

SUNSHINE ADVISORY

A Bulletin on Iowa Open Meetings and Public Records Laws

By Attorney General Tom Miller -- May 2008

Safeguarding Public Records

Public officials need to facilitate access and protect records.

The public has a right to personally examine public records at a government office, and to receive a copy at a reasonable cost (not to exceed actual cost) -- but the lawful custodian of government records has a corresponding duty to preserve the integrity of public records for the benefit of all Iowans. (Iowa Code Chapter 22.)

To ensure access and security, the law directs public officials to:

- **Provide a suitable place for the public to examine and copy public records at the office where the records are maintained.**
- **Supervise examination and copying of public records, and adopt reasonable rules to guard against damage or disorganization.**
- **Make a reasonable number of copies if copy equipment is available, or supervise copying at a separate location** if it is impractical to make copies at the location where the records are kept.
- **Charge reasonable fees for copying and supervising, not exceeding the actual cost.** Any fees should be posted and applied uniformly.
- **Retain control of public records.** Persons may not simply remove public records from a government office to examine or copy them at a remote location.

The public's right of access to public records -- and the government's obligation to preserve them -- are flip sides of the same coin. The Iowa Public Records law spells out requirements to guarantee access to records, and to preserve them for all.

Citizens who have inquiries or complaints may call the Iowa Citizens' Aide/Ombudsman Office -- toll-free at 888-IA-OMBUD (888-426-6283.)

This advisory was first issued in April 2002. "Sunshine Advisory" bulletins are designed to give information on Iowa's public records and open meetings laws -- our "Sunshine Laws." The bulletins are a resource for government officials and citizens. Local officials should obtain legal advice from their counsel, such as the city or county attorney.



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

On the Web: www.iowaAttorneyGeneral.org