24 to this chapter shall be posted on a timely basis as required
25 by the law requiring the public notice and include all of the
26 following:

27 a. All information necessary to satisfy the statutory
28 requirements of the specific public posting, including but not
29 limited to the purpose, date, location, and time of a public
30 meeting.

31 b. Current contact information of the public posting entity,
32 including a telephone number and email address, such that the
33 public may contact the public posting entity regarding the
34 public posting.

35 c. Instructions for submitting public comments, if

1 applicable.

2 2. A public posting entity is solely responsible for the
3 contents of its statutorily required public notice. Neither
4 the secretary of state nor the secretary of state's designee
5 is responsible for the content of a public posting entity's
6 statutorily required public notice. This includes but is not
7 limited to monitoring or verifying the accuracy of a public
8 posting entity's public notice.

9 3. A public posting entity shall remove a statutorily
10 required public notice from the online portal within fourteen
11 business days following the expiration of the statutorily
12 required time the posting was required to be available to
13 the public. Nothing in this section shall be construed to
14 affect a posting entity's requirements to keep a record of
15 such statutorily required public postings if another section
16 requires such records be kept.

17 4. Notwithstanding section 9J.2, a public posting entity
18 shall post a physical copy of a statutorily required public
19 notice on a bulletin board or other prominent place which is
20 easily accessible to the public and clearly designated for that
21 purpose at the principal office of the public posting entity,
22 or if no such office exists, at the building in which the
23 meeting is to be held.

24 5. Nothing in this chapter shall affect the duty of a
25 public posting entity to make public use copies of statutorily
26 required public notices available to the public as otherwise
27 required by law.

28 6. A public posting entity shall, at least three times
29 between the enactment and the effective date of this Act,
30 publish a notice in a newspaper meeting the requirements of
31 section 618.3, at the rates set in section 618.11, that the
32 public posting entity will be required to post notices to the
33 online portal as of the effective date of this Act. The notice
34 shall include the internet address of the online portal and the
35 effective date of this Act.

1 Sec. 5. NEW SECTION. **9J.4 Permissive posting and**
2 **publication.**

3 1. A public posting entity that has satisfied the
4 requirements of sections 9J.2 and 9J.3 may also post a
5 statutorily required public notice on the official internet
6 site or official social media account of the public posting
7 entity.

8 2. A public posting entity that has satisfied the
9 requirements of sections 9J.2 and 9J.3 may also post a
10 statutorily required public notice in an official newspaper
11 as provided in section 618.3 at the rates provided in section
12 618.11.

13 Sec. 6. NEW SECTION. **9J.5 Exceptions.**

14 This chapter does not apply to any of the following:

15 1. The office of the governor.

16 2. The general assembly.

17 3. A notice regarding any of the following:

18 *a.* A rulemaking document posted pursuant to section 2B.5A.

19 *b.* The interstate physical therapy licensure compact posted
20 pursuant to section 147C.1.

21 *c.* The emergency medical services personnel licensure
22 interstate compact posted pursuant to section 147D.1.

23 *d.* The occupational therapy licensure compact posted
24 pursuant to section 147E.1.

25 *e.* The audiology and speech language pathology interstate
26 compact posted pursuant to section 147F.1.

27 *f.* The nurse and advanced practice registered nurse
28 licensure compacts posted pursuant to section 152E.1.

29 *g.* The interstate compact for juveniles posted pursuant to
30 section 232.173.

31 *h.* The vehicle equipment compacts posted pursuant to section
32 321D.1.

33 4. Notice required to be posted pursuant to chapter 17A.

34 5. Notice required to be posted pursuant to the Constitution
35 of the State of Iowa.

1 Sec. 7. NEW SECTION. **9J.6 Rules.**

2 The secretary of state shall adopt rules pursuant to chapter
3 17A for the implementation of this chapter.

4 Sec. 8. Section 24.9, subsection 1, paragraph a, Code 2023,
5 is amended to read as follows:

6 a. Each municipality shall file with the secretary or clerk
7 thereof the estimates required to be made in sections 24.3
8 through 24.8, at least twenty days before the date fixed by
9 law for certifying the same to the levying board and shall
10 forthwith fix a date for a hearing on the estimates, and
11 shall publish such estimates and any annual levies previously
12 authorized as provided in [section 76.2](#), with a notice of the
13 time when and the place where such hearing shall be held not
14 less than ten nor more than twenty days before the hearing.
15 ~~Provided that in municipalities of less than two hundred~~
16 ~~population such estimates and the notice of hearing shall~~
17 ~~be posted in three public places in the district in lieu of~~
18 ~~publication. For any other municipality such Such publication~~
19 ~~shall be in a newspaper published in the municipality, if any,~~
20 ~~if not, then in a newspaper of general circulation in the~~
21 ~~municipality as provided in chapter 9J.~~

22 Sec. 9. Section 26A.3, subsection 3, paragraph b, Code 2023,
23 is amended to read as follows:

24 b. The request for statements of qualifications shall be
25 posted not less than thirteen and not more than forty-five days
26 before the date for response in a relevant contractor plan room
27 service with statewide circulation, in a relevant construction
28 lead generating service with statewide circulation, and ~~on an~~
29 ~~internet site sponsored by either a governmental entity or a~~
30 ~~statewide association that represents the governmental entity~~
31 as provided in chapter 9J. If circumstances beyond the control
32 of the governmental entity require postponement and there are
33 no changes to the project's contract documents, a notice of
34 the revised date shall be posted not less than four and not
35 more than forty-five days before the revised date for answering

1 the request for proposals and statements of qualifications
2 in a relevant contractor plan room service with statewide
3 circulation, in a relevant construction lead generating service
4 with statewide circulation, and ~~on an internet site sponsored~~
5 ~~by either a government entity or a statewide association that~~
6 ~~represents the governmental entity~~ as provided in chapter 9J.

7 Sec. 10. Section 26A.3, subsection 5, paragraph a,
8 subparagraph (1), Code 2023, is amended to read as follows:

9 (1) The construction manager-at-risk shall prepare a
10 request for statements of qualifications. The request shall
11 include general information on the project site, project
12 scope, schedule, selection criteria, and the time and place
13 for receipt of statements of qualifications. The construction
14 manager-at-risk shall provide public notice of the request for
15 statements of qualifications in a relevant contractor plan room
16 service with statewide circulation, a relevant construction
17 lead generating service with statewide circulation, and ~~on an~~
18 ~~internet site sponsored by either a governmental entity or a~~
19 ~~statewide association that represents the governmental entity~~
20 as provided in chapter 9J. The request for statements of
21 qualifications shall be posted not less than thirteen and not
22 more than forty-five days before the date for response.

23 Sec. 11. Section 49.53, subsection 2, Code 2023, is amended
24 to read as follows:

25 2. The notice shall be published in ~~at least one newspaper,~~
26 ~~as defined in [section 618.3](#), which is published in the county~~
27 ~~or other political subdivision in which the election is to~~
28 ~~occur or, if no newspaper is published there, in at least~~
29 ~~one newspaper of substantial circulation in the county or~~
30 ~~political subdivision. For the general election or the primary~~
31 ~~election the foregoing notice shall be published in at least~~
32 ~~two newspapers published in the county. However, if there is~~
33 ~~only one newspaper published in the county, publication in one~~
34 ~~newspaper shall be sufficient~~ as provided in chapter 9J.

35 Sec. 12. Section 69.2, subsection 2, Code 2023, is amended

1 to read as follows:

2 2. If the status of an officeholder is in question, the
3 entity or officer responsible for making an appointment to
4 fill the vacancy shall decide whether a vacancy exists. The
5 appointing entity or officer may act upon its own motion. If
6 a petition signed by twenty-five registered voters of the
7 jurisdiction is received, the appointing entity or officer
8 shall convene within thirty days to consider whether a vacancy
9 exists. The appointing entity or officer shall publish notice
10 as provided in chapter 9J that a public hearing will be held to
11 determine whether a vacancy exists. The notice shall include
12 the time and place of the hearing and the name of the office
13 and the officeholder whose status is in question. The public
14 hearing shall be held not less than four nor more than fourteen
15 days after publication of the notice. The officer whose status
16 is in question shall be notified of the time and place of the
17 hearing. Notice shall be sent by certified mail and must be
18 postmarked at least fourteen days before the hearing. No later
19 than seven days after the public hearing, the appointing entity
20 or officer shall publish its decision. If the appointing
21 entity or officer decides that the office is vacant, the
22 publication shall state the date the vacancy occurred and what
23 action will be taken to fill the vacancy.

24 Sec. 13. Section 256.11, subsection 16, paragraph c, Code
25 2023, is amended to read as follows:

26 c. If the state board takes preliminary action to remove
27 an agency from the approved list published on the department's
28 internet site pursuant to paragraph "a", the department
29 shall, at least one year prior to removing the agency from
30 the approved list, notify the nonpublic schools participating
31 in the accreditation process offered by the agency of the
32 state board's intent to remove the accrediting agency from its
33 approved list of independent accrediting agencies. The notice
34 shall also be posted ~~on the department's internet site~~ as
35 provided in chapter 9J and shall contain the proposed date of

1 removal. The nonpublic school shall attain accreditation under
2 this subsection or [subsections 1 through 12](#) not later than one
3 year following the date on which the state board removes the
4 agency from its list of independent accrediting agencies.

5 Sec. 14. Section 260C.14, subsection 12, Code 2023, is
6 amended to read as follows:

7 12. During the second week of August of each year, publish
8 ~~by one insertion in at least one newspaper published in the~~
9 ~~merged area as provided in chapter 9J~~ a summarized statement
10 verified by affidavit of the secretary of the board showing
11 the receipts and disbursements of all funds of the community
12 college for the preceding fiscal year. The statement of
13 disbursements shall show the names of the persons, firms,
14 or corporations, and the total amount paid to each during
15 the fiscal year. The board is not required to make the
16 publications and notices required under [sections 279.35](#) and
17 [279.36](#).

18 Sec. 15. Section 279.36, Code 2023, is amended to read as
19 follows:

20 **279.36 Publication procedures and fee.**

21 ~~1.~~ The requirements of [section 279.35](#) are satisfied by
22 publication in ~~at least one newspaper published in the district~~
23 ~~or, if there is none, in at least one newspaper having general~~
24 ~~circulation within the district as provided in chapter 9J.~~

25 ~~2.~~ For the fiscal year beginning July 1, 1989, and each
26 fiscal year thereafter, the fee for the publications shall be
27 the legal publication fee provided by [section 618.11](#).

28 Sec. 16. Section 321.89, subsection 3, paragraph g, Code
29 2023, is amended to read as follows:

30 g. If it is impossible to determine with reasonable
31 certainty the identities and addresses of the last registered
32 owner and all lienholders, notice by one publication in
33 ~~one newspaper of general circulation in the area where the~~
34 ~~vehicle was abandoned as provided in chapter 9J~~ shall be
35 sufficient to meet all requirements of notice under this

1 section. The published notice may contain multiple listings of
2 abandoned vehicles but shall be published within the same time
3 requirements and contain the same information as prescribed for
4 mailed notice in [this subsection](#).

5 Sec. 17. Section 331.302, subsection 8, Code 2023, is
6 amended to read as follows:

7 8. A resolution becomes effective upon passage and an
8 ordinance or amendment becomes a law when a summary of the
9 ordinance or the complete text of the ordinance is published
10 as provided in chapter 9J, unless a subsequent effective date
11 is provided within the measure. As used in [this subsection](#),
12 *"summary"* shall mean a narrative description of the terms and
13 conditions of an ordinance setting forth the main points of
14 the ordinance in a manner calculated to inform the public in a
15 clear and understandable manner the meaning of the ordinance
16 and which shall provide the public with sufficient notice to
17 conform to the desired conduct required by the ordinance.
18 The description shall include the title of the ordinance,
19 an accurate and intelligible abstract or synopsis of the
20 essential elements of the ordinance, a statement that the
21 description is a summary, the location and the normal business
22 hours of the office where the ordinance may be inspected, when
23 the ordinance becomes effective, and the full text of any
24 provisions imposing fines, penalties, forfeitures, fees, or
25 taxes. Legal descriptions of property set forth in ordinances
26 shall be described in full, provided that maps or charts may be
27 substituted for legal descriptions when they contain sufficient
28 detail to clearly define the area with which the ordinance is
29 concerned. The narrative description shall be written in a
30 clear and coherent manner and shall, to the extent possible,
31 avoid the use of technical or legal terms not generally
32 familiar to the public. When necessary to use technical or
33 legal terms not generally familiar to the public, the narrative
34 description shall include definitions of those terms.

35 Sec. 18. Section 331.305, subsection 1, Code 2023, is

1 amended to read as follows:

2 1. Unless otherwise provided by state law, if notice of an
3 election, hearing, or other official action is required by this
4 chapter, the board shall publish the notice ~~at least once, not~~
5 ~~less than four nor more than twenty days before the date of the~~
6 ~~election, hearing, or other action, in one or more newspapers~~
7 ~~which meet the requirements of section 618.14 as provided in~~
8 chapter 9J. Notice of an election shall also comply with
9 section 49.53.

10 Sec. 19. Section 331.434, subsections 3 and 6, Code 2023,
11 are amended to read as follows:

12 3. Following, and not until, adoption of the resolution
13 under section 331.433A, the board shall set a time and
14 place for a public hearing on the budget before the final
15 certification date and shall publish notice of the hearing
16 not less than ten nor more than twenty days prior to the
17 ~~hearing in the county newspapers selected under chapter 349~~
18 as provided in chapter 9J. A summary of the proposed budget
19 and a description of the procedure for protesting the county
20 budget under section 331.436, in the form prescribed by the
21 director of the department of management, shall be included
22 in the notice. Proof of publication of the notice under this
23 subsection 3 and a copy of the resolution adopted under section
24 331.433A shall be filed with and preserved by the auditor. A
25 levy is not valid unless and until the notice is published and
26 the notice and resolution adopted under section 331.433A are
27 filed. The department of management shall prescribe the form
28 for the public hearing notice for use by counties.

29 6. The board shall appropriate, by resolution, the amounts
30 deemed necessary for each of the different county officers
31 and departments during the ensuing fiscal year. Increases
32 or decreases in these appropriations do not require a budget
33 amendment, but may be provided by resolution at a regular
34 meeting of the board, as long as each class of proposed
35 expenditures contained in the budget summary published under

1 subsection 3 of [this section](#) is not increased. However,
2 decreases in appropriations for a county officer or department
3 of more than ten percent or five thousand dollars, whichever
4 is greater, shall not be effective unless the board sets a
5 time and place for a public hearing on the proposed decrease
6 and publishes notice of the hearing not less than ten nor more
7 than twenty days prior to the hearing ~~in the county newspapers~~
8 ~~selected under [chapter 349](#)~~ as provided in chapter 9J.

9 Sec. 20. Section 346.27, subsection 10, paragraph b, Code
10 2023, is amended to read as follows:

11 *b.* In addition to the notice required by [section 49.53](#), a
12 notice of the election shall be published once each week for at
13 least two weeks ~~in some newspaper published in the county as~~
14 provided in chapter 9J stating the date of the election, the
15 hours the polls will be open, and a copy of the question. The
16 authority shall call this election with the concurrence of both
17 incorporating units. The election shall be conducted by the
18 commissioner in accordance with the provisions of [chapters 49](#)
19 and [50](#).

20 Sec. 21. Section 349.16, unnumbered paragraph 1, Code 2023,
21 is amended to read as follows:

22 There shall be published as provided in chapter 9J and in
23 each of the official newspapers at the expense of the county
24 during the ensuing year:

25 Sec. 22. Section 349.18, subsection 3, paragraph b, Code
26 2023, is amended to read as follows:

27 *b.* In addition to the requirements in paragraph "a", ~~if a~~
28 ~~county operates an internet site,~~ the county auditor shall post
29 the full text of all resolutions adopted by the board ~~on the~~
30 ~~internet site~~ as provided in chapter 9J. Any posted summary or
31 text of a full resolution shall include links directing readers
32 to information relevant to the content of the resolution.

33 Sec. 23. Section 358.40, subsections 3 and 4, Code 2023, are
34 amended to read as follows:

35 3. The board shall examine the petition at its next meeting

1 after its filing or within twenty days of the filing, whichever
2 date is earlier. Within ten days of the meeting, the board
3 shall publish notice of the petition and the date, time, and
4 place of the meeting at which time the board proposes to take
5 action on the petition. The notice shall be published ~~in a~~
6 ~~newspaper of general circulation published in the district~~
7 ~~and, if no newspaper is published within the district, in a~~
8 ~~newspaper published in the county in which the major part of~~
9 ~~the district is located~~ as provided in chapter 9J. At the
10 board's meeting, or subsequent meetings as necessary, if the
11 petition is found to comply with the requirements of this
12 section and the board of trustees consents by majority vote,
13 the board of supervisors may provide for payment as requested
14 or modify the method of payment of costs and expenses.

15 4. If the board decides that dissolution is warranted for
16 the best interest of the public, it shall publish a notice ~~in a~~
17 ~~newspaper of general circulation published in the district or,~~
18 ~~if no newspaper is published in the district, in a newspaper~~
19 ~~published in the county in which the major part of the district~~
20 ~~is located~~ as provided in chapter 9J and give notice by mail
21 to all known claimants or creditors of the district that it
22 will receive and adjudicate claims against the district for
23 four months from the date the notice is published and shall
24 levy an annual tax as necessary against all property in the
25 district for the number of years required to pay all claims
26 allowed. However, the annual tax levied under **this subsection**
27 shall not exceed four dollars per thousand dollars of assessed
28 valuation of the taxable property within the district at the
29 time of dissolution. The levy shall be made in the same manner
30 as provided in **section 76.2**. After the board makes a specific
31 finding that all indebtedness, costs, and expenses have been
32 paid or levies approved for their payment, the board shall
33 dissolve the district by resolution entered upon its records.
34 The dissolution order shall be noted by the auditor on the
35 county records, showing the date when the dissolution became

1 effective.

2 Sec. 24. Section 359.52, subsection 1, paragraph a, Code
3 2023, is amended to read as follows:

4 a. The board of trustees shall set forth its proposal in a
5 resolution and shall publish notice of the resolution and of
6 a date, time, and place of a public hearing on the proposal.
7 ~~The notice shall be published in a newspaper published at least~~
8 ~~once weekly and having general circulation in the township or~~
9 ~~in the largest city in the township as provided in chapter 9J.~~
10 The notice shall be published no less than ten days and no more
11 than twenty days before the hearing.

12 Sec. 25. Section 362.3, subsection 1, paragraph b, Code
13 2023, is amended to read as follows:

14 b. A publication required by the city code must be in a
15 ~~newspaper published at least once weekly and having general~~
16 ~~circulation in the city. However, if the city has a population~~
17 ~~of two hundred or less, or in the case of ordinances and~~
18 ~~amendments to be published in a city in which no newspaper is~~
19 ~~published, a publication may be made by posting in three public~~
20 ~~places in the city which have been permanently designated by~~
21 ~~ordinance published as provided in chapter 9J.~~

22 Sec. 26. Section 362.3, subsection 2, Code 2023, is amended
23 by striking the subsection.

24 Sec. 27. Section 364.2, subsection 4, paragraph c, Code
25 2023, is amended to read as follows:

26 c. Notice of the election shall be given by publication
27 as prescribed in [section 49.53](#) ~~in a newspaper of general~~
28 ~~circulation in the city and chapter 9J.~~

29 Sec. 28. Section 368.7, subsection 1, paragraph d, Code
30 2023, is amended to read as follows:

31 d. The city shall provide for a public hearing on the
32 application before approving or denying it. The city shall
33 provide written notice at least fourteen business days prior
34 to any action by the city council regarding the application,
35 including a public hearing, by regular mail to the chairperson

1 of the board of supervisors of each county which contains a
2 portion of the territory proposed to be annexed, each public
3 utility which serves the territory proposed to be annexed,
4 each owner of property located within the territory to be
5 annexed who is not a party to the application, and each owner
6 of property that adjoins the territory to be annexed unless
7 the adjoining property is in a city. The city shall publish
8 notice of the application and public hearing on the application
9 ~~in an official county newspaper in each county which contains~~
10 ~~a portion of the territory proposed to be annexed~~ as provided
11 in chapter 9J. Both the written and published notice shall
12 include the time and place of the public hearing and a legal
13 description of the territory to be annexed. The city shall
14 not assess the costs of providing notice as required in this
15 section to the applicants. The city council shall approve or
16 deny the application by resolution of the council.

17 Sec. 29. Section 368.7, subsections 2 and 3, Code 2023, are
18 amended to read as follows:

19 2. An application for annexation of territory not within
20 an urbanized area of a city other than the city to which the
21 annexation is directed must be approved by resolution of the
22 council which receives the application. The city council shall
23 mail a copy of the application by certified mail to the board
24 of supervisors of each county which contains a portion of the
25 territory at least fourteen business days prior to any action
26 taken by the city council on the application. The council
27 shall also publish notice of the application ~~in an official~~
28 ~~county newspaper in each county which contains a portion of~~
29 ~~the territory~~ as provided in chapter 9J at least fourteen days
30 prior to any action taken by the council on the application.
31 Upon receiving approval of the council, the city clerk shall
32 file a copy of the resolution, map, and legal description of
33 the territory involved with the secretary of state, the county
34 board of supervisors of each county which contains a portion
35 of the territory, each affected public utility, and the state

1 department of transportation. The city clerk shall also record
2 a copy of the legal description, map, and resolution with the
3 county recorder of each county which contains a portion of
4 the territory. The secretary of state shall not accept and
5 acknowledge a copy of a legal description, map, and resolution
6 of annexation which would create an island. The annexation is
7 completed upon acknowledgment by the secretary of state that
8 the secretary of state has received the legal description, map,
9 and resolution.

10 3. An application for annexation of territory within an
11 urbanized area of a city other than the city to which the
12 annexation is directed must be approved both by resolution of
13 the council which receives the application and by the board.
14 The board shall not approve an application which creates an
15 island. Notice of the application shall be mailed by certified
16 mail, by the city to which the annexation is directed, at least
17 fourteen business days prior to any action by the city council
18 on the application to the council of each city whose boundary
19 adjoins the territory or is within two miles of the territory,
20 to the board of supervisors of each county which contains a
21 portion of the territory, each affected public utility, and
22 to the regional planning authority of the territory. Notice
23 of the application shall be published ~~in an official county~~
24 ~~newspaper in each county which contains a portion of the~~
25 territory as provided in chapter 9J at least ten business days
26 prior to any action by the city council on the application.
27 The annexation is completed when the board has filed and
28 recorded copies of applicable portions of the proceedings as
29 required by [section 368.20, subsection 1](#), paragraph "b".

30 Sec. 30. Section 384.15A, subsection 4, paragraph a,
31 unnumbered paragraph 1, Code 2023, is amended to read as
32 follows:

33 The council shall set a time and place for a public
34 hearing on the resolution before the date for adoption of the
35 resolution and shall publish notice of the hearing not less

1 than ten nor more than twenty days prior to the hearing ~~in a~~
2 ~~newspaper published at least once weekly and having general~~
3 ~~circulation in the city. However, if the city has a population~~
4 ~~of two hundred or less, publication may be made by posting in~~
5 ~~three public places in the city as provided in chapter 9J.~~

6 If the city has an internet site, the notice ~~shall~~ may also
7 be posted and clearly identified on the city's internet site
8 for public viewing beginning on the date of the newspaper
9 publication or public posting, as applicable. Additionally, if
10 the city maintains a social media account on one or more social
11 media applications, the public hearing notice or an electronic
12 link to the public hearing notice ~~shall~~ may be posted on each
13 such account on the same day as the publication of the notice.
14 All of the following shall be included in the notice:

15 Sec. 31. Section 384.16, subsection 3, Code 2023, is amended
16 to read as follows:

17 3. Following, and not until, adoption of the resolution
18 under [section 384.15A](#), the council shall set a time and place
19 for public hearing on the budget before the final certification
20 date and shall publish notice of the hearing not less than ten
21 nor more than twenty days before the hearing ~~in a newspaper~~
22 ~~published at least once weekly and having general circulation~~
23 ~~in the city. However, if the city has a population of two~~
24 ~~hundred or less, publication may be made by posting in three~~
25 ~~public places in the city as provided in chapter 9J.~~ A summary
26 of the proposed budget and a description of the procedure for
27 protesting the city budget under [section 384.19](#), in the form
28 prescribed by the director of the department of management,
29 shall be included in the notice. Proof of publication of the
30 notice under [this subsection 3](#) and a copy of the resolution
31 adopted under [section 384.15A](#) must be filed with the county
32 auditor. The department of management shall prescribe the form
33 for the public hearing notice for use by cities.

34 Sec. 32. Section 419.9, Code 2023, is amended to read as
35 follows:

1 **419.9 Public hearing.**

2 Prior to the issuance of any bonds under authority of this
3 chapter, the municipality shall conduct a public hearing on the
4 proposal to issue said bonds. Notice of intention to issue the
5 bonds, specifying the amount and purpose thereof and the time
6 and place of hearing, shall be published at least once not less
7 than fifteen days prior to the date fixed for the hearing ~~in~~
8 ~~a newspaper published and having a general circulation within~~
9 ~~the municipality. If there is no newspaper published therein,~~
10 ~~the notice shall be published in a newspaper published in the~~
11 ~~county and having a general circulation in the municipality~~
12 as provided in chapter 9J. At the time and place fixed for
13 the public hearing the governing body of the municipality
14 shall give all local residents who appear at the hearing an
15 opportunity to express their views for or against the proposal
16 to issue the bonds and at the hearing, or any adjournment
17 thereof, shall adopt a resolution determining whether or not to
18 proceed with the issuance of the bonds.

19 Sec. 33. Section 423F.3, subsection 3, paragraph d, Code
20 2023, is amended to read as follows:

21 *d.* The board secretary shall notify the county commissioner
22 of elections of the intent to take an issue to the voters
23 pursuant to paragraph "b" or "c". The county commissioner
24 of elections shall publish the notices required by law for
25 special or general elections as provided in chapter 9J, and the
26 election shall be held on a date specified in section 39.2,
27 subsection 4, paragraph "c". A majority of those voting on the
28 question must favor approval of the revenue purpose statement.
29 If the proposal is not approved, the school district shall
30 not submit the same or new revenue purpose statement to the
31 electors for a period of six months from the date of the
32 previous election.

33 Sec. 34. Section 423F.3, subsection 7, paragraph a, Code
34 2023, is amended to read as follows:

35 *a.* Prior to approving the use of revenues received under

1 this chapter for an athletic facility infrastructure project
2 within the scope of the school district's approved revenue
3 purpose statement or pursuant to subsection 4 for a school
4 district without an approved revenue statement, the board of
5 directors shall adopt a resolution setting forth the proposal
6 for the athletic facility infrastructure project and hold an
7 additional public hearing on the issue of construction of the
8 athletic facility. Notice of the time and place of the public
9 hearing shall be published not less than ten nor more than
10 twenty days before the public hearing ~~in a newspaper which is~~
11 ~~a newspaper of general circulation in the school district as~~
12 provided in chapter 9J. If at any time prior to the fifteenth
13 day following the hearing, the secretary of the board of
14 directors receives a petition containing the required number
15 of signatures and asking that the question of the approval of
16 the use of revenues for the athletic facility infrastructure
17 project be submitted to the voters of the school district,
18 the board of directors shall either rescind the board's
19 resolution for the use of revenues for the athletic facility
20 infrastructure project or direct the county commissioner of
21 elections to submit the question to the registered voters of
22 the school district at an election held on a date specified
23 in section 39.2, subsection 4, paragraph "c". The petition
24 must be signed by eligible electors equal in number to not less
25 than one hundred or thirty percent of the number of voters
26 at the last preceding election of school officials under
27 section 277.1, whichever is greater. If a majority of those
28 voting on the question favors the use of the revenues for the
29 athletic facility infrastructure project, the board shall be
30 authorized to approve such use by resolution of the board. If
31 a majority of those voting on the question does not favor the
32 use of the revenues for the athletic facility infrastructure
33 project, the board of directors shall rescind the board's
34 resolution for the use of revenues for the athletic facility
35 infrastructure project. If a petition is not received by the

1 board of directors within the prescribed time period, the board
2 of directors may approve the use of revenues for the athletic
3 facility infrastructure project without voter approval.

4 Sec. 35. Section 455B.305A, subsection 1, paragraph b, Code
5 2023, is amended to read as follows:

6 b. Prior to the siting of a proposed new sanitary landfill
7 or incinerator by a private agency disposing of waste which
8 the agency generates on property owned by the agency which is
9 located outside of the city limits and for which no county
10 zoning ordinance exists, the private agency shall cause written
11 notice of the proposal, including the nature of the proposed
12 facility, and the right of the owner to submit a petition for
13 formal siting of the proposed site, to be served either in
14 person or by mail on the owners and residents of all property
15 within two miles in each direction of the proposed local site
16 area. The owners shall be identified based upon the authentic
17 tax records of the county in which the proposed site is to be
18 located. The private agency shall notify the county board of
19 supervisors which governs the county in which the site is to
20 be located of the proposed siting, and certify that notices
21 have been mailed to owners and residents of the impacted area.
22 ~~Written notice shall be published in the official newspaper,~~
23 ~~as selected by the county board of supervisors pursuant to~~
24 ~~section 349.1, of the county in which the site is located as~~
25 provided in chapter 9J. The notice shall state the name and
26 address of the applicant, the location of the proposed site,
27 the nature and size of the development, the nature of the
28 activity proposed, the probable life of the proposed activity,
29 and a description of the right of persons to comment on the
30 request. If two hundred fifty or a minimum of twenty percent,
31 whichever is less, of the owners and residents of property
32 notified submit a petition for formal review to the county
33 board of supervisors or if the county board of supervisors, on
34 the board's own motion, requires formal review of the proposed
35 siting, the private agency proposal is subject to the formal

1 siting procedures established pursuant to [this section](#).

2 Sec. 36. Section 455B.305A, subsection 3, paragraph b, Code
3 2023, is amended to read as follows:

4 *b.* Written notice shall be published ~~in the official~~
5 ~~newspaper of the county in which the site is located as~~
6 provided in chapter 9J. The notice shall state the name and
7 address of the applicant, the location of the proposed site,
8 the nature and size of the development, the nature of the
9 activity proposed, the probable life of the proposed activity,
10 the date when the request for site approval will be submitted,
11 and a description of the right of persons to comment on the
12 request.

13 Sec. 37. Section 455B.305A, subsection 5, Code 2023, is
14 amended to read as follows:

15 5. At least one public hearing shall be held by the city
16 council or county board of supervisors no sooner than ninety
17 days but no later than one hundred twenty days from receipt of
18 the request for siting approval. A hearing shall be preceded
19 by published notice ~~in an official newspaper of the county of~~
20 ~~the proposed site, including in any official newspaper located~~
21 in the city of the proposed site as provided in chapter 9J.

22 Sec. 38. Section 459.304, subsection 2, paragraph a,
23 subparagraph (1), Code 2023, is amended to read as follows:

24 (1) The board shall publish a notice that the board has
25 received the application ~~in a newspaper having a general~~
26 ~~circulation in the county as provided in chapter 9J~~.

27 Sec. 39. Section 465C.11, subsection 3, Code 2023, is
28 amended to read as follows:

29 3. Before the board shall make a finding of imperative and
30 unavoidable public necessity, or shall enter into any amendment
31 to articles of dedication, the board shall provide notice of
32 such proposal and opportunity for any person to be heard. Such
33 notice shall be published at least once ~~in a newspaper with a~~
34 ~~general circulation in the county or counties wherein the area~~
35 ~~directly affected is situated~~ as provided in chapter 9J, and

1 mailed within ten days of such published notice to all persons
2 who have requested notice of all such proposed actions. Each
3 notice shall set forth the substance of the proposed action and
4 describe, with or without legal description, the area affected,
5 and shall set forth a place and time not less than sixty days
6 thence for all persons desiring to be heard to have reasonable
7 opportunity to be heard prior to the finding of the board.

8 Sec. 40. Section 533.320, subsection 4, paragraph b, Code
9 2023, is amended to read as follows:

10 b. The sale shall be held at the time and place specified
11 in a notice published prior to the sale once each week for
12 two successive weeks ~~in a newspaper of general circulation~~
13 ~~published in the city or unincorporated area in which the state~~
14 ~~credit union has its principal place of business, or if there~~
15 ~~is none, a newspaper of general circulation published in the~~
16 ~~county, or in a county adjoining the county, in which the state~~
17 ~~credit union has its principal place of business~~ as provided
18 in chapter 9J.

19 Sec. 41. Section 556.12, subsection 1, Code 2023, is amended
20 to read as follows:

21 1. If a report has been filed with the treasurer of state,
22 or property has been paid or delivered to the treasurer of
23 state, for the fiscal year ending on June 30 or, in the case of
24 unclaimed demutualization proceeds, for the preceding calendar
25 year as required by [section 556.11](#), the treasurer of state
26 shall provide for the publication annually of at least one
27 notice not later than the following November 30. Each notice
28 shall be published at least once each week for two successive
29 weeks ~~in an English language newspaper of general circulation~~
30 ~~in the county in this state in which is located the last known~~
31 ~~address of any person to be named in the notice. If an address~~
32 ~~is not listed or if the address is outside this state, the~~
33 ~~notice shall be published in the county in which the holder~~
34 ~~of the abandoned property has its principal place of business~~
35 ~~within this state~~ as provided in chapter 9J.

1 of a statutorily required public notice in a prominent place
2 that is easily accessible to the public and clearly designated
3 for that purpose at the principal office of the public posting
4 entity, or if no such office exists, at the building in which
5 the meeting is to be held. The bill allows a public posting
6 entity to also post a statutorily required public notice on
7 the official internet site or official social media account of
8 the public posting entity or in an official newspaper. The
9 bill requires a public posting entity to publish a notice in
10 a newspaper at least three times between the enactment and
11 effective date of the bill that the public posting entity will
12 be required to post notices to the online portal, the internet
13 address for which will be included in the notice.

14 The bill does not apply to the office of the governor
15 or the general assembly. The bill also exempts notices
16 posted pursuant to Code section 2B.5A (Iowa administrative
17 bulletin and Iowa administrative code), Code sections enacting
18 interstate compacts, Code chapter 17A (Iowa administrative
19 procedure Act), or the Iowa Constitution from the requirements
20 of the bill.

21 The bill amends sections throughout the Code that require
22 the publication of public notice to require that the notice
23 be posted consistent with the requirements of the bill. The
24 bill takes effect July 1, 2024, except that the secretary of
25 state may adopt rules for the implementation of the bill prior
26 to that date.