

SUNSHINE ADVISORY

A Bulletin on Iowa Open Meetings and Public Records Laws

By Attorney General Tom Miller – January 2005

Open Meetings? Public Records? Who informs public officials about Sunshine Laws?

People who are appointed or elected to public office assume a big responsibility to act in accordance with Iowa laws governing open meetings and public records. These “sunshine laws” grant the public specific rights of access -- and impose specific duties on public officials. But who assures that public officials are knowledgeable about these laws so that they may carry out their duties? Are officials on their own to learn the applicable provisions of law? On whose shoulders does the obligation fall to provide public officials with information?

Iowa statutes charge certain individuals with the obligation to provide information about “sunshine laws” to public officials:

- **Appointing Authorities:** Under Iowa law, the authority who appoints members of a governmental body has the duty to provide the members with information about the Open Meetings Law and the Public Records Law. (Iowa Code sec. 21.10.) For example, the Governor, the General Assembly, and county boards of supervisors have the duty to provide information to members of agencies, boards or commissions whom they appoint.
- **Commissioner of Elections:** The appropriate commissioner of elections has the duty to provide information to members of elected governmental bodies. Iowa Code sec. 21.10. The Secretary of State is the appropriate “commissioner of elections” for state governmental bodies. (Iowa Code sec. 47.1.) The county auditor is the appropriate “commissioner of elections” for other governmental bodies. (Iowa Code sec. 47.2.)

Remember: Public officials must be knowledgeable about the Open Meetings Law and the Public Records Law in order to carry out their duties. The law imposes an obligation to “provide information” to these public officials.

For outlines that summarize Iowa’s “sunshine laws” and collect relevant opinions of the courts and the Attorney General, see our web site: www.iowaAttorneyGeneral.org (click on ‘open government’ at bottom of home page.)

Citizens who have inquiries or complaints about public records or open meetings may call the Iowa Citizens’ Aide/Ombudsman Office – toll-free at 888-IA-OMBUD (888-426-6283.)

“Sunshine Advisory” bulletins provide information on Iowa’s public records and open meetings laws – our “Sunshine Laws.” The bulletins are a resource for public officials and citizens. Local officials should obtain legal advice from their counsel, such as the city or county attorney.

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Iowa Attorney General’s Office: Hoover Building, Des Moines, Iowa 50319.

On the Web: www.iowaAttorneyGeneral.org . (Click on “open government.”)