

Sec. 47. Section 420.41, subsection 1, paragraph d, Code 1981, is amended to read as follows:

d. In respect of the election or appointment of a clerk, treasurer, police magistrate and marshal or in respect of the authority, functions, duties or compensation of any ~~thereof~~ of these except that section 372.13, subsection 2, applies in respect to a vacancy in any of these elective offices and to a vacancy in any other city elective office.

Sec. 48. Sections 43.56, 43.57, and 43.58, Code 1981, are repealed.

Sec. 49. The Code editor shall prepare a compilation of the election laws of this state as soon as reasonably possible after the effective date of this section. The superintendent of printing shall cause not less than five thousand copies of the compilation to be printed, and an additional five thousand to be printed if the initial supply of five thousand runs out. The cost of preparing and printing the compilation shall be paid from the appropriation provided by section 14.22.

Sec. 50. The compilation of election laws printed pursuant to section 49 of this Act shall be distributed by the superintendent of printing. Each county shall be provided with a sufficient number of copies to enable the county commissioner of elections to distribute one copy to each political party county central committee chairperson, the secretary of each school board for which the commissioner conducts an election, each city clerk, each public library and each secondary school library. These persons and libraries shall be informed in some suitable manner that they may obtain a copy of the compilation free of charge from the county commissioner's office. All copies remaining after the foregoing requirements have been satisfied shall be distributed free of charge in reasonable quantities to persons requesting them.

Approved June 15, 1981

CHAPTER 35

CAMPAIGN DISCLOSURE TAX CHECKOFF

H. F. 743

AN ACT to amend the definitions contained in, and to revise the disclosure requirements, compliance procedures, and penalties prescribed by the campaign disclosure-income tax checkoff Act.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 56.2, subsection 4, paragraph b, unnumbered paragraph 2, and subsections 6 and 13, Code 1981, are amended to read as follows:

"Contribution" shall not include services provided without compensation by individuals volunteering their time on behalf of a candidate candidate's committee or political committee or a state or county statutory political

committee except when organized or provided on a collective basis by a business, trade association, labor union, or any other organized group or association. "Contribution" shall not include refreshments served at a campaign function so long as such refreshments do not exceed fifty dollars in value or transportation provided to a candidate so long as its value computed at a rate of ~~ten~~ twenty cents per mile does not exceed fifty one hundred dollars in value in any one reporting period.

6. "Political committee" means a committee, but not a candidate's committee, which ~~shall--consist--of--persons--organized--for--the--purpose--of~~ accepting accepts contributions, making makes expenditures, or incurring incurs indebtedness in the aggregate of more than ~~one~~ two hundred fifty dollars in any one calendar year for the purpose of supporting or opposing a candidate for public office or ballot issue.

13. "Candidate's committee" means the committee designated by the candidate to receive contributions, expend funds, or incur indebtedness in excess of ~~one~~ two hundred fifty dollars in any calendar year on behalf of the candidate.

Sec. 2. Section 56.2, Code 1981, is amended by adding the following new subsections:

NEW SUBSECTION. "Ballot issue" means a question, other than the nomination or election of a candidate to a public office, which has been approved by a political subdivision or the general assembly or is required by law to be placed before the voters of the political subdivision by a commissioner of elections, or to be placed before the voters by the state commissioner of elections.

NEW SUBSECTION. "National political party" means a party which meets the definition of a political party established for this state by section 43.2, and which also meets the statutory definition of the term "political party" or a term of like import in at least twenty-five other states of the United States.

Sec. 3. Section 56.3, Code 1981, is amended to read as follows:

56.3 COMMITTEE TREASURER--DUTIES.

1. Every ~~political~~ committee shall appoint a treasurer. An expenditure shall not be made by the treasurer or ~~his~~ treasurer's designee for or on behalf of a ~~political~~ committee without the approval of the chairman of the ~~political~~ committee, or the candidate.

2. Every person who receives contributions in excess of one hundred dollars for a ~~political~~ committee shall, not later than fifteen days from the date of receipt of the contributions or on demand of the treasurer, render to the treasurer an account of the total of all contributions; including the name and address of the persons making a contribution in excess of ten dollars, the amount of such contribution, and the date on which the contributions were received. All funds of a ~~political~~ committee shall be segregated from any personal funds of officers, members, or associates of the ~~political~~ committee.

3. The treasurer of a ~~political~~ committee shall keep a detailed and exact account of:

- a. All contributions made to or for the ~~political~~ committee.
- b. The name and mailing address of every person making contributions in excess of ten dollars, and the date and amount of the contribution.
- c. All disbursements made from contributions by or on behalf of the ~~political~~ committee.
- d. The name and mailing address of every person to whom any expenditure is made, the date and amount of the expenditure and the name and address of, and office sought by each candidate, if any, on whose behalf the expenditure was made. Notwithstanding the provisions of this paragraph, the treasurer may keep a miscellaneous account for disbursements of less than five dollars which need only show the amount of the disbursement so long as the aggregate miscellaneous disbursements to any one person during a calendar year do not exceed one hundred dollars.
- e. Notwithstanding the provisions of subsection 3, paragraph "d", of this section, when an expenditure is made by a ~~political~~ committee in support of the entire state or local political party ticket, only the name of the party shall be given.

4. The treasurer shall preserve all records required to be kept by this section for a period of one year from the date of the election.

Sec. 4. Section 56.4, Code 1981, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Political committees supporting or opposing candidates or ballot issues for statewide elections and for county, municipal or school elections may file all activity on one report with the commission and shall send a copy to the commissioner responsible under section 47.2 for conducting the election.

Sec. 5. Section 56.5, subsection 2, paragraph f, Code 1981, is amended to read as follows:

f. A signed statement by the treasurer of the committee which shall be in the following form:

"I am aware that I am required to file disclosure reports if the committee receives contributions, makes expenditures, or incurs indebtedness in excess of ~~one~~ two hundred fifty dollars in a calendar year for the purpose of supporting or opposing any candidate for public office or ballot issue."

Sec. 6. Section 56.6, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. A permanent organization temporarily engaging in activity which would qualify it as a political committee shall organize a political committee and shall keep the funds relating to that political activity segregated from its operating funds. The political committee shall file reports in accordance with this chapter. When the permanent organization ceases to be involved in the political activity, it shall dissolve the political committee.

Sec. 7. Section 56.6, subsection 1, Code 1981, is amended to read as follows:

1. Each treasurer of a committee shall file with the commission or commissioner disclosure reports of contributions received and disbursed on forms prescribed by rules as provided by chapter 17A. The reports from all

committees, except those committees for municipal and school elective offices and for local ballot issues, shall be filed on the twenty-fifth day or mailed ~~by certified mail by~~ bearing a United States postal service postmark dated on or before the twenty-fourth day of January, May, July and October of each year. The January report shall be current to the end of the month preceding the filing. The May, July and October reports shall be current as of five days prior to the filing deadline. The January report shall be the annual report. Reports for committees for a ballot issue placed before the voters of the entire state shall be filed at the January, May, July, and October deadlines. Committees for municipal and school elective offices and local ballot issues shall file their first reports five thirty days prior to any election in which the name of the candidate or the local ballot issue which they support or oppose appears on the printed ballot and shall file their second report thirty days following the final election in a calendar year in which the candidate's name or the ballot issue appears on the ballot. A committee may file its first report on the date of its organization if it is after the date for the first report, but not later than five days prior to the election. A committee supporting or opposing a candidate for a municipal or school elective office or a local ballot issue shall continue to file a disclosure statement every thirty days until it dissolves. These reports shall be current to five days prior to the filing deadline. A state statutory political committee and congressional district committees as authorized by the constitution of the state statutory political committee ~~shall~~ are not be subject to ~~the provisions of~~ this subsection if the state statutory political committee ~~files~~ and congressional district political committees file copies of campaign disclosure reports as required by federal law with the commission at ~~such~~ the times as the reports are required to be filed under federal law, provided that the federal reports contain all information required by this chapter. A committee of a national political party is not required to file a disclosure report with the commission if it is required by federal law to file a campaign disclosure report with a federal agency.

Sec. 8. Section 56.6, subsection 3, paragraph b, Code 1981, is amended to read as follows:

b. The name and mailing address of each person who has made one or more contributions of money to the committee including the proceeds from any fund-raising events except those reportable under paragraph "f" of this subsection, when the aggregate amount in a calendar year exceeds the amount specified in the following schedule:

- (1) For any candidate for school or township office \$ 25
- (2) For any candidate for city office \$ 25
- (3) For any candidate for county office \$ 25
- (4) For any candidate for the general assembly \$ 50
- (5) For any candidate for the Congress of the United States .. \$100
- (6) For any candidate for state-wide office \$100
- (7) For any committee of a national political party \$200
- ~~(7)~~ (8) For any state statutory political committee ~~\$100~~

- ~~(8)~~ (9) For any county statutory political committee \$ 50
 (10) For any other political committee \$ 50
~~(9)~~ (11) For any ballot issue \$ 25

Sec. 9. Section 56.10, subsection 4, Code 1981, is amended to read as follows:

4. Adopt rules pursuant to chapter 17A and levy civil penalties to carry out ~~the provisions of~~ this chapter. The rules shall provide that the candidate, or the treasurer of a committee, is responsible for filing disclosure reports as required by this chapter, and shall receive notice from the commission if the candidate or committee has failed to file a disclosure report at the time required by this chapter. A candidate, or treasurer of a committee, may be subject to a civil penalty for failure to file a disclosure report required by this chapter if the report has not been filed when required by section 56.6, subsection 1.

Sec. 10. Section 56.11, subsection 1, Code 1981, is amended to read as follows:

1. Any eligible elector may file a complaint of an alleged violation with the commission. The complaint shall be verified and supported by affidavit detailing the circumstances of the violation alleged. The commission may initiate action on its own motion by filing a complaint accompanied by such an affidavit. Within twenty-four hours after receipt of a complaint or initiation of its own complaint, the commission shall notify the person, candidate or committee against whom the complaint is made of receipt or initiation of the complaint, and until it has done so it shall make no investigation of any kind into the campaign affairs of the person, candidate or committee. Unless the commission concludes that there is no reasonable basis for a complaint which has been filed, it shall set a date for a hearing on the complaint which shall be not more than ~~fifteen~~ thirty days after the date the complaint is received or initiated by the commission. The commission shall serve the person, candidate or committee against whom the complaint is made a copy of the complaint and supporting affidavit and notice of the hearing in the manner provided by the rules of civil procedure. Copies of the complaint, affidavit and notice shall also be sent to each of the other candidates, if any, for the office affected. If a complaint is filed or initiated less than ~~fifteen~~ thirty days before the election at which the office affected is to be filled, the commission shall set the hearing at the earliest possible date so as to allow the issue to be resolved prior to the election. An extension of time for the hearing may be granted when both parties mutually agree on an alternate date for the hearing.

Sec. 11. Section 56.13, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Action involving a contribution or expenditure which must be reported under this chapter and which is taken by any person, candidate's committee or political committee on behalf of a candidate, if known and approved by the candidate, shall be deemed action by the candidate. It shall be presumed that a candidate approves ~~such~~ the action if ~~he~~ the candidate had knowledge thereof of it and failed to file a statement of disavowal with the commissioner or commission and take corrective action within seventy-two hours ~~thereof of the action.~~

Sec. 12. Section 56.23, unnumbered paragraph 1, Code 1981, is amended to read as follows:

The ~~chairman~~ chairperson of the state statutory political committee shall produce evidence to the state comptroller and campaign finance disclosure commission not later than ~~thirty-days-after-the-election--returns--have--been~~ certified--by--the--board-of-state-canvassers the twenty-fifth day of January each year, that all income tax checkoff funds ~~paid~~ expended for the campaign expenses ~~of--that--election~~ have been utilized exclusively for ~~such~~ campaign expenses.

Sec. 13. Section 56.28, Code 1981, is amended to read as follows:

56.28 CANDIDATE'S COMMITTEE. Each candidate for public office shall organize one, and only one, candidate's committee if the candidate anticipates receiving contributions, making expenditures, or incurring indebtedness in excess of ~~one~~ two hundred fifty dollars in a calendar year.

Sec. 14. Section 56.29, subsections 1 and 2, Code 1981, are amended to read as follows:

1. Except as provided in subsection 3 ~~of this section~~, it ~~shall-be~~ is unlawful for any insurance company, savings and loan association, bank, ~~and~~ or corporation organized pursuant to the laws of this state or any other state, territory, or foreign country, whether for profit or not, or any officer, agent, or representative ~~thereof~~ acting for such insurance company, savings and loan association, bank, or corporation, to contribute any money, property, labor, or thing of value, directly or indirectly, to any committee, or for the purpose of influencing the vote of any elector, except that such resources may be so expended in connection with a utility franchise election held pursuant to section 364.2, subsection 4, or a ballot issue, however all such expenditures ~~shall-be~~ are subject to the disclosure requirements of this chapter.

2. Except as provided in subsection 3 ~~of this section~~, it ~~shall--be~~ is unlawful for any member of any committee, or employee or representative thereof, except a ballot issue committee, or for any candidate for any office or the representative of such the candidate, to solicit, request, or knowingly receive from any insurance company, savings and loan association, bank, ~~and~~ or corporation organized pursuant to the laws of this state or any other state, territory, or foreign country, whether for profit or not, or any officer, agent, or representative thereof, any money, property, or thing of value belonging to ~~such the~~ the insurance company, savings and loan association, bank, or corporation for campaign expenses, or for the purpose of influencing the vote of any elector. ~~Nothing-in-this~~ This section ~~shall-be-constructed-to~~ does not restrain or abridge the freedom of the press or prohibit the consideration and discussion ~~therein~~ in the press of candidacies, nominations, public officers, or public questions.

Sec. 15. Section 56.30, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

56.30 FORMS MAILED. The commission and the commissioners shall provide proper forms to each committee which is required to file a report with them. A form packet shall be mailed to each active committee on or about April 25 of each year.

Sec. 16. Section 43.18, unnumbered paragraph 3, Code 1981, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it receives contributions, makes expenditures, or incurs indebtedness in excess of ~~one~~ two hundred fifty dollars for the purpose of supporting my candidacy for public office.

Sec. 17. Section 44.3, subsection 2, unnumbered paragraph 5, Code 1981, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it receives contributions, makes expenditures, or incurs indebtedness in excess of ~~one~~ two hundred fifty dollars for the purpose of supporting my candidacy for public office.

Sec. 18. Section 45.3, subsection 2, unnumbered paragraph 5, Code 1981, is amended to read as follows:

I am aware that I am required to organize a candidate's committee which shall file an organization statement and disclosure reports if it receives contributions, makes expenditures, or incurs indebtedness in excess of ~~one~~ two hundred fifty dollars for the purpose of supporting my candidacy for public office.

Sec. 19. This Act takes effect January 1 following enactment.

Approved June 20, 1981

CHAPTER 36

CONFIDENTIALITY OF LIBRARY OR MUSEUM DONATED ITEMS

S. F. 529

AN ACT relating to material donated to a public library, museum or archive.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 68A.7, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. The material of a library, museum, or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.

Approved May 4, 1981