

House Study Bill 192 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON JONES)

A BILL FOR

1 An Act relating to government bodies for purposes of open
2 records, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 22.1, subsection 1, Code 2025, is amended
2 to read as follows:

3 1. "Government body" means this state, or any county,
4 city, township, school corporation, political subdivision,
5 tax-supported district, or instrumentality of a city or township;
6 a nonprofit corporation other than a fair conducting a fair event
7 as provided in chapter 174, whose facilities or indebtedness are
8 supported in whole or in part with property tax revenue and
9 which is licensed to conduct pari-mutuel wagering pursuant to
10 chapter 99D; the governing body of a drainage or levee district
11 as provided in chapter 468, including a board as defined in
12 section 468.3, regardless of how the district is organized; or
13 other entity of this state, or any branch, department, board,
14 bureau, commission, council, committee, official, or officer of
15 any of the foregoing or any employee delegated the responsibility
16 for implementing the requirements of this chapter.

17 EXPLANATION

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

20 This bill amends the definition of "government body" in Code
21 chapter 22 (open records) to include an instrumentality of a city
22 or township, thereby subjecting such instrumentalities to open
23 records requirements and associated civil penalties applicable to
24 government bodies.

25 By operation of law, the bill includes such instrumentalities
26 as government bodies in, among other provisions, Code chapter
27 23 (public access to government information), Code section
28 543E.5 (exemption from provisions for real estate appraisal
29 management companies), Code chapter 618 (publication and posting
30 of notices), and Code section 721.1 (felonious misconduct in
31 office). Under Code section 721.1, a public officer or employee
32 who knowingly falsifies a writing, or knowingly delivers a
33 falsified writing, with the knowledge that the writing is
34 falsified and that the writing will become a public record of a
35 government body, commits a class "D" felony. A class "D" felony

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1 is punishable by confinement for no more than five years and a
2 fine of at least \$1,025 but not more than \$10,245.

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