

Senate File 389 - Introduced

SENATE FILE 389
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 1086)

(COMPANION TO HF 400 BY COMMITTEE
ON STATE GOVERNMENT)

A BILL FOR

1 An Act relating to public records requests.

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

unofficial

1 Section 1. Section 22.3, subsection 1, Code 2025, is amended
2 to read as follows:

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

28 Sec. 2. Section 22.4, Code 2025, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 3. Upon receipt of a request for a copy of
31 a public record, the lawful custodian or the lawful custodian's
32 authorized designee shall do all of the following:

33 a. Promptly acknowledge the request and provide contact
34 information for the lawful custodian's authorized designee.
35 For purposes of this paragraph, "promptly" means performing the

1 action using reasonable, good-faith efforts to respond, taking
2 into account the circumstances at the time the request was
3 received.

4 b. Provide an approximate date by which an estimate for any
5 reasonable expenses and the release of a copy of the public
6 record or a response to the request will be provided to the
7 requester.

8 c. Inform the requester of any expected delay in the
9 production of the public record.

EXPLANATION

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

13 This bill provides that upon receipt of a public records
14 request, the lawful custodian shall (1) promptly, as defined
15 in the bill, acknowledge the request and provide the contact
16 information of the lawful custodian's authorized designee, (2)
17 provide an approximate date for a response and an estimate of
18 any reasonable fees associated with the request, and (3) inform
19 the requester of any expected delay in production of the public
20 record.