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SENATE FILE 63

BY KIBBIE and LUNDBY

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 applying penalties.

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

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**SF 63**  
 STATE GOVERNMENT

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. "Election campaign cycle" means the period of time  
25 between any general or special election commencing on the day  
26 following the previous election for that office, and  
27 continuing through election day.

28 b. "Expenditures" shall include all amounts reported in  
29 disclosure reports pursuant to section 56.6, subsection 3,  
30 paragraph "g", as well as any amounts attributed to a  
31 candidate pursuant to section 56.13.

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.

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EXPLANATION

30 This bill creates new Code section 56.6A to provide for  
31 voluntary expenditure limits in political campaigns by  
32 candidates for the general assembly. The bill also creates  
33 new Code section 56.6B to provide that expenditures may be  
34 challenged pursuant to the procedure in Code section 68B.32B  
35 by filing complaints with the Iowa ethics and campaign

1 disclosure board. A complaint challenging an expenditure must  
2 be assessed by the board within 24 hours of the filing of the  
3 complaint for probable cause that the expenditure was  
4 unreported, improperly reported, or caused the candidate to  
5 exceed the applicable limit. A finding that a candidate has  
6 exceeded an applicable limit will release the candidate's  
7 opponent from an obligation to comply with that candidate's  
8 own declaration of limitation on expenditures. A finding of a  
9 failure to report or of an improper report may subject the  
10 candidate to criminal penalties under Code section 56.16.

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