

JAN 14 1998
STATE GOVERNMENT

HOUSE FILE 2041
BY CORMACK

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

A BILL FOR

1 An Act relating to certain political telephone communications and
2 providing a civil penalty.

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

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HF 2041

1 Section 1. NEW SECTION. 56.14A POLITICAL TELEPHONE
2 COMMUNICATIONS.

3 1. A person shall not make an unsolicited phone call
4 within this state if all the following circumstances apply:

5 a. The call is made for purposes of conducting a poll or
6 research or for the sharing of information.

7 b. The call relates to the passage or defeat of the
8 nomination or election of a candidate for public office.

9 c. The person making the phone call does not, at the
10 commencement of the call, disclose all of the following
11 information:

12 (1) The person's name.

13 (2) The purpose of the phone call.

14 (3) The name of any individual, business, or organization
15 on whose behalf the call is being made.

16 (4) The identity of any person or group who has directly
17 or indirectly paid for the making of the phone call.

18 (5) The location from which the phone call is being made.

19 2. Notwithstanding section 56.16, a person who violates
20 the requirements of this section shall pay, in the manner
21 prescribed by the board, a civil penalty of five hundred
22 dollars for each phone call made in violation of this section.
23 Moneys from civil penalties collected under this section shall
24 be disposed of in the same manner as other civil penalties
25 collected under section 68B.32D.

26 3. The board shall adopt rules pursuant to chapter 17A
27 establishing procedures to implement this section.

28 EXPLANATION

29 This bill requires persons conducting political research or
30 polls, or sharing information relating to candidates or
31 constitutional or public measures, to disclose certain
32 information regarding any unsolicited phone calls. The
33 information which must be disclosed includes the person's
34 name, the purpose of the phone call, the name of any
35 individual or business on whose behalf the call is being made,

1 the identity of any person or group who has directly or
2 indirectly paid for the making of the phone call, and the
3 location from which the phone call is being made. Failure to
4 abide by the requirements of the section will subject the
5 person to a \$500 civil penalty for each phone call made. The
6 new requirements are to be enforced by the ethics and campaign
7 disclosure board and any moneys collected are to be disposed
8 of in the same manner as other civil penalties collected by
9 that board. The board is to adopt rules to implement the new
10 requirements.

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