



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 7, 2004

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2138, an Act relating to payment of legal expenses for indigent persons by the state public defender.

House File 2149, an Act relating to the prosecution of certain simple misdemeanors committed in a city located in two or more counties.

House File 2318, an Act relating to the filing of statements of organization or dissolution by a political or candidate's committee, and regulating campaign and other contributions.

House File 2350, an Act relating to Family Investment Program eligibility requirements involving motor vehicle equity, family investment plans, limited benefit plans, and required school attendance and including an applicability provision.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 2318

AN ACT

RELATING TO THE FILING OF STATEMENTS OF ORGANIZATION OR DISSOLUTION BY A POLITICAL OR CANDIDATE'S COMMITTEE, AND REGULATING CAMPAIGN AND OTHER CONTRIBUTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 68A.201, subsection 3, Code Supplement 2003, is amended to read as follows:

3. Any change in information previously submitted in a statement of organization or notice in case of dissolution of the committee shall be reported to the board ~~or commissioner~~ not more than thirty days from the date of the change or dissolution.

Sec. 2. Section 68A.201, subsection 5, Code Supplement 2003, is amended to read as follows:

5. A When either a committee or organization not organized as a committee under this section which makes a contribution to a ~~candidate's committee or political~~ committee organized in Iowa that committee or organization shall disclose each contribution in excess of fifty dollars to the board. A committee or organization not organized as a committee under this section which is not registered and filing full disclosure reports of all financial activities with the federal election commission or another state's disclosure commission shall register and file full disclosure reports with the board pursuant to this chapter, and shall either appoint an eligible Iowa elector as committee or organization treasurer, or shall maintain all committee funds in an account in a financial institution located in Iowa. A committee which is currently filing a disclosure report in another

jurisdiction shall either file a statement of organization under subsections 1 and 2 and file disclosure reports, the same as those required of committees organized only in Iowa, under section 68A.402, or shall file one copy of a verified statement with the board and a second copy with the treasurer of the committee receiving the contribution. The form shall be completed and filed at the time the contribution is made. The verified statement shall be on forms prescribed by the board and shall attest that the committee is filing reports with the federal election commission or in a jurisdiction with reporting requirements which are substantially similar to those of this chapter, and that the contribution is made from an account which does not accept contributions which would be in violation of section 68A.503. The form shall include the complete name, address, and telephone number of the contributing committee, the state or federal jurisdiction under which it is registered or operates, the identification of any parent entity or other affiliates or sponsors, its purpose, the name and address of an Iowa resident authorized to receive service of original notice and the name and address of the receiving committee, the amount of the cash or in-kind contribution, and the date the contribution was made.

Sec. 3. Section 68A.202, subsection 2, Code Supplement 2003, is amended to read as follows:

2. A political committee shall not be established to expressly advocate the nomination, election, or defeat of only one candidate for office. However, except that a political committee may be established to expressly advocate the passage or defeat of approval of a single judge standing for retention. A permanent organization, as defined in subsection 68A.402, subsection 6, may make a one-time contribution to only one candidate for office in excess of seven hundred fifty dollars.

Sec. 4. Section 68A.301, Code Supplement 2003, is amended to read as follows:

68A.301 CAMPAIGN FUNDS.

~~As used in this division, "campaign funds" means contributions to a candidate or candidate's committee which are required by this chapter to be deposited in a separate campaign account.~~

1. A candidate's committee shall not accept contributions from, or make contributions to, any other candidate's

committee including candidate's committees from other states or for federal office, unless the candidate for whom each committee is established is the same person. For purposes of this section, "contributions" does not ~~mean~~ include travel costs incurred by a candidate in attending a campaign event of another candidate and does not include the sharing of information in any format.

2. This section shall not be construed to prohibit a candidate or candidate's committee from using campaign funds or accepting contributions for tickets to meals if the candidate attends solely for the purpose of enhancing the person's candidacy or the candidacy of another person.

Sec. 5. Section 68A.303, subsection 1, paragraph a, Code Supplement 2003, is amended to read as follows:

a. Contributions to charitable organizations unless the candidate or the candidate's spouse, child, stepchild, brother, brother-in-law, stepbrother, sister, sister-in-law, stepsister, parent, parent-in-law, or stepparent is employed by the charitable organization and will receive a direct financial benefit from a contribution.

Sec. 6. Section 68A.403, subsection 1, Code Supplement 2003, is amended to read as follows:

1. A report or statement required to be filed ~~by a treasurer of a political committee, a candidate, or by any other person,~~ under this chapter shall be signed by the person filing the report.

Sec. 7. Section 68A.503, subsection 4, Code Supplement 2003, is amended by striking the subsection and inserting in lieu thereof the following:

4. The prohibitions in sections 1 and 2 shall not apply to an insurance company, savings and loan association, bank, credit union, or corporation engaged in any of the following activities:

a. Using its funds to encourage registration of voters and participation in the political process or to publicize public issues, but does not use any part of those contributions to expressly advocate the nomination, election, or defeat of any candidate for public office.

b. Using its funds to expressly advocate the passage or defeat of ballot issues so long as the transactions are reported as required under section 68A.402.

c. The placement of yard signs under section 68A.405, subsection 2.

Sec. 8. Section 68A.504, Code Supplement 2003, is amended to read as follows:

68A.504 PROHIBITING CONTRIBUTIONS DURING THE LEGISLATIVE SESSION.

1. A lobbyist or political committee, other than a state statutory political committee, county statutory political committee, or a national political party, shall not contribute to, act as an agent or intermediary for contributions to, or arrange for the making of monetary or in-kind contributions to the campaign of an elected state official, member of the general assembly, or candidate for state office on any day during the regular legislative session and, in the case of the governor or a gubernatorial candidate, during the thirty days following the adjournment of a regular legislative session allowed for the signing of bills. ~~This section shall not apply to the receipt of contributions by an elected state official, member of the general assembly, or other state official who has taken affirmative action to seek nomination or election to a federal elective office~~ Except as set out in subsection 2, an elected state official, member of the general assembly, or candidate for state office shall not accept a contribution as prohibited in this subsection.

~~This section shall not apply to a candidate for state office who filed nomination papers for an office for which a special election is called or held during the regular legislative session, if the candidate receives the contribution at any time during the period commencing on the date on which at least two candidates have been nominated for the office and ending on the date on which the election is held. A person who is an elected state official shall not, however, solicit contributions during a legislative session from any lobbyist or political committee, other than a state statutory political committee, county statutory political committee, or a national political party, for another candidate for a state office for which a special election is held.~~

2. The prohibition in subsection 1 shall not apply to the following:

a. The receipt of contributions by an elected state official, member of the general assembly, or candidate for

state office who has taken affirmative action to seek nomination or election to a federal elective office so long as the contribution is placed in a federal campaign account.

b. The receipt of contributions by a candidate for state office who filed nomination papers for an office for which a special election is called or held during the regular legislative session, if the candidate receives the contribution during the period commencing on the date that at least two candidates have been nominated for the office and ending on the date the election is held. A person who is an elected state official shall not solicit contributions during a legislative session from any lobbyist or political committee, other than a state statutory political committee, county statutory political committee, or a national political party, for another candidate for a state office for which a special election is held.



CHRISTOPHER C. RANTS
Speaker of the House




JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2318, Eightieth General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved April 7, 2004



THOMAS J. VILSACK
Governor