

FILED FEB 17 1999

SENATE FILE 161

BY KING

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to limitations on certain political contributions
2 and expenditures, and providing and applying a penalty.

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

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SF 161
STATE GOVERNMENT

1 Section 1. Section 56.13, subsection 1, unnumbered
2 paragraph 1, Code 1999, is amended to read as follows:

3 Action involving a contribution or expenditure which must
4 be reported under this chapter and which is taken by any
5 ~~person, candidate's committee or political committee~~ on behalf
6 of a candidate, if known and approved by the candidate, shall
7 be deemed action by the candidate and reported by the
8 candidate's committee. It shall be presumed that a candidate
9 approves the action if the candidate had knowledge of it and
10 failed to file a statement of disavowal with the commissioner
11 or board and take corrective action within seventy-two hours
12 of the action. A ~~person, candidate's committee or political~~
13 ~~committee~~ taking such action independently of that candidate's
14 committee shall notify that candidate's committee in writing
15 within twenty-four hours of taking the action. The
16 notification shall provide that candidate's committee with the
17 cost of the promotion at fair market value. A copy of the
18 notification shall be sent to the board.

19 Sec. 2. NEW SECTION. 56.15B LIMITATIONS ON CONTRIBUTIONS
20 TO A CANDIDATE OR CANDIDATE'S COMMITTEE.

21 1. A candidate or candidate's committee shall accept
22 contributions only from individuals who are registered to vote
23 in a district represented by the office to which the candidate
24 presently seeks election.

25 2. A candidate who accepts, or whose committee accepts, a
26 contribution in violation of subsection 1 shall be penalized
27 civilly in an amount equal to ten times the amount of the
28 prohibited contribution. All penalties assessed under this
29 subsection shall be deposited in the Iowa election campaign
30 fund created by section 56.19.

31 Sec. 3. NEW SECTION. 56.15C LIMITATIONS ON CONTRIBUTIONS
32 BY POLITICAL COMMITTEES.

33 1. As used in this section, "political committee" does not
34 include a statutory political committee created pursuant to
35 chapter 43, or a nonparty political organization created

1 pursuant to chapter 44.

2 2. A political committee shall not make contributions to a
3 candidate or a candidate's committee.

4 3. A political committee shall not publish or broadcast
5 material with the name of any officeholder or candidate for
6 office that would have the effect of promoting or defeating
7 the nomination or election of a candidate for public office.

8 EXPLANATION

9 This bill amends Code chapter 56, regarding political
10 campaigns.

11 The bill creates new Code section 56.15B which limits
12 candidates and candidate's committees to accepting
13 contributions only from registered voters within their
14 districts. A candidate who accepts contributions in violation
15 of this limitation is subject to a civil penalty equal to 10
16 times the amount of the contribution in question. Violations
17 of this section would also be a serious misdemeanor pursuant
18 to Code section 56.16. A serious misdemeanor is punishable by
19 confinement for no more than one year and a fine of at least
20 \$250 but not more than \$1,500.

21 The bill also creates new Code section 56.15C, which limits
22 the contributions that may be made by a political committee
23 other than a statutory political committee or a nonparty
24 political organization. A political committee is prohibited
25 from making contributions to a candidate or candidate's
26 committee. A political committee is also prohibited from
27 publishing or broadcasting material with the name of any
28 officeholder or candidate for office that would have the
29 effect of promoting or defeating the nomination or election of
30 a candidate for public office. Violations of this section
31 would be a serious misdemeanor, pursuant to section 56.16. A
32 serious misdemeanor is punishable by confinement for no more
33 than one year and a fine of at least \$250 but not more than
34 \$1,500.

35 The bill makes a related change to Code section 56.13,

1 regarding independent expenditures, to delete the reference to
2 contributions by political committees.

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