

CHAPTER 29
STATE ARCHIVES
H.F. 475

AN ACT relating to the state archivist's office.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 303.12, Code 1995, is amended to read as follows:

303.12 ARCHIVES.

"Archives" means documents, books, papers, photographs, sound recordings, electronic records, or similar material produced or received pursuant to law in connection with official government business, which no longer have administrative, legal, or fiscal value to the office having present custody of them, and which have been appraised by the state archivist as having sufficient historical, research, or informational value to warrant permanent preservation. The state archivist is the ~~trustee and~~ custodian of the archives of Iowa, ~~except that county or, which have been transferred and delivered to the state archives of Iowa. County, municipal, and local government~~ archives are not included in the state archives of Iowa unless they are voluntarily deposited with transferred to the custody of the state archivist and are physically delivered to the state archives of Iowa. The state archivist shall prescribe rules for the systematic arrangement of archives as to the proper labeling to indicate the contents and order of filing and the archives must be labeled before the archives may be transferred to the state archivist's custody.

Sec. 2. Section 303.13, Code 1995, is amended to read as follows:

303.13 TRANSFER OF ARCHIVES.

The state executive and administrative departments, officers or offices, councils, boards, bureaus, and commissions, shall deliver to the state archives of Iowa and transfer and deliver to the state to the custody of the state archivist all archives as defined in section 303.12 ~~and as prescribed, in accordance with the retention schedules~~ in the records management manual. Before transferring and delivering archives, the office of present custody shall file with the state archivist a classified list of the archives being transferred in detail as the state archivist prescribes. If the state archivist, on receipt of the list, and after consultation with the chief executive of the office filing the classified list or with a representative designated by the executive, finds that, according to the records management manual, certain classifications of the ~~archives records~~ listed are not of sufficient historical, legal, or ~~administrative~~ informational value to justify permanent preservation, the state archivist shall not accept or retain the material ~~for deposit~~ in the state archives.

Sec. 3. Section 303.15, Code 1995, is amended to read as follows:

303.15 CERTIFIED COPIES - FEES.

Upon request of a person, the state archivist shall make a certified copy of any document, manuscript, or record contained in the archives or in the custody of the ~~department~~ ~~except if state archivist unless~~ reproduction is inappropriate because of legal, curatorial, or physical considerations. If a copy is properly authenticated it has the same legal effect as though certified by the officer from whose office it was obtained or by the secretary of state. The copy may be made in writing, or by a suitable photographic process. The state archivist shall charge and collect for copies the fees allowed by law to the official in whose office the document originates for certified copies. The state archivist shall charge a person requesting a search of census records for the purpose of determining genealogy the actual cost of performing the search.

Approved April 17, 1995