

JAN 20 1999

STATE GOVERNMENT

HOUSE FILE
BY GIPP

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

A BILL FOR

1 An Act relating to mandatory disclosures in certain political
2 telephone communications, and applying a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 113

1 Section 1. NEW SECTION. 56.14A DISCLOSURES RELATED TO
2 POLITICAL TELEPHONE CALLS.

3 1. A candidate, or the authorized representative of a
4 candidate or the candidate's committee, who engages either in
5 a telephone communication for the purpose of soliciting
6 contributions or in a telephone communication that has the
7 effect of promoting or opposing the nomination or election of
8 a candidate for public office or the passage of a
9 constitutional amendment or public measure, shall disclose all
10 of the following at the commencement of the telephone call:

11 a. The identity of the individual who is calling and the
12 entity with which the individual is affiliated, if any.

13 b. The individual or entity that paid for the telephone
14 communication. If a committee has paid for or authorized the
15 telephone communication, the name of the committee shall be
16 disclosed. If any person other than the candidate or
17 candidate's committee has paid for the telephone
18 communication, the communication shall also state whether or
19 not the communication has been authorized by the candidate
20 intended to benefit from the communication.

21 c. The name, telephone number, and address of an
22 individual whom the call recipient can contact for further
23 information regarding the telephone communication.

24 2. An individual who, on behalf of, at the direction of,
25 or in cooperation with a political committee, engages either
26 in a telephone communication for the purpose of soliciting
27 contributions or in a telephone communication that has the
28 effect of promoting or opposing the nomination or election of
29 a candidate for public office or the passage of a
30 constitutional amendment or public measure shall disclose all
31 of the following at the commencement of the telephone call:

32 a. The identity of the individual who is calling and the
33 entity with which the individual is affiliated, if any.

34 b. The individual or entity that paid for the telephone
35 communication. If a committee has paid for or authorized the

1 telephone communication, the name of the committee shall be
 2 disclosed. If any person other than the candidate or
 3 candidate's committee has paid for the telephone
 4 communication, the communication shall also state whether or
 5 not the communication has been authorized by the candidate
 6 intended to benefit from the communication.

7 c. The name, telephone number, and address of an
 8 individual whom the call recipient can contact for further
 9 information regarding the telephone communication.

10 EXPLANATION

11 This bill creates a new Code section that requires the
 12 disclosure of certain information at the commencement of
 13 political telephone calls that solicit contributions or that
 14 have the effect of promoting or opposing a candidate or ballot
 15 issue. The name and affiliation of the caller, the name of
 16 the individual or entity that paid for the phone call, whether
 17 a candidate that will benefit from the call has authorized the
 18 call, and the name, address, and telephone number of an
 19 individual whom the person can contact for further information
 20 regarding the call must be disclosed.

21 Violations of this provision are punishable under Code
 22 section 56.16 as a serious misdemeanor, which carries a
 23 penalty of a fine of \$250 to \$1,500, and may also include a
 24 sentence of up to one year in jail.

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