

House File 715 - Introduced

HOUSE FILE 715
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HSB 160)

A BILL FOR

1 An Act relating to governmental bodies and advisory bodies and
2 public notice requirements under the open meetings law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 21.2, subsection 1, paragraphs a, c, e,
2 h, and j, Code 2019, are amended to read as follows:

3 a. A board, council, commission, or other governing body
4 expressly created by the statutes of this state or by executive
5 order of the governor.

6 c. A multimembered body formally and directly created by
7 one or more boards, councils, commissions, or other governing
8 bodies subject to ~~paragraphs~~ paragraph "a" and or "b" of this
9 subsection.

10 e. An advisory board, advisory commission, advisory
11 committee, or task force formally and directly created by
12 the governor or the general assembly to develop and make
13 recommendations on public policy and budgetary issues.

14 h. An advisory board, advisory commission, advisory
15 committee, task force, or other body formally and directly
16 ~~created by statute or executive order of this state or created~~
17 ~~by an executive order of~~ any measure, including a motion,
18 resolution, amendment, or ordinance, by a political subdivision
19 of this state, one or more boards, councils, commissions, or
20 other governing bodies subject to paragraph "a" or "b", by a
21 mayor, or by a superintendent of schools if the school board of
22 a school district has expressly authorized the superintendent
23 to act on behalf of the school district, to develop and make
24 recommendations on public policy and budgetary issues to the
25 board, council, commission, or other governing body.

26 j. An advisory board, advisory commission, advisory
27 committee, task force, or other body formally and directly
28 created by an entity organized under [chapter 28E](#), or by
29 the administrator or joint board specified in a [chapter 28E](#)
30 agreement, to develop and make recommendations on public policy
31 and budgetary issues to the entity or joint board.

32 Sec. 2. Section 21.2, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. "*Meeting*" means a gathering in person or by electronic
35 means, formal or informal, of a majority of the members of

1 a governmental body where there is deliberation or action
2 upon any matter within the scope of the governmental body's
3 policy-making or budgetary duties. Meetings shall not include
4 a gathering of members of a governmental body for purely
5 ministerial or social purposes when there is no discussion of
6 policy or budgetary duties or no intent to avoid the purposes
7 of this chapter.

8 Sec. 3. Section 21.4, subsection 1, paragraph a, Code 2019,
9 is amended to read as follows:

10 a. Except as provided in subsection 3, a governmental body
11 shall give notice of the time, date, and place of each meeting
12 including a reconvened meeting of the governmental body, and
13 the tentative agenda of the meeting, in a manner reasonably
14 calculated to apprise the public of that information.
15 Reasonable notice shall include advising ~~the news media~~
16 any person who ~~have~~ has filed a request for notice with the
17 governmental body and posting the notice on a bulletin board or
18 other prominent place which is easily accessible to the public
19 and clearly designated for that purpose at the principal office
20 of the body holding the meeting, or if no such office exists,
21 at the building in which the meeting is to be held.

22 Sec. 4. Section 21.4, subsection 2, paragraph a, Code 2019,
23 is amended to read as follows:

24 a. Except as otherwise provided in paragraph "c", notice
25 conforming with all of the requirements of subsection 1 shall
26 be given at least twenty-four hours prior to the commencement
27 of any meeting of a governmental body, excluding weekend days
28 and paid holidays as specified in section 1C.2, unless for good
29 cause such notice is impossible or impractical, in which case
30 as much notice as is reasonably possible shall be given.

31

EXPLANATION

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

34 This bill relates to the regulation of a governmental body
35 and public notice requirements under the open meetings law

1 (Code chapter 21).

2 The bill amends the definition of governmental body under
3 the open meetings law to specify that only advisory boards,
4 advisory commissions, advisory committees, task forces, or
5 any other body that are formally and directly created by a
6 political subdivision of this state, specified governmental
7 bodies, by a mayor, or by a superintendent of schools if the
8 school board of a school district has expressly authorized the
9 superintendent to act on behalf of the school district, are
10 considered governmental bodies subject to the open meetings
11 law.

12 The bill amends the definition of a meeting that is subject
13 to the requirements of the open meetings law by expanding the
14 definition to include any deliberations or actions (including
15 recommendations) taken by a governmental body as defined in
16 the open meetings law, that are within a governmental body's
17 budgetary duties.

18 The bill provides that reasonable notice of a meeting shall
19 include providing notice to any person, and not just the news
20 media, if the person has filed a request for notice.

21 The bill also excludes weekend days and paid holidays as
22 specified in Code section 1C.2 when determining the 24-hour
23 time period for purposes of public notice under the open
24 meetings law.