

**ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]**

**Adopted and Filed**

**Rulemaking related to organizational structure and advisory opinions**

The Iowa Ethics and Campaign Disclosure Board hereby rescinds Chapter 1, “Iowa Ethics and Campaign Disclosure Board,” Iowa Administrative Code, and adopts a new Chapter 1 with the same title.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code section 68B.32A.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapters 68A and 68B.

*Purpose and Summary*

Pursuant to Executive Order 10, the Board is rescinding Chapter 1 and adopting a new chapter in lieu thereof. The chapter provides organizational information regarding the Board and the process used to issue advisory opinions.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on March 4, 2026, as **ARC 0084D**. A public hearing was held on the following date(s):

- March 24, 2026
- March 26, 2026

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Board on April 8, 2026.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to Iowa Code section 17A.9A and 7—Chapter 2504.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rulemaking will become effective on June 3, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 351—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1  
IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

**351—1.1(68A,68B) General agency description.**

**1.1(1) *Board established.*** The Iowa ethics and campaign disclosure board is established as an independent agency of the executive branch of state government with the authority, powers, and duties set out in Iowa Code chapters 68A and 68B.

**1.1(2) *Election of officers.*** On an annual basis at the board's first meeting after April 30, the members shall elect a chair and vice chair, and members may be reelected or elected to a different office.

**1.1(3) *Board meetings.*** Meetings of the board are held at the call of the chair or at the request of at least four board members. Minutes of meetings are available for viewing via the board's website.

**1.1(4) *Voting and procedure.*** Four board members constitute a quorum for conducting the business of the board. An affirmative vote of four board members is required for a motion to pass. The meetings shall be generally conducted according to rules of parliamentary procedure.

This rule is intended to implement Iowa Code sections 68B.32 and 68B.32A.

**351—1.2(68B) Requirements for requesting board advisory opinions.**

**1.2(1) *Who may request opinion.*** Any person subject to the board's jurisdiction may request a board advisory opinion. A governmental entity or local government official or employee not under the board's jurisdiction may request a board advisory opinion on an issue subject to the board's jurisdiction. A person requesting an opinion on the application of the ethics and lobbying laws in Iowa Code chapter 68B as applied to the legislative branch of state government shall be referred to the senate and house ethics committees. The board may on its own motion issue opinions without receiving a formal request.

**1.2(2) *Form of request.*** The request for an opinion shall be in writing and shall describe the specific transaction, conduct, or activity that the requesting person plans to undertake or is presently undertaking.

**1.2(3) *Jurisdiction.*** The board will issue opinions pertaining only to Iowa Code chapters 68A and 68B or rules adopted thereunder.

This rule is intended to implement Iowa Code section 68B.32A(12).

**351—1.3(68B) Processing of advisory opinion requests; routine administrative advice.**

**1.3(1)** Requests for board advisory opinions shall be sent to the board's legal counsel in writing.

**1.3(2)** After receiving a qualified opinion request, the board's legal counsel shall prepare a draft opinion for board review. Upon an affirmative vote, the board will issue an advisory opinion. Advice contained in an advisory opinion, if followed, constitutes a defense to a subsequent complaint that is based on the same facts and circumstances.

**1.3(3)** A person who receives an advisory opinion may, within 30 days after the issuance of the opinion, request modification or reconsideration of the opinion. A request for modification or reconsideration shall be deemed denied unless the board acts upon the request within 60 days of receipt of the request.

**1.3(4)** Advisory opinions are public records and shall be made available via the board's website.

**1.3(5)** Nothing in this rule precludes board staff from providing oral or written routine administrative advice when presented with oral or written inquiries from any person.

**1.3(6)** Nothing in this rule precludes a person who has received routine administrative advice from petitioning for a declaratory order. The board will refuse to issue a declaratory order to a person who

has previously received a board opinion on the same question, unless the requester demonstrates a significant change in circumstances from those in the original opinion.

This rule is intended to implement Iowa Code section 68B.32A(12).

**351—1.4(68B) Board member and staff code of ethics.**

**1.4(1)** Making monetary and in-kind contributions to the committees of candidates for Iowa public office is prohibited. However, contributions to candidates for federal office are permitted.

**1.4(2)** Serving as an officer or member of a candidate's committee of a candidate for Iowa public office is prohibited, whether the service is volunteer or paid.

**1.4(3)** Making monetary or in-kind contributions to a political committee (PAC) is prohibited. However, contributions to a state party or a county central committee are permitted.

**1.4(4)** Running for or holding elected public office is prohibited. Running for or serving as an officer or member of any committee defined under Iowa Code chapter 68A is prohibited.

**1.4(5)** Public personal endorsement of a candidate or publicly taking a position in support of or opposition to a ballot issue is prohibited. This rule does not prohibit a member of the board or staff from making a public personal endorsement of a federal candidate or a federal ballot issue. Members and staff of the board may attend and participate in a presidential caucus.

**1.4(6)** Serving as a delegate to a county or state political party convention is prohibited.

**1.4(7)** Except due to service on the board, members of the board shall not be public officials or public employees.

**1.4(8)** Except due to service on the board, members of the board shall not be registered lobbyists in the state of Iowa.

**1.4(9)** The prohibitions in this rule shall not apply to the spouse or other family members of a board member or employee of the board. However, actions by a spouse or other family member may create a potential conflict of interest on the part of the board member or employee that may necessitate recusal from a matter pursuant to Iowa Code section 68B.2A.

This rule is intended to implement Iowa Code sections 68B.2A and 68B.32.

[Filed 4/8/26, effective 6/3/26]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/29/26.