

House File 2601

H-8218

1 Amend House File 2601 as follows:

2 _____. Page 1, before line 1 by inserting:

3 <Section 1. Section 68A.102, subsection 10, paragraph a,
4 subparagraph (2), Code 2020, is amended to read as follows:

5 (2) The payment, by any person other than a candidate or
6 political committee who receives the service, of compensation
7 for the personal services of another person which are rendered
8 to a candidate or political committee for any such purpose.

9 Sec. _____. Section 68A.102, subsection 10, paragraph a, Code
10 2020, is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (3) A coordinated expenditure if the
12 expenditure must be reported pursuant to subchapter IV.>

13 _____. Page 1, after line 2 by inserting:

14 <NEW SUBSECTION. 8A. "*Communication*" means any of the
15 following:

16 a. A paid advertisement broadcast over radio, television,
17 cable, or satellite.

18 b. The paid placement of content on the internet or other
19 electronic communication network.

20 c. A paid advertisement published in a newspaper or
21 periodical or on a billboard.

22 d. A mailing.

23 e. A printed material.

24 NEW SUBSECTION. 10A. "*Coordinated expenditure*" means
25 an expenditure made in cooperation with, in consultation
26 with, at the request of, or with the express prior consent
27 of a candidate or committee receiving the benefit of the
28 expenditure.>

29 _____. Page 1, after line 5 by inserting:

30 <NEW SUBSECTION. 13A. a. "*Electioneering communication*"
31 means a paid communication that is publicly distributed by
32 radio, television, cable, satellite, internet site, newspaper,
33 periodical, billboard, mail, electronic mail, or any other
34 distribution of materials, that is made within sixty days of
35 the initiation of voting in an election that does not support

1 or oppose a candidate or ballot issue, that can be received
2 by more than one hundred persons, and that does any of the
3 following:

4 (1) Refers to one or more clearly identified candidates in
5 that election.

6 (2) Depicts the name, image, likeness, or voice of a clearly
7 identified candidate in that election.

8 (3) Refers to a political party, ballot issue, or a question
9 submitted to the voters in that election.

10 *b. "Electioneering communication"* does not include any of
11 the following:

12 (1) A bona fide news story, commentary, blog, or editorial
13 distributed through the facilities of any broadcasting station,
14 newspaper, magazine, internet site, or other periodical
15 publication of general circulation.

16 (2) A communication by a membership organization or
17 corporation to its members, stockholders, or employees.

18 (3) A commercial communication that depicts a candidate's
19 name, image, likeness, or voice only in the candidate's
20 capacity as owner, operator, or employee of a business that
21 existed prior to the organization of a candidate's committee by
22 the candidate pursuant to section 68A.202.

23 (4) A communication that constitutes a candidate debate or
24 forum or that solely promotes a candidate debate or forum and
25 is made by or on behalf of the person sponsoring the debate or
26 forum.

27 (5) A communication that the board determines by rule is not
28 an electioneering communication.>

29 _____. Page 1, after line 28 by inserting:

30 <Sec. _____. Section 68A.102, subsections 14 and 18, Code
31 2026, are amended to read as follows:

32 14. a. *"Express advocacy"* or ~~to~~ *"expressly advocate"* means
33 communication that can be characterized according to at least
34 one of the following descriptions:

35 ~~a.~~ (1) The communication is political speech made in the

1 form of a contribution.

2 ~~b.~~ (2) In advocating the election or defeat of one or more
3 clearly identified candidates or the passage or defeat of one
4 or more clearly identified ballot issues, the communication
5 includes explicit words that unambiguously indicate that the
6 communication is recommending or supporting a particular
7 outcome in the election with regard to any clearly identified
8 candidate or ballot issue.

9 b. "Express advocacy" or "expressly advocate" does not mean
10 a communication that can be characterized according to one or
11 more of the following descriptions:

12 (1) The communication encourages individuals to register
13 to vote or to vote, provided that the communication does not
14 mention or depict a candidate or ballot issue.

15 (2) The communication does not support or oppose a candidate
16 or ballot issue.

17 (3) The communication is a bona fide news story, commentary,
18 blog, or editorial distributed through the facilities of any
19 broadcasting station, newspaper, magazine, internet site, or
20 other periodical publication of general circulation.

21 (4) The communication is by a membership organization or
22 corporation to its members, stockholders, or employees.

23 (5) The board determines by rule that the communication is
24 not express advocacy.

25 18. "Political committee" means any of the following:

26 a. A committee, but not a candidate's committee, that
27 accepts contributions in excess of ~~one thousand~~ two hundred
28 fifty dollars in the aggregate, makes expenditures in excess
29 of ~~one thousand~~ two hundred fifty dollars in the aggregate, or
30 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty
31 dollars in the aggregate in any one calendar year to expressly
32 advocate the nomination, election, or defeat of a candidate
33 for public office, make an electioneering communication, or to
34 expressly advocate the passage or defeat of a ballot issue.

35 b. An association, lodge, society, cooperative, union,

1 fraternity, sorority, educational institution, civic
2 organization, labor organization, religious organization, or
3 professional organization that accepts contributions in excess
4 of ~~one thousand~~ two hundred fifty dollars in the aggregate,
5 makes expenditures in excess of ~~one thousand~~ two hundred fifty
6 dollars in the aggregate, or incurs indebtedness in excess of
7 ~~one thousand~~ two hundred fifty dollars in the aggregate in
8 any one calendar year to expressly advocate the nomination,
9 election, or defeat of a candidate for public office, make an
10 electioneering communication, or to expressly advocate the
11 passage or defeat of a ballot issue.

12 c. A person, other than an individual, that accepts
13 contributions in excess of ~~one thousand~~ two hundred fifty
14 dollars in the aggregate, makes expenditures in excess of
15 ~~one thousand~~ two hundred fifty dollars in the aggregate, or
16 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty
17 dollars in the aggregate in any one calendar year to expressly
18 advocate that an individual should or should not seek election
19 to a public office prior to the individual becoming a candidate
20 as defined in [subsection 4](#).>

21 _____. Page 2, after line 25 by inserting:

22 <Sec. _____. Section 68A.402, subsection 9, Code 2026, is
23 amended to read as follows:

24 9. a. *Permanent organizations.* A permanent organization
25 temporarily engaging in activity described in section 68A.102,
26 subsection 18, shall organize a political committee and shall
27 keep the funds relating to that political activity segregated
28 from its operating funds. The political committee shall file
29 reports on the appropriate due dates as required by this
30 section.

31 b. The reports filed under [this subsection](#) shall identify
32 ~~the~~ all of the following:

33 (1) The source of the original funds used for a contribution
34 made to a candidate or a committee organized under this
35 chapter.

- 1 (2) The aggregate amount of contributions made by each
2 person.
- 3 (3) Each loan received from any person during the reporting
4 period.
- 5 (4) The amount and nature of debts and obligations owed to
6 the committee.
- 7 (5) Proceeds that total less than thirty-five dollars
8 per person from mass collections made at fund-raising events
9 sponsored by the committee.
- 10 (6) The total sum of contributions received by the committee
11 for a specified candidate or committee.
- 12 (7) The full name, mailing address, occupation, and
13 principal place of business, if any, of each person or
14 committee to whom an expenditure has been made during the
15 reporting period, including the amount, date, and purpose of
16 each expenditure and the total amount of expenditures to each
17 person or committee.
- 18 (8) The full name, mailing address, occupation, and
19 principal place of business, if any, of each person to whom an
20 expenditure for personal services, salaries, and reimbursement
21 of expenses has been made, including the amount, date,
22 and purpose of that expenditure, and the total amount of
23 expenditures made to each person.
- 24 (9) The total sum of expenditures made during the reporting
25 period.
- 26 (10) The full name, mailing address, occupation, and
27 principal place of business, if any, of any person to whom a
28 loan was made, and the full name, mailing address, occupation,
29 and principal place of business, if any, of any endorsers, and
30 the date and amount of each loan.
- 31 (11) The amount and nature of debts and obligations owed by
32 the committee.
- 33 (12) Other information as may be required by the board by
34 rule.
- 35 (13) For reports of expenditures made to a consultant,

1 advertising agency, polling firm, or other person that performs
2 services for the committee, the report shall be itemized
3 and described in sufficient detail to disclose the specific
4 services performed by the entity.

5 c. When the permanent organization ceases to be involved
6 in the political activity, the permanent organization shall
7 dissolve the political committee.

8 d. As used in this subsection, "*permanent organization*"
9 means an organization that is continuing, stable, and enduring,
10 and was originally organized for purposes other than engaging
11 in election activities.

12 Sec. _____. Section 68A.402A, subsection 1, paragraphs f and
13 g, Code 2026, are amended to read as follows:

14 f. The name and mailing address of each person and committee
15 to whom disbursements, payments for personal services,
16 salaries, reimbursement for expenses, or loan repayments
17 have been made by the committee from contributions during
18 the reporting period and the amount, purpose, and date of
19 each disbursement except that disbursements of less than five
20 dollars may be shown as miscellaneous disbursements so long as
21 the aggregate miscellaneous disbursements to any one person
22 during a calendar year do not exceed one hundred dollars.
23 Reports of disbursements under this paragraph must be itemized
24 and sufficiently detailed to disclose the specific services
25 performed by the person to whom a disbursement was made.

26 g. Disbursements made to a consultant, advertising agency,
27 or polling firm and disbursements made by the consultant,
28 advertising agency, or polling firm during the reporting
29 period disclosing the name and address of the recipient,
30 amount, purpose, and date. Reports of disbursements under
31 this paragraph must be itemized and sufficiently detailed to
32 disclose the specific services performed by the entity to whom
33 a disbursement was made.

34 Sec. _____. Section 68A.402A, subsection 1, Code 2026, is
35 amended by adding the following new paragraph:

1 NEW PARAGRAPH. 1. The total sum of disbursements made.

2 Sec. _____. NEW SECTION. 68A.404A Electioneering
3 communications — reports.

4 1. A person making an electioneering communication shall
5 file a report with the board, including a description of the
6 communication, how the communication was distributed, and
7 the amount of any expenditure made on the electioneering
8 communication, except that a person spending less than two
9 hundred fifty dollars on electioneering communications in a
10 taxable year shall not be required to file a report.

11 2. The board shall adopt rules for the form and schedule of
12 reports filed under this section.

13 Sec. _____. Section 68A.405, subsection 1, paragraphs b, c, d,
14 e, f, g, and h, Code 2026, are amended to read as follows:

15 b. (1) Except as set out in subsection 2, published
16 material designed to expressly advocate the nomination,
17 election, or defeat of a candidate for public office or
18 the passage or defeat of a ballot issue and electioneering
19 communications shall include on the published material
20 or electioneering communication an attribution statement
21 disclosing who is responsible for the published material or
22 electioneering communication.

23 (2) The person who is responsible for the published material
24 or electioneering communication has the sole responsibility
25 and liability for the attribution statement required by this
26 section.

27 c. If the person paying for the published material or
28 electioneering communication is an individual, the words "paid
29 for by" and the name and address of the person shall appear on
30 the published material or electioneering communication.

31 d. If more than one individual is responsible, the words
32 "paid for by", the names of the individuals, and either
33 the addresses of the individuals or a statement that the
34 addresses of the individuals are on file with the Iowa ethics
35 and campaign disclosure board shall appear on the published

1 material or electioneering communication.

2 *e.* If the person responsible is an organization, the words
3 "paid for by", the name and address of the organization, and
4 the name of one officer of the organization shall appear on the
5 published material or electioneering communication.

6 *f.* If the person responsible is a corporation, the words
7 "paid for by", the name and address of the corporation, and the
8 name and title of the corporation's chief executive officer
9 shall appear on the published material or electioneering
10 communication.

11 *g.* If the person responsible is a committee that has filed
12 a statement of organization pursuant to [section 68A.201](#), the
13 words "paid for by" and the name of the committee shall appear
14 on the published material or electioneering communication.

15 *h.* If the published material or electioneering communication
16 is the result of an independent expenditure subject to section
17 68A.404, the published material or electioneering communication
18 shall include a statement that the published material or
19 electioneering communication was not authorized by any
20 candidate, candidate's committee, or ballot issue committee.

21 Sec. _____. Section 68A.405, subsection 2, paragraph d, Code
22 2026, is amended to read as follows:

23 *d.* Any published material or electioneering communication
24 that is subject to federal regulations regarding an attribution
25 requirement.

26 Sec. _____. Section 68A.405, subsection 4, Code 2026, is
27 amended to read as follows:

28 4. The board shall adopt rules relating to the placing of an
29 attribution statement on published materials and electioneering
30 communication.>

31 _____. By renumbering as necessary.

JAMES of Dubuque

TUREK of Pottawattamie