

House File 706 - Reprinted

HOUSE FILE 706
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 416)

(As Amended and Passed by the House March 24, 2025)

A BILL FOR

- 1 An Act relating to open meetings and open records, providing
- 2 penalties, and making penalties applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 21.6, subsection 3, paragraphs a and d,
2 Code 2025, are amended to read as follows:

3 a. Shall assess each member of the governmental body who
4 participated in its violation damages in the amount of not more
5 than two thousand five hundred dollars and not less than one five
6 hundred dollars. However, if a member of a governmental body
7 knowingly participated in such a violation, damages shall be in
8 the amount of not more than two twelve thousand five hundred
9 dollars and not less than one five thousand dollars. These
10 damages shall be paid by the court imposing it to the state of
11 Iowa, if the body in question is a state governmental body, or to
12 the local government involved if the body in question is a local
13 governmental body. A member of a governmental body found to have
14 violated this chapter shall not be assessed such damages if that
15 member proves that the member did any of the following:

16 (1) Voted against the closed session.

17 (2) Had good reason to believe and in good faith believed
18 facts which, if true, would have indicated compliance with all
19 the requirements of this chapter.

20 (3) Reasonably relied upon a decision of a court, a formal
21 opinion of the Iowa public information board, the attorney
22 general, or the attorney for the governmental body, given in
23 writing, or as memorialized in the minutes of the meeting at
24 which a formal oral opinion was given, or an advisory opinion of
25 the Iowa public information board, the attorney general, or the
26 attorney for the governmental body, given in writing.

27 d. Shall issue an order removing a member of a governmental
28 body from office if that member has engaged in a prior violation
29 of this chapter ~~for which damages were assessed against the~~
30 ~~member during the member's term.~~

31 Sec. 2. NEW SECTION. **21.12 Member education course**
32 **required.**

33 1. A newly elected or appointed public official who is a
34 member of a governmental body shall complete a course of training
35 of not less than one and not more than two hours regarding the

1 responsibilities of the governmental body and the governmental
2 body's members under this chapter and chapter 22 not later than
3 the ninetieth day after the date the member does one of the
4 following, as applicable:

5 a. Takes the initial oath of office.

6 b. Assumes responsibilities, if the member is not required to
7 take an oath of office.

8 c. Is elected to the office.

9 2. The Iowa public information board shall ensure that the
10 training is made available. The Iowa public information board
11 may provide the training and may also approve any acceptable
12 course of training offered by a governmental body or other
13 entity. The Iowa public information board shall ensure that at
14 least one course of training approved or provided by the Iowa
15 public information board is available at no cost.

16 3. The Iowa public information board or other entity
17 providing the training shall provide a certificate of course
18 completion to persons who complete the training required by this
19 section. A governmental body shall maintain and make available
20 for public inspection the record of the governmental body's
21 members' completion of the training.

22 a. Completing the required training as a member of the
23 governmental body satisfies the requirements of this section with
24 regard to the member's service on a committee or subcommittee
25 of the governmental body and the member's service on any other
26 governmental body.

27 b. The training required by this section may be used to
28 satisfy any corresponding training requirements concerning this
29 chapter and chapter 22 as required by law for the members of a
30 governmental body.

31 4. If one or more members of a governmental body fail to
32 complete the training required by this section, the failure does
33 not affect the validity of an action taken by the governmental
34 body. However, the member must complete training within sixty
35 days or may be assessed damages as described in section 21.6,

1 subsection 3.

2 5. This section does not apply to a member of a governmental
3 body if the member or governmental body is excluded from the
4 jurisdiction of the Iowa public information board under section
5 23.12.

6 Sec. 3. Section 23.6, subsection 8, Code 2025, is amended to
7 read as follows:

8 8. After appropriate board proceedings, issue orders with the
9 force of law, determining whether there has been a violation of
10 chapter 21 or 22, requiring compliance with specified provisions
11 of those chapters, imposing civil penalties equivalent to and to
12 the same extent as those provided for in section 21.6, 21.12,
13 or 22.10, as applicable, on a respondent who has been found in
14 violation of chapter 21 or 22, and imposing any other appropriate
15 remedies calculated to declare, terminate, or remediate any
16 violation of those chapters.

17 Sec. 4. Section 23.10, subsection 3, paragraph b,
18 subparagraph (1), Code 2025, is amended to read as follows:

19 (1) Require the respondent to pay damages as provided for
20 in section 21.6, 21.12, or 22.10, whichever is applicable, to
21 the extent that provision would make such damages payable if the
22 complainant had sought to enforce a violation in court instead of
23 through the board.