

68B.3 When public bids required — disclosure of income from other sales.

1. Except as part of official state duties, an official, a state employee, a member of the general assembly, or a legislative employee shall not sell, in any one occurrence, any goods or services having a value in excess of two thousand dollars to any state agency unless the sale is made pursuant to an award or contract let after public notice and competitive bidding.

2. [This section](#) does not apply to the publication of resolutions, advertisements, or other legal propositions or notices in newspapers designated pursuant to law for the publication of legal propositions or notices and for which rates are fixed pursuant to law.

3. [This section](#) does not apply to sales of services by a member of a board or commission as defined under [section 7E.4](#) to state executive branch agencies or subunits of departments or independent agencies as defined in [section 7E.4](#) that are not the subunit of the department or independent agency in which the person serves or are not a subunit of a department or independent agency with which the person has substantial and regular contact as part of the person's duties.

4. [This section](#) does not apply to a contract for professional services that is exempt from competitive bidding requirements in the Code or in administrative rules adopted pursuant to the Code.

5. An official or member of the general assembly who sells goods or services to a political subdivision of the state shall disclose whether income has been received from commissions from the sales in the manner provided under [section 68B.35](#).

6. For purposes of [this section](#), "services" does not include instruction at an accredited education institution if the person providing the instruction meets the minimum education and licensing requirements established for instructors at the education institution.

7. Except when performing official state duties, an official or a state employee making a permissible sale under this section shall file a report with the board within twenty days of making the sale. The report shall include but not be limited to the parties to the sale, the date of the sale, the total amount of the sale, and the type of goods or services being sold.

[C71, 73, 75, 77, 79, 81, §68B.3]

[92 Acts, ch 1228, §2; 93 Acts, ch 163, §3; 2007 Acts, ch 5, §1; 2010 Acts, ch 1054, §2, 3, 6; 2014 Acts, ch 1141, §13; 2019 Acts, ch 54, §1](#)

Referred to in [§68B.34](#)

NEW subsection 4 and former subsections 4 – 6 renumbered as 5 – 7