

351—7.3(68B) Procedure for determining persons required to file with the board—distribution of forms.

7.3(1) *Persons required by statute.* In order to determine which persons in the executive branch are required by Iowa Code Supplement section 68B.35(2) as amended by 2004 Iowa Acts, Senate File 2179, section 11, to file Form PFD, the board shall contact each agency on an annual basis and provide notification of the statutory requirement. This notification shall include the name and position title of each person in the agency who filed Form PFD the previous year. Each agency, in consultation with the board, shall then determine which persons are required to file Form PFD for the next filing period and shall provide the board with the appropriate names and position titles. The board shall have the final authority to determine whether a position requires that a Form PFD be filed.

7.3(2) *Boards, commissions, or authorities not named in statute.* Pursuant to Iowa Code Supplement section 68B.35(2) “e” as amended by 2004 Iowa Acts, Senate File 2179, section 11, on an annual basis the board shall conduct a review to determine if a member of any other board, commission, or authority not specifically named in Iowa Code Supplement section 68B.35(2) “e” as amended by 2004 Iowa Acts, Senate File 2179, section 11, should file Form PFD. If the board determines that Form PFD should be filed, the board shall by rule require a Form PFD to be filed.

7.3(3) *Statewide candidates.* A person who is a candidate for statewide office shall file Form PFD with the board no later than 30 days after the date on which a person is required to file nomination papers for state office under Iowa Code section 43.11. Once nomination papers or an affidavit of candidacy is filed, the board shall notify the person of the requirement to file Form PFD. The notification shall be sent by first-class mail and shall include a blank form or information on how to obtain a blank form for filing.

7.3(4) *Statewide candidates in a special election.* Pursuant to Iowa Code Supplement section 68B.35(5) a person who is a candidate for statewide office in a special election shall file Form PFD with the board within seven days after the certification of the candidate’s name as the nominee under Iowa Code section 43.88.

7.3(5) *Distribution of forms.* The board shall provide each agency with blank forms for distribution to the designated persons and shall make blank forms available via the board’s Web site at www.iowa.gov/ethics.

This rule is intended to implement Iowa Code Supplement section 68B.32A(4) and Iowa Code Supplement section 68B.35 as amended by 2004 Iowa Acts, Senate File 2179, section 11.