

Senate Study Bill 1102

Bill Text

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1 1 Section 1. Section [68B.32A](#), subsection 3, Code 2001, is
1 2 amended to read as follows:
1 3 3. Review the contents of all campaign finance disclosure
1 4 reports and statements filed with the board and promptly
1 5 advise each person or committee of errors found. The board
1 6 may verify information contained in the reports with other
1 7 parties to assure accurate disclosure. The board may also
1 8 verify information by requesting that a candidate or committee
1 9 produce copies of receipts, bills, logbooks, or other
1 10 memoranda

~~of reimbursements of expenses to a candidate for~~

1 11

~~expenses incurred during~~

~~concerning contributions received,~~

1 12 expenditures made, or indebtedness incurred in a campaign.

1 13 The board, upon its own motion, may initiate action and
1 14 conduct a hearing relating to requirements under chapter 56.
1 15 The board may require a county commissioner of elections to
1 16 periodically file summary reports with the board.

1 17 Sec. 2. Section [68B.37](#), Code 2001, is amended to read as
1 18 follows:

1 19 68B.37 LOBBYIST REPORTING.

1 20 1. For the purposes of this section:

1 21 a. "Expenditures" does not include expenditures made by
1 22 any organization for publishing a newsletter or other
1 23 informational release for its members.

1 24 b. "Six-month reporting period" means the period from
1 25 January 1 through June 30, or July 1 through December 31.

1 26 1A. A lobbyist before the general assembly shall file with
1 27 the general assembly, on forms prescribed by each house of the
1 28 general assembly and according to the filing provisions of
1 29 subsection 3, a report disclosing all of the following:

1 30 a. The lobbyist's clients.

1 31 b. Contributions made to candidates for state office by
1 32 the lobbyist during

~~calendar months during~~

~~the preceding six-~~

1 33 month reporting period

~~when the general assembly is not in~~

1 34

~~session~~

1 35 c. The recipient of the campaign contributions.

2 1 d.

~~Expenditures~~

~~Total expenditures exceeding one thousand~~

2 2 dollars made by the lobbyist during the preceding six-month
2 3 reporting period to provide information, service,

2 4 entertainment, sustenance, or other benefit directly to a
2 5 person or group of persons who are members of the general
2 6 assembly, a state agency, or any statewide elected official
2 7 for the purposes of providing the services enumerated under
2 8 section 68B.2, subsection 13, paragraph "a".
2 9 e. The total amount of all salaries, fees, and retainers
2 10 paid by each lobbyist's client to the lobbyist for lobbying
2 11 purposes during the preceding six months.
2 12

~~For purposes of this subsection, "expenditures" does not~~

2 13

~~include expenditures made by any organization for publishing a~~

2 14

~~newsletter or other informational release for its members.~~

2 15 2. A lobbyist before a state agency or the office of the
2 16 governor shall file with the board, on forms prescribed by the
2 17 board, a report disclosing the same items described in
2 18 subsection

~~1~~

~~1A.~~

2 19 3. a. The reports by lobbyists before the general
2 20 assembly shall be filed not later than

~~twenty five days~~

2 21

~~following any month in which the general assembly is in~~

2 22

~~session and thereafter on or before~~

~~July 31~~

~~, October 31,~~

~~and~~

2 23 January 31. The reports filed by a lobbyist before the
2 24 general assembly shall contain information for the preceding
2 25

~~calendar month or quarter~~

~~six-month reporting period~~ or parts

2 26 thereof during which the person was engaged in lobbying.

2 27 b. Reports filed by lobbyists before a state agency shall
2 28 be filed on or before

~~April 30,~~

~~July 31~~

~~, October 31,~~

~~and~~

2 29 January 31

~~for the preceding~~

~~calendar quarter~~

~~six-month~~

2 30 reporting period or parts thereof during which the person was
2 31 engaged in lobbying.

2 32 4. If a person cancels the person's lobbyist registration
2 33 at any time during the calendar year, the reports required by
2 34 this section are due on the dates required by this section or
2 35 fifteen days after cancellation, whichever is earlier.

~~The~~

3 1

~~report due January 31 shall include all reportable items for~~

3 2

~~the preceding calendar year in addition to containing the~~

3 3

~~quarterly reportable items.~~

3 4 a. A lobbyist who cancels the person's lobbyist
3 5 registration before January 1 of a year shall file a report
3 6 listing all reportable items for the

~~year~~

~~six-month reporting~~

3 7 period in which the cancellation was filed.

3 8 b. A lobbyist who cancels the person's lobbyist
3 9 registration between January 1 and January 15 of a year shall
3 10 file a report listing all reportable items for the preceding
3 11

~~year~~

~~six-month reporting period~~ and so much of the month of
3 12 January as has expired at the time of cancellation.

3 13 5.

~~However, if~~

~~Notwithstanding the requirements of this~~

3 14 section, if a lobbyist is a person who is designated to
3 15 represent the interest of an organization as defined in
3 16 section 68B.2, subsection 13, paragraph "a", subparagraph (2),
3 17 but is not paid compensation for that representation and does
3 18 not expend more than one thousand dollars as provided in
3 19 section 68B.2, subsection 13, paragraph "a", subparagraph (4),
3 20 the lobbyist shall only be required to file the report
3 21 specified in this section once annually, which shall be
3 22 performed at the time of filing the person's lobbyist
3 23 registration form or forms.

3 24 Sec. 3. Section [68B.38](#), Code 2001, is repealed.

3 25 Sec. 4. CODE EDITOR DIRECTIVE. The Code editor shall
3 26 transfer chapter 68B, as amended by this bill, to chapter 56B,
3 27 and replace all references in the Code to chapter 68B with
3 28 appropriate references to chapter 56B.

3 29 EXPLANATION

3 30 This bill amends Code section 68B.32A to allow the ethics
3 31 and campaign disclosure board to obtain copies of all campaign
3 32 records when attempting to verify information, rather than
3 33 only memoranda of reimbursements of expenses.

3 34 The bill amends Code section 68B.37 regarding reporting by
3 35 lobbyists. The bill deletes the October 31 report for
4 1 legislative lobbyists, and the April 30 and October 31 reports
4 2 for executive branch lobbyists. All lobbyists would file
4 3 reports on January 31 and July 31. A definition is added for
4 4 "six-month reporting period", in conjunction with this change.

4 5 The bill repeals Code section 68B.38, eliminating reporting
4 6 by lobbyists' clients, and amends Code section 68B.37 to
4 7 require that lobbyists report compensation paid to them by

4 8 clients. Lobbyists are also required to report total
4 9 expenditures exceeding \$1,000 made by the lobbyist during the
4 10 six-month reporting period to provide information, service,
4 11 entertainment, sustenance, or other benefit directly to
4 12 legislators, members of a state agency, or statewide elected
4 13 officials.

4 14 The bill also deletes the requirement that the January 31
4 15 lobbyist report contain all reportable items for the previous
4 16 year in addition to the quarterly reportable items, and
4 17 changes the requirement that a lobbyist who cancels the
4 18 person's lobbyist registration before January 1, or between
4 19 January 1 and January 15, file a report listing all reportable
4 20 items, by changing the applicable period from the previous
4 21 year to the preceding six-month reporting period.

4 22 Finally, the bill also contains a direction to the Code
4 23 editor to designate Code chapter 68B as Code chapter 56B, and
4 24 to change references in the Code as necessary.

4 25 LSB 1238DP 79

4 26 jj/pj/5