68A.405A Self-promotion with taxpayer funds prohibited.

1. *a.* Except as provided in sections 29C.3 and 29C.6, a statewide elected official or member of the general assembly shall not permit the expenditure of public moneys under the control of the statewide elected official or member of the general assembly, including but not limited to moneys held in a private trust fund as defined by section 8.2, for the purpose of any paid advertisement or promotion bearing the written name, likeness, or voice of the statewide elected official or member of the general assembly distributed through any of the following means:

(1) A paid direct mass mailing.

(2) A paid radio advertisement or promotion.

(3) A paid newspaper advertisement or promotion.

(4) A paid television advertisement or promotion.

(5) A paid internet advertisement or promotion.

(6) A paid exhibit display at the Iowa state fair or a fairground or grounds as defined in section 174.1.

b. Except as otherwise provided by law, paragraph "*a*" shall not apply to bona fide ministerial or ceremonial records or ordinary, common, and frequent constituent correspondence containing the name of the statewide elected official or member of the general assembly.

2. A person who willfully violates this section shall be subject to a civil penalty of an amount up to the amount of moneys withdrawn from a public account or private trust fund as defined in section 8.2 used to fund the communication found to be in violation of this section by the board or, for members of the general assembly, by an appropriate legislative ethics committee. A penalty imposed pursuant to this section shall be paid by the candidate's committee. Such penalty shall be determined and assessed by the board or, for a member of the general assembly, the appropriate legislative ethics committee, and paid into the account from which such moneys were withdrawn. Additional criminal or civil penalties available under section 68A.701 or established by the board pursuant to section 68B.32A may also be determined and assessed by the board for violations of this section. Nothing in this section shall prevent the imposition of any penalty or sanction for a violation of this section by a legislative ethics committee.

2018 Acts, ch 1172, §70
NEW section