
FISCAL TOPICS

Fiscal Services Division

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Iowa's Open Records Law

Background

Commonly known as the “open meetings” or “sunshine” laws, Iowa Code chapters [21](#) and [22](#) exist to ensure government transparency and public accountability at all Iowa government levels. Iowa Code chapter 21 addresses this mission with regard to open meetings, while Iowa Code chapter 22 focuses primarily on the examination and dissemination of public records.

Purpose

Iowa Code chapter 22, “Examination of Public Records (Open Records),” defines the term “public record” as:

...all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter [174](#), whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter [99D](#), or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.¹

Public records also include any record relating to investment of public funds, including but not limited to investment policies, instructions, trading orders, or contracts that are either in the custody of the public body responsible for the funds or its fiduciary (or other third party).

Iowa Code chapter 22 also specifies that the lawful custodian of a public record refers to the governmental body that is currently in possession of the public record. The public has the right, in person or in writing, to request to examine, copy, publish, or otherwise disseminate a public record unless otherwise stated by law. Public records are to be available any time during customary office hours of the lawful custodian, and, if applicable, at a fee that is to be reasonable and that does not exceed the actual cost of providing the service. Iowa Code section [22.8\(4\)](#) allows the lawful custodian to provide for a “good-faith, reasonable delay” in producing records when determining whether a confidential record can be released; this delay may be up to 20 calendar days and is ordinarily not to exceed 10 business days.² Computerized records are treated the same as those that are available in paper form.

There are 73 exceptions withheld in the law as confidential and not public records, including but not limited to:

- Criminal identification files
- Investigative reports of peace officers
- Personal information from confidential personnel records
- Hospital and medical records

¹ pib.iowa.gov/chapter-22-text-version

² pib.iowa.gov/faq/i-want-record-right-now-how-much-time-does-public-agency-have-produce-requested-record

More Information

Iowa Public Information Board: pib.iowa.gov

Iowa General Assembly: www.legis.iowa.gov

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- Personal information regarding a student as held by a school or educational institution
- Reports that, if released, provide an advantage to competitors and serve no public purpose
- Medical examiner records, including autopsy reports, investigative reports, and preliminary reports

Governance

The [Iowa Public Information Board](#) (IPIB), as created in Iowa Code chapter [23](#) during the 2012 Legislative Session, is the independent agency charged with administering and enforcing the open meetings and public records laws and providing a free and efficient medium for the general public of Iowa to receive information and resolve complaints regarding open meeting and public record requests. The Governor made the first IPIB appointments in late FY 2012, and the IPIB began meeting in July 2012 to organize, develop administrative rules, and participate in the budgeting process. Beginning in FY 2014, the IPIB was fully operational and began meeting monthly to discuss complaints and contested cases and to issue declaratory orders and advisory opinions.

Complaints, Enforcement, and Resolution

Complaints must be filed with the IPIB within 60 days of the occurrence of the violation. The IPIB may informally or formally coordinate compromises that satisfy all parties involved. Remedial plans include conducting investigations, conducting party hearings, completing training sessions regarding Iowa Code chapter 22, and participating in informal or formal conferences to reach a peaceful solution. The IPIB and its counsel may also publish advisory and declaratory opinions regarding open record violations. If no informal resolution can be agreed to, a formal hearing may be held by an administrative law judge. Statutory damages of up to \$2,500 may be imposed. If the party being fined is a State government body, the damage fee will be allocated to the General Fund. If a local official or committee is fined, the appropriate local government body will receive the damage fee. Should the parties not be satisfied with the ruling of the administrative law judge, they may take their case to district court.

In calendar year 2020, the IPIB processed 743 cases and inquiries regarding open meetings and public record laws. The majority of these were informal requests. **Table 1** includes a breakdown of cases processed by the IPIB annually.

Table 1: IPIB Annual Cases and Inquiries

Cases	2016	2017	2018	2019	2020
Formal Complaints	107	94	126	148	133
Advisory Opinions	18	13	20	7	7
Declaratory Orders	1	1	0	0	1
Informal Complaints	99	101	58	58	74
Informal Requests	629	484	498	438	399
Miscellaneous Other	21	62	72	121	129
Total	875	755	774	772	743

Related Statutes and Administrative Rules

Iowa Code chapters 21, 22 and 23

IAC [497](#)

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