

Senate Study Bill 1036 - Introduced

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

A BILL FOR

1 An Act relating to public records requests.

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

1 Section 1. Section 22.3, subsection 1, Code 2023, is amended
2 to read as follows:

3 1. The examination and copying of public records shall
4 be done under the supervision of the lawful custodian of the
5 records or the custodian's authorized designee. The lawful
6 custodian shall not require the physical presence of a person
7 requesting or receiving a copy of a public record and shall
8 fulfill requests for a copy of a public record received in
9 writing, by telephone, or by electronic means. Although
10 fulfillment of a request for a copy of a public record may be
11 contingent upon receipt of payment of reasonable expenses, the
12 lawful custodian shall make every reasonable effort to provide
13 the public record requested at no cost other than copying costs
14 for a record which takes less than thirty minutes to produce.
15 In the event expenses are necessary, such expenses shall be
16 reasonable and communicated to the requester upon receipt of
17 the request in accordance with section 22.4, subsection 3.
18 A person may contest the reasonableness of the custodian's
19 expenses as provided for in [this chapter](#). The lawful
20 custodian may adopt and enforce reasonable rules regarding the
21 examination and copying of the records and the protection of
22 the records against damage or disorganization. The lawful
23 custodian shall provide a suitable place for the examination
24 and copying of the records, but if it is impracticable to do
25 the examination and copying of the records in the office of
26 the lawful custodian, the person desiring to examine or copy
27 shall pay any necessary expenses of providing a place for the
28 examination and copying.

29 Sec. 2. Section 22.4, Code 2023, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 3. Upon receipt of a request for a copy
32 of a public record, the lawful custodian shall promptly
33 acknowledge the request by providing contact information for
34 the lawful custodian and an approximate date by which any
35 reasonable expenses and the release of the copy of the public

1 record will be provided.

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EXPLANATION

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

5 This bill provides that upon receipt of a public records
6 request, the lawful custodian shall promptly provide the
7 lawful custodian's contact information, approximate date of
8 the records release, and an estimate of any reasonable fees
9 associated with the records request.