

2/26/97 State Gov.

FILED FEB 26 1997

SENATE FILE 223  
BY GETTINGS

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to ethical standards for candidates for state  
2 office, by including candidates for state office within the  
3 jurisdiction of the ethics and campaign disclosure board,  
4 requiring rules to be established by the board, and making  
5 penalties applicable.

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

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S.F. 223

1 Section 1. Section 68B.32, subsection 1, Code 1997, is  
2 amended to read as follows:

3 1. An Iowa ethics and campaign disclosure board is  
4 established as an independent agency. Effective January 1,  
5 1994, the board shall administer this chapter and set  
6 standards for, investigate complaints relating to, and monitor  
7 the ethics of officials, employees, lobbyists, and candidates  
8 for office in the ~~executive branch of~~ state government. The  
9 board shall also administer and set standards for, investigate  
10 complaints relating to, and monitor the campaign finance  
11 practices of candidates for public office. The board shall  
12 consist of six members and shall be balanced as to political  
13 affiliation as provided in section 69.16. The members shall  
14 be appointed by the governor, subject to confirmation by the  
15 senate.

16 Sec. 2. Section 68B.32A, subsection 12, Code 1997, is  
17 amended to read as follows:

18 12. Establish rules relating to ethical conduct for  
19 persons holding a state office in the executive branch of  
20 state government, ~~including candidates; and~~ for employees of  
21 the executive branch of state government, and for candidates  
22 for any state office. The board shall also establish  
23 regulations governing the conduct of lobbyists of the  
24 executive branch of state government, ~~including.~~ The rules  
25 and regulations shall include, but are not limited to, rules  
26 and regulations governing conflicts of interest, abuse of  
27 office or position, misuse of public or campaign property,  
28 campaign advertising, use of confidential information,  
29 participation in matters in which an official or state  
30 employee has a financial interest, and rejection of improper  
31 offers.

32 Sec. 3. Section 68B.32B, subsection 1, Code 1997, is  
33 amended to read as follows:

34 1. Any person may file a complaint alleging that a  
35 candidate, committee, person holding a state office in the

1 executive branch of state government, employee of the  
2 executive branch of state government, or other person has  
3 committed a violation of chapter 56 or rules adopted by the  
4 board. Any person may file a complaint alleging that a person  
5 holding a state office in the executive branch of state  
6 government, an employee of the executive branch of state  
7 government, a candidate for state office, or a lobbyist or a  
8 client of a lobbyist of the executive branch of state  
9 government has committed a violation of this chapter or rules  
10 adopted by the board. The board shall prescribe and provide  
11 forms for this purpose. A complaint must include the name and  
12 address of the complainant, a statement of the facts believed  
13 to be true that form the basis of the complaint, including the  
14 sources of information and approximate dates of the acts  
15 alleged, and a certification by the complainant under penalty  
16 of perjury that the facts stated to be true are true to the  
17 best of the complainant's knowledge.

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## EXPLANATION

19 This bill includes all candidates for state office in the  
20 jurisdiction of the ethics and campaign disclosure board for  
21 purposes of adoption of rules and the hearing of complaints  
22 alleging violations of Code chapter 68B and rules established  
23 pursuant to Code chapter 68B governing ethical conduct by  
24 candidates. Currently, the board has jurisdiction over  
25 candidate campaign finance practices. The board may impose  
26 various sanctions for violations of Code chapter 56, 68B, or  
27 rules adopted by the board, ranging from requiring violators  
28 to cease or desist from an activity, to imposing a civil  
29 penalty of not more than \$2,000, to referring the matter to  
30 the attorney general or an appropriate county attorney for  
31 prosecution.

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