

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Rules transferred from agency number [190] to [121] to conform with the reorganization numbering scheme in general, IAC Supp. 9/9/87.
Prior to 3/30/94, Campaign Finance Disclosure Commission [121]

CHAPTER 1

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

- 1.1(68A,68B) General agency description
- 1.2(68B) Requirements for requesting board advisory opinions
- 1.3(68B) Processing of advisory opinion requests; routine administrative advice
- 1.4(68B) Board code of ethics

CHAPTER 2

PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

- 2.1(22,68A,68B) Definitions
- 2.2(22,68A,68B) Statement of policy
- 2.3(22,68A,68B) Requests for access to records
- 2.4(22,68A,68B) Procedures for access to confidential records
- 2.5(22,68A,68B) Request for treatment of a record as a confidential record
- 2.6(22,68A,68B) Procedure by which a subject may have additions, dissents or objections entered into the record
- 2.7(22,68A,68B) Consent to disclosure by the subject of a confidential record
- 2.8(22,68A,68B) Notice to suppliers of information
- 2.9(22,68A,68B) Disclosure without the consent of the subject
- 2.10(22,68A,68B) Routine use
- 2.11(22,68A,68B) Consensual disclosure of confidential records
- 2.12(22,68A,68B) Release to subject
- 2.13(22,68A,68B) Availability of records
- 2.14(22,68A,68B) Personally identifiable information
- 2.15(22,68A,68B) Other groups of records
- 2.16(22,68A,68B) Data processing systems
- 2.17(22,68A,68B) Limitation of applicability
- 2.18(68B) Use of information prohibited

CHAPTER 3

IOWA ELECTION CAMPAIGN FUND

- 3.1(68A) Interpretation of checkoff markings
- 3.2(68A) Distribution of funds
- 3.3(68A) Director of revenue—monthly reports
- 3.4(68A) Funds—application and transfer
- 3.5(68A) Nonlegitimate Iowa election campaign fund expenses; documentation; return of funds
- 3.6(68A) Legitimate campaign expenses
- 3.7(68A) Loss of party status
- 3.8(68A) Filing of Iowa election campaign fund report

CHAPTER 4
CAMPAIGN DISCLOSURE PROCEDURES

DIVISION I
ORGANIZATIONAL REQUIREMENTS

- 4.1(68A,68B) Requirement to file statement of organization (DR-1)—persons subject to requirements; financial thresholds; where to file; when due
- 4.2(68A,68B) Information required: committee name
- 4.3(68A,68B) Information required: committee purpose; party affiliation
- 4.4(68A,68B) Information required: officers; committee information; signatures
- 4.5(68A,68B) Segregation and timely deposit of funds; information required: identification of financial institution, account name; notice to treasurer
- 4.6(68A,68B) Amendments to statement of organization; requirement for new statement of organization for new office sought

DIVISION II
REPORTING AND FINANCIAL TRANSACTION REQUIREMENTS

- 4.7(68A,68B) Disclosure reporting required; information on initial report; minimum filing if no activity
- 4.8(68A,68B) Disclosure reporting required—where reports filed
- 4.9(68A) Campaign disclosure report due dates
- 4.10(68A) Time of filing
- 4.11(68A) Voluntary registration—Form DR-SFA
- 4.12(68A,68B) Exception from reporting requirement—reports due within five days of one another
- 4.13(68A,68B) Report forms—summary page (DR-2) and supporting schedules
- 4.14(68A,68B) Schedule A - Monetary Receipts
- 4.15(68A,68B) Schedule B - Monetary Expenditures
- 4.16(68A,68B) Schedule D - Incurred Indebtedness
- 4.17(68A,68B) Schedule E - In-kind Contributions
- 4.18(68A,68B) Schedule F - Loans Received and Repaid
- 4.19(68A) Schedule G - Breakdown of Monetary Expenditures by Consultants
- 4.20(68A,68B) Schedule H - Campaign Property
- 4.21(68A) Filing of reconciled bank statement
- 4.22(68A,68B) Verification of reports; incomplete reports
- 4.23(68A,68B) Amendment—statements, disclosure reports and notices
- 4.24(68A) Reporting of state party building fund transactions
- 4.25(68A,68B) Legitimate expenditures of campaign funds
- 4.26(68A) Transfers between candidates
- 4.27(68A) Filing of independent expenditure statement
- 4.28(68A) Prohibition on contributions and independent expenditures by foreign nationals
- 4.29(68A,68B) Contributions by minors
- 4.30(68A,68B) Funds from unknown source prohibited; subsequent identification of source; notice to contributors
- 4.31(68A) Information required for a trust to avoid a contribution in the name of another person
- 4.32(68A) Contributions from political committees not organized in Iowa
- 4.33(68A) Reporting of earmarked contributions
- 4.34(68A) Copies of reports filed by 527 Committees
- 4.35(68A) Permanent organizations forming temporary political committees; one-time contributor filing Form DR-OTC
- 4.36(68A) Cash transactions
- 4.37(68A,68B) Record keeping

DIVISION III

POLITICAL MATERIAL—ATTRIBUTION STATEMENTS

- 4.38(68A) Political attribution statement—contents
- 4.39(68A) Specific items exempted from or subject to attribution statement requirement; multiple pages
- 4.40(68A,68B) Newspaper or magazine
- 4.41(68A,68B) Apparent violations; remedial action
- 4.42 and 4.43 Reserved

DIVISION IV

CORPORATE POLITICAL ACTIVITY

- 4.44(68A,68B) Prohibited corporate activity
- 4.45(68A,68B) Corporate-sponsored political committee
- 4.46 Reserved
- 4.47(68A,68B) Permitted activity—reimbursement required
- 4.48(68A) Sham newspapers subject to campaign laws
- 4.49(68A,68B) Individual property
- 4.50 Reserved
- 4.51(68A) Candidate debate—media organization; debate structure; debate funding; contribution reporting inapplicable
- 4.52(68A,68B) Corporate involvement with political committee funds

DIVISION V

INDEPENDENT EXPENDITURES AND IN-KIND CONTRIBUTIONS

- 4.53(68A,68B) Express advocacy; in-kind contributions; independent expenditures— definitions

DIVISION VI

COMMITTEE DISSOLUTION

- 4.54(68A) Committee dissolution; disposition of property; resolution of loans or debts
- 4.55(68A) Statement of dissolution; final report; final bank statement
- 4.56 and 4.57 Reserved

DIVISION VII

CIVIL PENALTIES FOR LATE REPORTS

- 4.58(68B) Late-filed campaign disclosure reports
- 4.59(68B) Routine civil penalty assessment for late-filed disclosure reports
- 4.60(68B) Requests for waiver of penalties
- 4.61(68B) Contested case challenge
- 4.62(68B) Payment of penalty

CHAPTER 5

USE OF PUBLIC RESOURCES FOR A POLITICAL PURPOSE

- 5.1(68A) Scope of chapter
- 5.2(68A) Applicability
- 5.3(68A) Definitions
- 5.4(68A) Use of public resources for a political purpose prohibited
- 5.5(68A) Exceptions from prohibition on use of public resources for a political purpose
- 5.6(68B) Board advice
- 5.7(68B) Complaints
- 5.8(68A) Holders of certain government positions prohibited from engaging in political activities

CHAPTER 6
EXECUTIVE BRANCH ETHICS

DIVISION I
GENERAL PROVISIONS

- 6.1(68B) Scope of chapter
6.2(68B) Definitions
6.3(68B) Complaints or filing information alleging a violation
6.4(68B) Board advice

DIVISION II
CONFLICT OF INTEREST AND MISUSE OF PROPERTY

- 6.5 Reserved
6.6(68B) Dual executive branch compensation prohibited
6.7 Reserved
6.8(68B) Misuse of public property
6.9(68B) Use of confidential information

DIVISION III
SALES OR LEASES OF GOODS OR SERVICES

- 6.10(68B) Prohibition on sales; when public bids required—disclosure of income
6.11(68B) Sales or leases by regulatory agency officials or employees
6.12(68B) Sales or leases by members of the office of the governor

DIVISION IV
EMPLOYMENT RESTRICTIONS

- 6.13 Reserved
6.14(68B) Engaging in services against the interest of the state prohibited
6.15 Reserved

DIVISION V
GIFTS AND OFFERS

- 6.16 to 6.18 Reserved
6.19(68B) Prohibition on receipt of an honorarium
6.20(68B) Loans from executive branch lobbyists prohibited

CHAPTER 7
PERSONAL FINANCIAL DISCLOSURE

- 7.1(68B) Filing requirements and procedures
7.2(68B) Information disclosed on form
7.3(68B) Procedure for determining persons required to file with the board—distribution of forms
7.4 Reserved
7.5(68B) Penalties
7.6(68B) Requests for waiver of penalties
7.7(68B) Contested case challenge
7.8(68B) Payment of penalty
7.9(68B) Retention and availability of filed forms

CHAPTER 8
EXECUTIVE BRANCH LOBBYING

- 8.1(68B) Executive branch lobbying defined
8.2(68B) Executive branch lobbyist defined
8.3(68B) Individuals not considered executive branch lobbyists
8.4(68B) Executive branch lobbyist client defined
8.5(68B) Lobbyist compensation defined; contingency fee lobbying prohibited
8.6 Reserved

8.7(68B)	Lobbyist registration required
8.8	Reserved
8.9(68B)	Executive branch lobbyist client reporting
8.10(68B)	Session function registrations and reports
8.11(68B)	Penalties for delinquent reports
8.12(68B)	Request for waiver of penalty
8.13(68B)	Contested case proceeding
8.14(68B)	Payment of penalty
8.15(68A)	Campaign contributions by lobbyists during the regular legislative session prohibited
8.16(68B)	Lobbyists prohibited from making loans
8.17(68B)	Ban on certain lobbying activities by government personnel
8.18(68B)	False communications prohibited
8.19(68B)	Advisory opinions
8.20(68)	Retention and availability of filed forms

CHAPTER 9

COMPLAINT, INVESTIGATION, AND RESOLUTION PROCEDURES

9.1(68B)	Complaints
9.2(68B)	Investigations—board action
9.3(68B)	Grounds for disciplinary action
9.4(68B)	Disciplinary remedies; administrative resolution of enforcement matters
9.5(68B)	Settlements
9.6(68B)	Whistle-blower protection
9.7(68B)	Providing false information to the board during an investigation

CHAPTER 10

Reserved

CHAPTER 11

CONTESTED CASE PROCEDURES

11.1(17A,68B)	Scope and applicability
11.2(17A,68B)	Definitions
11.3(17A,68B)	Time requirements
11.4(17A,68B)	Requests for contested case proceeding
11.5(17A,68B)	Notice of hearing
11.6(17A,68B)	Waiver of procedures
11.7(17A,68B)	Telephone proceedings
11.8(17A,68B)	Disqualification; request for administrative law judge
11.9(17A,68B)	Consolidation—severance
11.10(17A,68B)	Pleadings
11.11(17A,68B)	Service and filing of pleadings and other papers
11.12(17A,68B)	Discovery
11.13(17A,68B)	Subpoenas
11.14(17A,68B)	Motions
11.15(17A,68B)	Prehearing conference
11.16(17A,68B)	Continuances
11.17(17A,68B)	Withdrawals
11.18(17A,68B)	Intervention
11.19(17A,68B)	Hearing procedures
11.20(17A,68B)	Evidence
11.21(17A,68B)	Default
11.22(17A,68B)	Ex parte communication

11.23(17A,68B)	Recording costs
11.24(17A,68B)	Interlocutory appeals
11.25(17A,68B)	Final decision
11.26(17A,68B)	Board review
11.27(17A,68B)	Application for rehearing
11.28(17A,68B)	Stay of agency actions
11.29(17A,68B)	No factual dispute contested cases

CHAPTER 12 DECLARATORY ORDERS

12.1(17A,68B)	Petition for declaratory order
12.2(17A,68B)	Briefs
12.3(17A,68B)	Notice of petition
12.4(17A,68B)	Intervention
12.5(17A,68B)	Inquiries
12.6(17A,68B)	Board consideration
12.7(17A,68B)	Action on petition
12.8(17A,68B)	Refusal to issue order
12.9(17A,68B)	Contents of declaratory order
12.10(17A,68B)	Copies of orders
12.11(17A,68B)	Effect of a declaratory order
12.12(17A,68B)	Advisory opinion

CHAPTER 13 PETITIONS FOR RULE MAKING

13.1(68B)	Petition for rule making
13.2(68B)	Briefs
13.3(68B)	Inquiries
13.4(68B)	Board consideration

CHAPTER 14 BOARD PROCEDURE FOR RULE MAKING

14.1(17A)	Applicability
14.2(17A)	Advice on possible rules before notice of proposed rule adoption
14.3(17A)	Public rule-making docket
14.4(17A)	Notice of proposed rule making
14.5(17A)	Public participation
14.6(17A)	Regulatory analysis
14.7(17A,25B)	Fiscal impact statement
14.8(17A)	Time and manner of rule adoption
14.9(17A)	Variance between adopted rule and published notice of proposed rule adoption
14.10(17A)	Exemptions from public rule-making procedures
14.11(17A)	Concise statement of reasons
14.12(17A)	Contents, style, and form of rule
14.13(17A)	Board rule-making record
14.14(17A)	Filing of rules
14.15(17A)	Effectiveness of rules prior to publication
14.16(17A)	General statements of policy
14.17(17A)	Review by board of rules

CHAPTER 15

WAIVERS OR VARIANCES FROM ADMINISTRATIVE RULES

- 15.1(17A) Definition
- 15.2(17A,68A,68B) Scope of chapter
- 15.3(17A,68A,68B) Applicability
- 15.4(17A) Criteria for waiver
- 15.5(17A,68A,68B) Filing of petition
- 15.6(17A) Content of petition
- 15.7(17A) Additional information
- 15.8(17A) Notice
- 15.9(17A) Hearing procedures
- 15.10(17A) Ruling
- 15.11(17A,22) Public availability
- 15.12(17A) Summary reports
- 15.13(17A) Cancellation of a waiver
- 15.14(17A,68A,68B) Violations
- 15.15(17A,68A,68B) Defense
- 15.16(17A) Appeals