

JAN 13 2006
STATE GOVERNMENT

HOUSE FILE 2063
BY FORD

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

A BILL FOR

1 An Act relating to fundraising activities conducted for a group
2 or organization of public officials or public employees and
3 making penalties applicable.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

HF-2063

1 Section 1. NEW SECTION. 68B.2B FUNDRAISING ACTIVITIES.

2 An official, state employee, legislative employee, or
3 member of the general assembly shall not use or permit the use
4 of state property, facilities, equipment, supplies, or time
5 for the purpose of fundraising or assisting the fundraising
6 for an association or organization that is not an agency when
7 one of the primary purposes of the association or organization
8 is to raise funds for the benefit of a specific group or
9 organization of public officials or public employees.

10 Sec. 2. NEW SECTION. 476.58 TELEMARKETING DISCLOSURE
11 REQUIREMENTS.

12 1. A nonprofit organization conducting fundraising by
13 telephone on behalf of or for the purpose of raising money for
14 a specific group or organization of public officials or public
15 employees shall disclose all of the following in each
16 fundraising telephone call made:

17 a. The name of the nonprofit organization conducting the
18 fundraising.

19 b. The name of the group or organization of public
20 officials or public employees benefiting from the fundraising.

21 c. The amount or percentage of each donation that will
22 directly support the group or organization of public officials
23 or public employees.

24 2. A violation of this section is an unlawful practice
25 under section 714.16, subsection 2, paragraph "a".

26 EXPLANATION

27 This bill relates to conducting fundraising activities for
28 a group or organization of public officials or public
29 employees. The bill restricts public officials, state
30 employees, legislative employees, and members of the general
31 assembly from using state property and facilities for the
32 purpose of fundraising or assisting with the fundraising for a
33 group or organization of public officials or public employees.

34 The bill requires nonprofit organizations to make certain
35 disclosures when conducting fundraising by telephone on behalf

1 of a specific group or organization of public officials or
2 public employees. A violation of the disclosure requirements
3 is an unlawful practice under Code section 714.16, subsection
4 2, paragraph "a", which provides that the act of deception,
5 fraud, false promise, or the misrepresentation, concealment,
6 suppression, or omission of a material fact with the intent to
7 induce the reliance of others is an unlawful practice and is
8 subject to civil enforcement by the attorney general, who may
9 seek and obtain civil remedies, including equitable relief and
10 a civil penalty up to \$40,000.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35