

JAN 12 1995

ETHICS

HOUSE FILE 37
BY GRUBBS

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

A BILL FOR

1 An Act relating to the provision of legal services before
2 agencies or officials by elected state officials and certain
3 state employees.

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

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HF 37

1 Section 1. Section 68B.7, Code 1995, is amended by adding
2 the following new unnumbered paragraphs:

3 NEW UNNUMBERED PARAGRAPH. A statewide elected official
4 shall not, within a period of two years after the termination
5 of service, act as the attorney for any client before the
6 agency of state government in which the official served or for
7 which the official provided substantial administrative
8 services. For purposes of this paragraph, "substantial
9 administrative services" includes, but is not limited to,
10 appointment authority over officials or employees of an
11 agency, other than the agency in which the official serves,
12 and assignment of personnel from the agency in which the
13 official serves for purposes of providing legal services to an
14 agency.

15 NEW UNNUMBERED PARAGRAPH. A state employee who is employed
16 by a statewide elected official, but who is not employed under
17 the merit system established under chapter 19A, shall not,
18 within a period of two years after the termination of
19 employment, act as the attorney for any client before the
20 agency of state government in which the employee was employed
21 or for which the employee provided substantial administrative
22 services. For purposes of this paragraph, "substantial
23 administrative services" includes, but is not limited to, the
24 provision of legal services for an agency other than the
25 agency which employs the state employee.

26 NEW UNNUMBERED PARAGRAPH. A member of the general assembly
27 shall not act as the attorney for any client before the
28 general assembly or any committee, agency, or official within
29 the general assembly. A legislative employee shall not act as
30 the attorney for any client before the general assembly or any
31 committee, agency, or official within the general assembly.

32 EXPLANATION

33 This bill prohibits legislators and full-time legislative
34 employees from acting as the attorney for clients before the
35 general assembly. In addition, statewide elected officials

1 and their employees, who are not employed under the merit
2 system, are prohibited for a period of two years from acting
3 as the attorney for clients before agencies in which they
4 served or were employed or for which they provided substantial
5 administrative services. "Substantial administrative
6 services" is defined, for statewide elected officials, as the
7 appointment authority over officials or employees of an agency
8 and the assignment of personnel from the agency in which the
9 official serves for purposes of providing legal services to an
10 agency. The term is defined, for statewide elected officials'
11 employees, as providing legal services for an agency other
12 than the agency in which the state employee is employed.
13 Statewide elected officials include the governor, lieutenant
14 governor, secretary of state, auditor of state, treasurer of
15 state, secretary of agriculture, and attorney general of the
16 state of Iowa.

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