

JAN 26 1996
STATE GOVERNMENT

HOUSE FILE 2116
BY VAN FOSSEN and SUKUP

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the mailing of notices of violation from the
2 Iowa ethics and campaign disclosure board by certified mail.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF 2116

1 Section 1. Section 68B.32A, subsection 3, Code Supplement
2 1995, is amended to read as follows:

3 3. Review the contents of all campaign finance disclosure
4 reports and statements filed with the board and promptly
5 advise each person or committee of errors found. The board
6 may verify information contained in the reports with other
7 parties to assure accurate disclosure. The board may also
8 verify information by requesting that a candidate or committee
9 produce copies of receipts, bills, logbooks, or other
10 memoranda of reimbursements of expenses to a candidate for
11 expenses incurred during a campaign. The board, upon its own
12 motion, may initiate action and conduct a hearing relating to
13 requirements under chapter 56. The board may require a county
14 commissioner of elections to periodically file summary reports
15 with the board. Any notice of errors found or requests for
16 verification of information relating to chapter 56 shall be
17 sent by certified mail, return receipt requested.

18 Sec. 2. Section 68B.32A, subsection 7, Code Supplement
19 1995, is amended to read as follows:

20 7. Require that the candidate of a candidate's committee,
21 or the chairperson of a political committee, is responsible
22 for filing disclosure reports under chapter 56, and shall
23 receive notice from the board if the committee has failed to
24 file a disclosure report at the time required under chapter
25 56. A notice of failure to file a disclosure report shall be
26 sent by certified mail, return receipt requested. A candidate
27 of a candidate's committee, or the chairperson of a political
28 committee, may be subject to a civil penalty for failure to
29 file a disclosure report required under section 56.6,
30 subsection 1.

31 EXPLANATION

32 This bill adds a requirement that any notice of the filing
33 of incorrect information or requests for verification of
34 information relating to and failure to file campaign
35 disclosure reports be sent by certified mail to a candidate's

1 committee or a political committee by the Iowa ethics and
2 campaign disclosure board. Chapters 68B and 17A currently
3 provide that certified mail must be used to send notice of a
4 hearing in a contested case, but there is no statutory
5 provision regarding the delivery of a notice of violation,
6 which occurs prior to initiation of a hearing on a matter.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35