

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:

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

17 (1) Voted against the closed session.

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

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

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

32 Sec. 2. NEW SECTION. 21.12 Member education course
33 required.

34 1. A newly elected or appointed public official who is
35 a member of a governmental body shall complete a course of

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

6 a. Takes the initial oath of office.

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

9 c. Is elected to the office.

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

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

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

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

32 4. If one or more members of a governmental body fail to
33 complete the training required by this section, the failure
34 does not affect the validity of an action taken by the
35 governmental body. However, the member must complete training

1 within sixty days or may be assessed damages as described in
2 section 21.6, subsection 3.

3 5. This section does not apply to a member of a governmental
4 body if the member or governmental body is excluded from the
5 jurisdiction of the Iowa public information board under section
6 23.12.

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

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

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

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