

House File 2291 - Introduced

HOUSE FILE 2291
BY ZABNER

A BILL FOR

1 An Act relating to charging fees for examining and copying public
2 records requested by members of the general assembly.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 22.3, Code 2026, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 3. Notwithstanding subsections 1 and 2, a
4 lawful custodian shall not require payment from a member of
5 the general assembly in connection with the member's request to
6 examine or copy a public record that the member has the right to
7 examine pursuant to section 22.2 and subject to section 22.7.

8 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
9 shall not apply to this Act.

10 EXPLANATION

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

13 This bill relates to fees for public records requested by
14 members of the general assembly.

15 Pursuant to Code section 22.3, custodians of public records
16 may charge a reasonable fee for supervising the examination of
17 as well as the making and providing copies of public records.
18 A reasonable fee under Code section 22.3 is to be determined by
19 the costs "directly attributable to supervising the examination
20 of and making and providing copies of public records". The bill
21 creates an exception to the charging of fees for the examining
22 and copying of certain public records requested by a member
23 of the general assembly. This exception applies to all public
24 records that every person has a right to examine pursuant to
25 Code section 22.2 (right to examine public records — exceptions)
26 and is subject to specific confidentiality restrictions in Code
27 section 22.7 (confidential records).

28 The bill may include a state mandate as defined in Code
29 section 25B.3. The bill makes inapplicable Code section 25B.2,
30 subsection 3, which would relieve a political subdivision from
31 complying with a state mandate if funding for the cost of the
32 state mandate is not provided or specified. Therefore, political
33 subdivisions are required to comply with any state mandate
34 included in the bill.