

MAR 8 1995
STATE GOVERNMENT

HOUSE FILE 309
BY COON

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

A BILL FOR

1 An Act to limit the time during which employees of the general
2 assembly and the office of the governor or lieutenant governor
3 may make contributions to candidates for office in their
4 respective branches of government, providing exceptions for
5 certain candidates, and providing penalties.

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

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HF 309

1 Section 1. Section 56.15A, Code 1995, is amended to read
2 as follows:

3 56.15A PROHIBITING CONTRIBUTIONS DURING THE LEGISLATIVE
4 SESSION.

5 1. A lobbyist or political committee, other than a state
6 statutory political committee, county statutory political
7 committee, or a national political party, shall not contribute
8 to, act as an agent or intermediary for contributions to, or
9 arrange for the making of monetary or in-kind contributions to
10 the campaign of an elected state official, member of the
11 general assembly, or candidate for state office on any day
12 during the regular legislative session and, in the case of the
13 governor or a gubernatorial candidate, during the thirty days
14 following the adjournment of a regular legislative session
15 allowed for the signing of bills. This ~~section~~ subsection
16 shall not apply to the receipt of contributions by an elected
17 state official, member of the general assembly, or other state
18 official who has taken affirmative action to seek nomination
19 or election to a federal elective office.

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

34 2. A member of or candidate for the general assembly shall
35 not accept a contribution from an employee of the general

1 assembly or an agent or intermediary of an employee of the
2 general assembly, or arrange for the receipt of monetary or
3 in-kind contributions from an employee, or agent or
4 intermediary of an employee, of the general assembly on any
5 day during the regular legislative session. This subsection
6 shall not apply to the receipt of contributions by a member of
7 or candidate for the general assembly who has taken
8 affirmative action to seek nomination or election to a federal
9 office or by a candidate in a special election for a seat in
10 the general assembly who has filed nomination papers for the
11 office. A member of the general assembly shall not, however,
12 solicit contributions during a legislative session from any
13 employee of the general assembly for another candidate for the
14 general assembly for which a special election is held.

15 3. The governor or lieutenant governor or a candidate for
16 governor or lieutenant governor shall not receive a
17 contribution from an employee of the office of the governor or
18 lieutenant governor or an agent or intermediary of the
19 employee of the office of governor or lieutenant governor, or
20 arrange for the receipt of monetary or in-kind contributions
21 from an employee of the office of governor or lieutenant
22 governor, or an agent or intermediary of the employee on any
23 day during the regular legislative session or during the
24 thirty days following the adjournment of a regular legislative
25 session allowed for the signing of bills. This subsection
26 shall not apply to the receipt of contributions by a governor
27 or lieutenant governor who has taken affirmative action to
28 seek nomination or election to a federal office.

29 4. Notwithstanding section 56.16, persons violating
30 subsections 2 and 3 shall not be guilty of a serious
31 misdemeanor but shall be subject to the penalties provided
32 under section 68B.32D.

33 EXPLANATION

34 This bill prohibits candidates for or members of the
35 general assembly from receiving contributions from an employee

1 of the general assembly during the legislative session. The
2 prohibition does not extend to candidates for federal office
3 or candidates for the general assembly during special
4 elections which take place during session. The bill also
5 prohibits the governor or lieutenant governor from receiving
6 contributions from the office of governor or lieutenant
7 governor during the legislative session or the 30 days
8 following the adjournment of a regular legislative session.
9 The prohibition does not extend to campaigns of the governor
10 or lieutenant governor who run for federal office.

11 The officials and candidates to whom the new prohibitions
12 apply may be subject to a range of penalties by the ethics and
13 campaign disclosure board under section 68B.32D. The board
14 under that section may order a candidate, whether the person
15 is an incumbent or nonincumbent, to cease and desist from any
16 violations, take remedial actions, file any required report or
17 statement, or pay a fine of up to \$2,000. The board may also
18 censure or reprimand a person, admonish a person, or recommend
19 that a person be removed from office.

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