

3-6-97 State Hour

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SENATE FILE 348  
BY GRONSTAL and KIBBIE

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

**A BILL FOR**

1 An Act establishing voluntary expenditure and contribution limits  
2 for political campaigns for candidates for the general  
3 assembly and a tax credit for qualified contributions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 348

1 Section 1. NEW SECTION. 56.6A VOLUNTARY LIMITS ON  
2 CONTRIBUTIONS AND EXPENDITURES.

3 1. A candidate for the general assembly may file a  
4 declaration of limitation on expenditures pursuant to section  
5 56.6B, certifying that the candidate and the candidate's  
6 committee will not do any of the following:

7 a. Make expenditures during an election campaign cycle  
8 exceeding the following amounts:

9 (1) Fifty thousand dollars for a candidate for the senate.

10 (2) Twenty-five thousand dollars for a candidate for the  
11 house of representatives.

12 b. Accept direct contributions from a state, county, or  
13 city statutory political committee or a national political  
14 party.

15 2. A candidate who has filed a declaration of limitation  
16 on expenditures pursuant to section 56.6B shall not be bound  
17 by the declaration if any opposing candidate for the same  
18 office has not filed a declaration of limitation on  
19 expenditures pursuant to section 56.6B, or has filed a  
20 declaration but has made expenditures exceeding the applicable  
21 limit.

22 3. For the purposes of this section and sections 56.6B and  
23 56.6C:

24 a. "Expenditures" shall include all amounts reported in  
25 disclosure reports pursuant to section 56.6, subsection 3,  
26 paragraph "g", as well as any amounts attributed to a  
27 candidate pursuant to section 56.13.

28 b. "Election campaign cycle" means the period of time  
29 between any general or special election commencing on the day  
30 following the previous election for that office, and  
31 continuing through election day.

32 Sec. 2. NEW SECTION. 56.6B DECLARATION OF LIMITATION ON  
33 EXPENDITURES.

34 1. A declaration of limitation on expenditures shall meet  
35 the requirements of section 56.6A, subsection 1, and shall

1 include the signature of the candidate.

2 2. A declaration of limitation on expenditures shall be  
3 filed with the board no later than the date upon which the  
4 candidate makes a filing pursuant to section 43.11, 44.1, or  
5 45.4 to have the candidate's name placed on a ballot for  
6 election to public office.

7 3. Once a declaration of limitation on expenditures has  
8 been filed, a candidate's expenditures may be challenged  
9 pursuant to the procedure in section 68B.32B. Notwithstanding  
10 the requirements of that section, the board shall, within  
11 twenty-four hours of the filing of a complaint, determine  
12 whether there is probable cause to believe the existence of  
13 facts that would establish an unreported expenditure, an  
14 improperly reported expenditure, or aggregate expenditures  
15 exceeding the applicable limit. The board shall proceed with  
16 the remainder of the complaint procedure only upon a finding  
17 of probable cause.

18 4. a. A finding by the board that a candidate has  
19 exceeded the applicable expenditure limit shall not subject  
20 the candidate to any criminal penalty under this chapter, but  
21 shall release the candidate's opponent from any obligation to  
22 comply with that candidate's own declaration of limitation of  
23 expenditures.

24 b. A finding by the board that the candidate has not  
25 reported or has improperly reported an expenditure shall  
26 result in appropriate adjustment of the candidate's reported  
27 expenditures, and may subject the candidate to penalties  
28 pursuant to section 56.16.

29 Sec. 3. NEW SECTION. 56.6C TAX CREDIT FOR QUALIFIED  
30 CONTRIBUTIONS.

31 A credit against taxes pursuant to section 422.12,  
32 subsection 4, shall be allowed for a contribution to a  
33 candidate for an office representing the legislative district  
34 in which the contributor permanently resided at the time the  
35 contribution was made who has filed a declaration of

1 limitation on expenditures pursuant to section 56.6B, not to  
2 exceed one hundred dollars per person per qualified candidate.  
3 Upon request by the state, the contributor shall substantiate  
4 the claimed credit with an official receipt from the  
5 candidate's committee to which a contribution was made.

6 Sec. 4. Section 422.12, Code 1997, is amended by adding  
7 the following new subsection:

8 NEW SUBSECTION. 4. A tax credit for qualified political  
9 contributions pursuant to section 56.6C.

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EXPLANATION

11 This bill amends chapter 56 to provide for voluntary  
12 expenditure limits in political campaigns by candidates for  
13 the general assembly. Persons who contribute to a candidate  
14 for the general assembly who is running in the person's  
15 legislative district and who has filed a declaration of  
16 limitation on expenditures may claim a tax credit of up to one  
17 hundred dollars per qualified candidate.

18 Expenditures may be challenged pursuant to the procedure in  
19 Code section 68B.32B by complaints to the Iowa ethics and  
20 campaign disclosure board. A complaint challenging an  
21 expenditure must be assessed by the board within 24 hours of  
22 the filing of the complaint for probable cause that the  
23 expenditure was unreported, improperly reported, or caused the  
24 candidate to exceed the applicable limit. A finding that a  
25 candidate has exceeded an applicable limit will release the  
26 candidate's opponent from an obligation to comply with that  
27 candidate's own declaration of limitation on expenditures.

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