

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby gives Notice of Intended Action to amend Chapter 4, “Campaign Disclosure Procedures,” Iowa Administrative Code.

The proposed amendments reflect the statutory requirements that by January 1, 2012, almost all campaign disclosure statements and reports be filed electronically through the Board’s Web site and also resolve conflicts with current Board rules.

The proposed amendments do not contain a waiver provision as the methods of filing campaign statements and reports are set out by statute.

Any interested person may make written comments on the proposed amendments on or before June 22, 2010. Comments should be directed to Charlie Smithson, Iowa Ethics and Campaign Disclosure Board, 510 E. 12th Street, Suite 1A, Des Moines, Iowa 50319. Persons who wish to comment orally should contact Charlie Smithson at (515)281-3489.

These amendments are intended to implement Iowa Code section 68A.201 as amended by 2010 Iowa Acts, Senate File 2128, section 1; Iowa Code section 68A.401 as amended by 2010 Iowa Acts, Senate File 2128, section 3; and Iowa Code sections 68A.402 and 68A.402B.

The following amendments are proposed.

ITEM 1. Rescind subrule 4.1(2) and adopt the following **new** subrule in lieu thereof:

4.1(2) *Place of filing.* Statements of organization mandated by statute to be filed electronically with the board shall be filed through the board’s Web site at www.iowagov/ethics. A statement of organization not mandated by statute to be filed electronically may be filed with the board at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319; by fax at (515)281-4073; or as an E-mail attachment.

ITEM 2. Rescind subrule 4.8(1) and adopt the following **new** subrule in lieu thereof:

4.8(1) *Place of filing.* Disclosure reports mandated by statute to be filed electronically with the board shall be filed through the board’s Web site at www.iowagov/ethics. A disclosure report not mandated by statute to be filed electronically may be filed with the board at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319; by fax at (515)281-4073; or as an E-mail attachment.

ITEM 3. Amend subrule 4.13(2) as follows:

4.13(2) *Computer-generated reports.* Committees that are not mandated by statute to file disclosure reports electronically may generate a disclosure report in lieu of using a board-approved paper report or the board’s electronic filing system so long as the generated report contains the same information and is in the same basic format as a board-approved paper report. Committees generating their own reports must submit the reports for prior board approval before use. A committee failing to submit a generated report that contains the same information and is in the same basic format as a board-approved paper report shall be required by the board’s staff to file an amended report, and the committee may be subject to board sanctions as provided in Iowa Code chapter 68B and rule 351—9.4(68B).

ITEM 4. Amend subrule 4.13(3) as follows:

4.13(3) *Typewritten or legible ink reports required.* Information ~~which is~~ provided on all forms, statements, and reports that are required to be filed under Iowa Code chapter 68A or the board’s rules in 351—Chapter 4 and that are not mandated by statute to be filed electronically shall be either typewritten or printed legibly in black ink. Approved computer-generated ~~reports~~ documents satisfy this requirement.

If the board deems that a form, statement, or report is not legible or is otherwise not in compliance with rule 351—4.13(68A,68B), the person shall be required to file an amended form, statement, or report and the person may be subject to board sanctions as provided in Iowa Code chapter 68B and rule 351—9.4(68B).

ITEM 5. Rescind subrule 4.55(2) and adopt the following **new** subrule in lieu thereof:

4.55(2) *Place of filing.* Statements of dissolution mandated by statute to be filed electronically with the board shall be filed through the board's Web site at www.iowagov/ethics. A statement of dissolution not mandated by statute to be filed electronically may be filed with the board at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319; by fax at (515)281-4073; or as an E-mail attachment.