

FILED MAR 11 1997

SENATE FILE 405
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Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to permit candidates for legislative office to make
2 voluntary pledges to engage in fair campaign practices and to
3 limit campaign expenditures.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 405

1 Section 1. NEW SECTION. 56.14A FAIR CAMPAIGN PRACTICES
2 -- VOLUNTARY PLEDGE.

3 1. A candidate for legislative office may, at the time
4 that the candidate's committee files a statement of
5 organization with the board, pledge to engage in the following
6 fair campaign practices:

7 a. Voluntarily limiting campaign expenditures as provided
8 in this section.

9 b. Publishing or authorizing the publication of only those
10 statements regarding the candidate's opponent that are true
11 and accurately represent the opponent's positions or record.

12 2. If a candidate for legislative office pledges to engage
13 in fair campaign practices, the candidate may include, on any
14 published campaign material or as part of any oral or written
15 statement, an affirmative statement that the candidate has
16 entered into a voluntary agreement with the board to engage in
17 only fair campaign practices. A candidate who fails to abide
18 by the terms of the pledge, as determined by the board, shall
19 not be permitted to include the statement on any material or
20 in any statement. Section 56.16 shall not apply to a failure
21 to abide by the terms of the pledge.

22 3. For purposes of this section, the maximum expenditure
23 levels which are established for a candidate by the candidate
24 and the board shall not exceed an amount which equals twice
25 the annual salary for the legislative office sought.

26 4. The board shall adopt rules pursuant to chapter 17A
27 that establish standards for determining whether a statement
28 is deemed untruthful or misleading. The standards shall
29 include, but are not limited to, standards that deem all of
30 the following types of statements as false or misleading:

31 a. Willful false identification of information sources.

32 b. Issuance of statements under the name of another person
33 without authorization.

34 c. False statements regarding a person's or publication's
35 endorsement of or opposition to a candidate.

1 d. False statements regarding a candidate's education,
2 training, professional licensure, occupational history,
3 criminal record, mental or physical health, or voting record.

4 5. The board shall also adopt a logo which a candidate who
5 agrees to take the pledge to engage in fair campaign practices
6 may display on any political material published or distributed
7 by or on behalf of the candidate.

8 EXPLANATION

9 This bill permits candidates to take a voluntary pledge at
10 the time that the candidate's committee files a statement of
11 organization with the ethics and campaign disclosure board to
12 engage in fair campaign practices. The pledge includes an
13 agreement between the candidate and the board to voluntarily
14 limit the candidate's campaign expenditures and a pledge to
15 only publish or authorize the publication of statements which
16 are true and accurately represent the candidate's opponent's
17 positions or record. A candidate who enters into the pledge
18 may include on any material published or as part of any
19 statement made by the candidate a statement which says that
20 the candidate has voluntarily agreed to engage in only fair
21 campaign practices. If a candidate does not abide by the
22 terms of the pledge, the candidate may no longer include the
23 fair campaign practices statement on campaign material or
24 statements. No other penalties apply to the failure to abide
25 by the terms of the pledge.

26 The bill establishes a ceiling on the amount that the board
27 and the candidate can agree to as permissible campaign
28 expenditure amounts. The bill also requires the ethics and
29 campaign disclosure board to adopt rules which establish
30 standards for determining whether a statement is false or
31 misleading and provides a list of types of statements that are
32 to be deemed false or misleading.

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