



CHESTER J. CULVER  
GOVERNOR

**OFFICE OF THE GOVERNOR**

PATTY JUDGE  
LT. GOVERNOR

April 15, 2009

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 776**, an Act prohibiting the use of false caller identification for campaign purposes and providing penalties.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver  
Governor

CJC:bdj

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 776

AN ACT  
PROHIBITING THE USE OF FALSE CALLER IDENTIFICATION FOR CAMPAIGN  
PURPOSES AND PROVIDING PENALTIES.

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

Section 1. NEW SECTION. 68A.407 USE OF FALSE CALLER  
IDENTIFICATION FOR CAMPAIGN PURPOSES PROHIBITED.

1. A person shall not knowingly use or provide to another  
person either of the following:

a. False caller identification information with intent to  
defraud for purposes related to expressly advocating the  
nomination, election, or defeat of a clearly identified  
candidate or for the passage or defeat of a clearly identified  
ballot issue.

b. Caller identification information pertaining to an  
actual person without that person's consent and with intent to  
deceive the recipient of a call about the identity of the  
caller.

2. This section shall not apply to conduct that was  
lawfully authorized as investigative, protective, or  
intelligence activity of a law enforcement agency of the  
United States, a state, or a political subdivision of a state.

3. As used in this section:

a. "Caller identification information" means information  
regarding the origination of the telephone call, such as the  
name or the telephone number of the caller.

b. "Telephone call" means a call made using or received on  
a telecommunications service or voice over internet protocol  
service.

c. "Voice over internet protocol service" means a service  
to which all of the following apply:

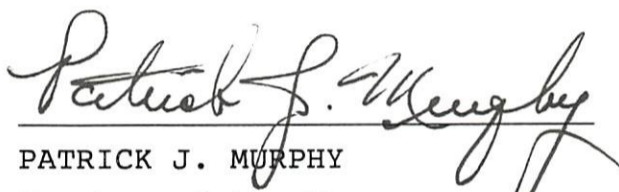
(1) The service provides real-time two-way voice communications transmitted using internet protocol, or a successor protocol.

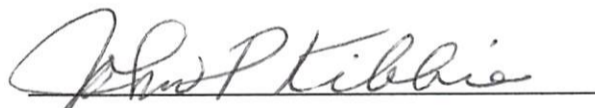
(2) The service is offered to the public, or such classes of users as to be effectively available to the public.

(3) The service has the capability to originate traffic to, or terminate traffic from, the public switched telephone network or a successor network.

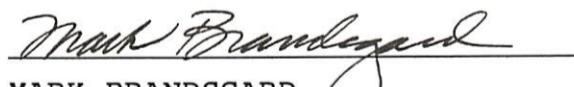
4. The board shall adopt rules pursuant to chapter 17A to administer this section.

5. A person who violates this section is subject to sections 68A.701 and 68B.32D.

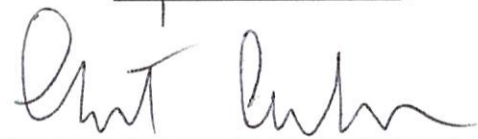
  
PATRICK J. MURPHY  
Speaker of the House

  
JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 776, Eighty-third General Assembly.

  
MARK BRANDSGARD  
Chief Clerk of the House

Approved April 15<sup>th</sup>, 2009

  
CHESTER J. CULVER  
Governor