

House Study Bill 123

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON ALONS)

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

A BILL FOR

1 An Act relating to dual governmental employment by executive
2 branch officials and state employees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1496YC 81
5 tm/cf/24

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1 1 Section 1. NEW SECTION. 68B.2B DUAL GOVERNMENTAL
1 2 EMPLOYMENT BY STATE EXECUTIVE BRANCH OFFICIALS AND EMPLOYEES.
1 3 1. An official or state employee shall not perform
1 4 services for or accept employment with a different agency, the
1 5 judicial branch, or any unit of the United States government
1 6 except when all of the following conditions are met:
1 7 a. Consent is obtained from the agency of which the person
1 8 is an official or state employee. The person granting the
1 9 consent shall not be the official or state employee seeking
1 10 dual governmental employment under this section.
1 11 b. The performance of services or employment does not
1 12 violate any other provision of this chapter.
1 13 c. The performance of services or employment will not
1 14 cause the person to advocate on behalf of the other agency,
1 15 the judicial branch, or any unit of the United States
1 16 government before the agency of which the person is an
1 17 official or state employee.
1 18 2. An agency granting consent under this section shall
1 19 file a copy of the consent with the board within twenty days
1 20 of the consent being granted.
1 21 3. The board shall adopt rules specifying the method by
1 22 which officials and state employees may obtain agency consent
1 23 under this section.
1 24 4. This section does not apply to services performed or
1 25 employment accepted if the official or state employee does not
1 26 receive any direct or indirect compensation for the services
1 27 or employment. This section does not apply to an official or
1 28 state employee as a candidate for elected public office.

EXPLANATION

1 30 This bill relates to dual governmental employment by
1 31 executive branch officials and state employees.
1 32 The bill provides that an official or state employee shall
1 33 not perform services for or accept employment with a different
1 34 agency, the judicial branch, or any unit of the United States
1 35 government except when certain conditions are met, which
2 1 include obtaining consent from the agency for which the person
2 2 is an official or a state employee, that the performance of
2 3 services or employment does not violate any other provisions
2 4 of Code chapter 68B, and that the performance of services or
2 5 employment will not cause the official or state employee to
2 6 advocate on behalf of the newly associated governmental entity
2 7 before the agency which the official serves or by which the
2 8 state employee is employed. The bill provides that an agency
2 9 granting consent shall file a copy of the consent with the
2 10 Iowa board of ethics and campaign finance within 20 days of
2 11 the consent being granted. The bill excludes from the
2 12 requirements for dual governmental employment volunteer work
2 13 and the ability of an official or state employee to seek
2 14 elected public office.
2 15 The term "agency" means a department, division, board,
2 16 commission, bureau, or office of the executive or legislative
2 17 branch of state government, the office of attorney general,
2 18 the state board of regents, community colleges, and the office

2 19 of the governor, including a regulatory agency, or any
2 20 department, division, board, commission, bureau, or office of
2 21 a political subdivision of the state, but does not include any
2 22 agricultural commodity promotional board, which is subject to
2 23 a producer referendum.
2 24 LSB 1496YC 81
2 25 tm:rj/cf/24