

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE BOARD
BILL)

A BILL FOR

1 An Act relating to delinquent payment penalties assessed by the
2 Iowa ethics and campaign disclosure board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **68B.32E Delinquent penalties —**
2 **enforcement.**

3 1. A civil penalty assessed by the board under section
4 68B.32D, subsection 1, paragraph "h", shall be paid no later
5 than thirty days after the order is issued. A civil penalty is
6 delinquent if the full amount of the civil penalty has not been
7 timely paid.

8 2. a. In lieu of paying the full amount of the civil
9 penalty within thirty days, a person may enter into an
10 installment payment plan. A payment plan must be agreed to
11 in writing and signed by the board's executive director and
12 the person owing the civil penalty. The payment plan must
13 include a payment schedule with the payment dates described.
14 The payment plan must be established no later than thirty days
15 after the issuance of the order requiring the person to pay a
16 civil penalty, as provided under section 68B.32D, subsection
17 1, paragraph "h".

18 b. If a payment plan is established, the civil penalty is
19 delinquent if an installment payment is not paid within thirty
20 days of the payment date provided in the payment plan.

21 3. If a civil penalty is delinquent for sixty days or longer
22 on or after July 1, 2024, the board shall assess a late fee once
23 each month, beginning on the later of July 1, 2024, and the
24 date the civil penalty becomes delinquent. The late fee must
25 be assessed in accordance with rules adopted by the board. The
26 board may waive any assessed late fee.

27 4. If a civil penalty remains delinquent for thirty days or
28 longer, the board shall send final notice to the person owing
29 the civil penalty. Such notice shall be sent via restricted
30 certified mail, and must include notice of the applicable
31 action provided in subsection 5 or 6.

32 5. Notwithstanding sections 321.210, 321.210A, and
33 321.210B, if a civil penalty owed by a person who was issued a
34 driver's license in this state is delinquent under subsection
35 1 or 2, and if the person owes two hundred fifty dollars or

1 more, the board shall notify the department of transportation
2 to suspend the person's driver's license in accordance with
3 section 321.210E until the debt is no longer delinquent. If
4 the civil penalty owed by the person is no longer delinquent,
5 the board shall notify the department of transportation to
6 terminate the suspension of the person's driver's license in
7 accordance with section 321.210E.

8 6. If a civil penalty owed by a person who was not issued a
9 driver's license in this state is delinquent under subsection 1
10 or 2, and if the person owes two hundred fifty dollars or more,
11 the board shall revoke any authority granted by the board for
12 the person to operate a candidate's committee and a political
13 committee in this state until the person's debt is no longer
14 delinquent.

15 7. Any penalty shall be stayed if an appeal is pending for
16 the underlying matter for which the person was issued a civil
17 penalty. For the duration of the stay, the penalty shall not
18 be deemed delinquent and is not subject to a late fee.

19 8. The board may waive collection of a penalty owed in
20 circumstances where collection is impracticable.

21 9. This section does not prohibit the board from taking
22 alternative enforcement actions permitted by this chapter or
23 chapter 17A.

24 **Sec. 2. NEW SECTION. 321.210E Suspension for delinquent**
25 **administrative fines.**

26 1. Upon receipt of notice from the Iowa ethics and campaign
27 disclosure board, the department shall suspend the driver's
28 license of a person who has a delinquent civil penalty under
29 section 68B.32E.

30 2. Notwithstanding section 321.212, the person's license
31 shall be suspended until the department receives notice
32 from the Iowa ethics and campaign disclosure board that the
33 civil penalty is no longer delinquent. Upon receipt of such
34 notice from the Iowa ethics and campaign disclosure board,
35 the department shall terminate the suspension and notify the

1 person. The department shall reinstate the person's driver's
2 license if the person is otherwise eligible and complies with
3 section 321.191.

4 3. The department shall adopt rules pursuant to chapter 17A
5 to administer this section.

6 Sec. 3. Section 321.212, subsection 1, paragraph a,
7 subparagraph (1), Code 2024, is amended to read as follows:

8 (1) Except as provided in section 321.210A, 321.210E,
9 or 321.513, the department shall not suspend a license for a
10 period of more than one year, except that a license suspended
11 because of incompetency to drive a motor vehicle shall be
12 suspended until the department receives satisfactory evidence
13 that the former holder is competent to operate a motor vehicle
14 and a refusal to reinstate constitutes a denial of license
15 within section 321.215; upon revoking a license the department
16 shall not grant an application for a new license until the
17 expiration of one year after the revocation, unless another
18 period is specified by law.

19

EXPLANATION

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

22 This bill provides enforcement provisions related to
23 delinquent civil penalties assessed by the Iowa ethics and
24 campaign board (board) under Code section 68B.32, subsection
25 1, paragraph "h". The bill requires civil penalties to be
26 paid within 30 days of the board's order for a penalty unless
27 a payment plan is established. Under the bill, the board is
28 authorized to adopt administrative rules and assess a late
29 fee once each month in addition to a civil penalty that is
30 delinquent for 60 days or longer on or after July 1, 2024.

31 The bill authorizes the board to notify the department
32 of transportation (DOT) to suspend the driver's license of a
33 person who was issued a license in Iowa, if the person has a
34 delinquent penalty in excess of \$250 and received notice as
35 provided in the bill. Under current administrative rules, the

1 DOT must send notice to a person whose driver's license will
2 be suspended for nonpayment of a fine, penalty, surcharge, or
3 court costs (761 IAC 615.22). The suspension begins 30 days
4 after the notice is served and continues until the DOT issues a
5 notice terminating the suspension.

6 If a delinquent civil penalty of more than \$250 is owed
7 by a person who was not issued a driver's license in Iowa,
8 the board is required to revoke any authority granted by the
9 board for the person to operate a candidate's committee and
10 a political committee in Iowa until the person's debt is no
11 longer delinquent.

12 The bill provides for penalties to be waived and stayed under
13 certain circumstances.