

CHAPTER 4  
CAMPAIGN DISCLOSURE PROCEDURES

[Prior to 9/9/87, Campaign Finance Disclosure[190] Ch 4]  
[Prior to 3/30/94, Campaign Finance Disclosure Commission[121] Ch 4]

DIVISION I  
ORGANIZATIONAL REQUIREMENTS

**351—4.1(56,68B) Requirement to file statement of organization (DR-1)—persons subject to requirements; financial thresholds; where to file; when due.**

**4.1(1)** *Persons subject to requirement.* Every committee shall file a statement of organization (Form DR-1) within ten days from the date of its organization. The forms shall be either typewritten or printed legibly in black ink.

*a. “Committee” defined.* A “committee” includes a “candidate’s committee,” which is the entity required to be created when a candidate has exceeded the \$500 organizational threshold, even though the organization may consist only of the candidate. A “committee” also includes a “political committee,” which is the entity required to be created when two or more individuals have exceeded the \$500 organizational threshold for permanent or temporary political purposes.

*b. When organization occurs; financial thresholds.* At the latest, organization is construed to have occurred as of the date that the committee first exceeded \$500 of financial activity in a calendar year in any of the following categories: contributions received (aggregate of monetary and in-kind contributions); expenditures made; or indebtedness incurred.

*c. Permanent organizations temporarily engaging in activity for political purposes.* The requirement to file the statement of organization applies to an entity which comes under the definition of a “political committee” because it is an association, lodge, society, cooperative, union, fraternity, sorority, educational institution, civic organization, labor organization, religious organization, professional organization or other permanent organization which temporarily engages in political activity by accepting contributions in excess of \$500 in the aggregate, making expenditures in excess of \$500 in the aggregate, or incurring indebtedness in excess of \$500 in the aggregate in any one calendar year for the purpose of supporting or opposing the election of a candidate for public office, or for the purpose of supporting or opposing the passage of a ballot issue.

**4.1(2)** *Place of filing.*

*a. Board office.* Statements of organization for the following committees shall be filed with the board at its office, 514 E. Locust, Suite 104, Des Moines, Iowa 50309:

- (1) Candidates’ committees for elected state office (legislative or statewide);
- (2) Political committees supporting or opposing the election of multiple candidates for elected state office (legislative or statewide), also referred to as “statewide PAC (political action committees)”;
- (3) State statutory political committees (state parties);
- (4) Political committees supporting or opposing the passage of a statewide ballot issue.

*b. County commissioner of elections.* Statements of organization for the following committees shall be filed with the county commissioner (county auditor) responsible under Iowa Code section 47.2 for conducting the election at which an elected public office or ballot issue is voted upon:

(1) Candidate’s committees for candidates seeking election to a public office at the county, school, city, township or other nonlegislative district level, also referred to as “county/local candidate’s” committees.

(2) Political committees supporting or opposing the election of multiple candidates for elected county or local office, also referred to as “county PACs.”

(3) County or city statutory political committees (central committees); however, the committee shall file a copy of the statement of organization with the board.

(4) Political committees supporting or opposing the passage of a county or local referendum, franchise, or other ballot issue, also referred to as a county or local “ballot issue (or franchise election) committee.”

(5) Political committees other than central committees established to support a nonpartisan slate of specific municipal or school board candidates, also referred to as a “slate committee.”

*c. Filing requirements for committees active at both the state and county/local level or active within multiple counties.*

(1) Political committees supporting or opposing the election of candidates both for state office and for county or local office shall file the statement of organization with the board.

(2) Political committees which support or oppose passage of a statewide ballot issue and one or more county/local issues shall file the statement of organization with the board.

(3) Political committees which support or oppose passage of a county/local ballot issue where there are multiple elections under the jurisdiction of multiple county commissioners shall file duplicate originals with each of the appropriate county commissioners. (Also see rule 351—4.7(56,68B).)

(4) Political committees which support or oppose the election of county or local candidates where there are multiple elections under the jurisdiction of multiple county commissioners shall file duplicate originals with each of the appropriate county commissioners.

**4.1(3) Time of filing.** A statement of organization is deemed to be delinquent if it is not received in the appropriate office or mailed bearing a United States Postal Service postmark dated within ten days after the date of organization. However, if the tenth day falls on a Saturday, Sunday, or holiday on which the office of the board or county commissioner where the statement is required to be filed is closed, the filing deadline is extended to the first working day following, and statements of organization received or postmarked on that day will not be considered to be delinquent.

**4.1(4) Substitution of definition.**

*a.* Anywhere in Iowa Code chapter 56 that the term “express advocacy” appears, the term means “express advocacy” as defined in 1999 Iowa Acts, Senate File 470, section 1, paragraphs “b” and “c.” If it is determined that the definition of “express advocacy” in 1999 Iowa Acts, Senate File 470, section 1, paragraph “c,” is unconstitutional by a court of law, then “express advocacy” will mean “express advocacy” as that term is defined in 1999 Iowa Acts, Senate File 470, section 1, paragraph “b.”

*b.* Anywhere in this chapter that the term “support or oppose” appears, insert the phrase “expressly advocates”. Anywhere in this chapter that either the word “support” or “oppose” appears, insert the phrase “expressly advocates”. As used in this chapter, “expressly advocates” means “express advocacy” as defined in 1999 Iowa Acts, Senate File 470, section 1, paragraphs “b” and “c” and subrule 4.100(1). If it is determined that 1999 Iowa Acts, Senate File 470, section 1, paragraph “c,” and paragraph 4.100(1) “b” are unconstitutional by a court of law, then “expressly advocates” will mean “express advocacy” as that term is defined in 1999 Iowa Acts, Senate File 470, section 1, paragraph “b,” and paragraph 4.100(1) “a.”

This rule is intended to implement Iowa Code sections 56.4 and 56.5.

**351—4.2(56,68B) Information required: committee name.**

**4.2(1) Full name required.** The statement of organization shall include the full name of the committee. A committee which uses an abbreviation or acronym as part of its committee name shall provide a written explanation of the full word or words which are abbreviated or form the acronym. The explanation may be provided with the committee’s statement of organization and shall be provided to the board upon request.

**4.2(2)** *Duplication of name prohibited.* The committee name shall not substantially duplicate the name of another committee organized under Iowa Code chapter 56. In cases of dispute, the board shall determine whether two committee names are in substantial duplication in violation of this rule and Iowa Code section 56.5. However, if a candidate with a preexisting open candidate's committee or previously dissolved candidate's committee organizes a new candidate's committee for a new election or for a new office sought, the same committee name may be used provided that the name is in compliance with Iowa Code section 56.5(2) "a" and subrule 4.2(3) and that any open committee for the candidate with the same name is dissolved simultaneously with the organization of the new committee.

**4.2(3)** *Candidate's surname required in committee name—candidate's committees.* For candidate's committees filing initial statements of organization on or after July 1, 1995, the candidate's surname shall be contained within the committee name. This requirement also applies to new candidate's committees organized by candidates who have a preexisting candidate's committee, but who organize a new candidate's committee for a new election or for a new office sought.

This rule is intended to implement Iowa Code section 56.5.