

FILED MAR 06 2006

SENATE FILE

2359

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 3224)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act restricting fundraising activities by specified
2 professional associations under certain circumstances, and
3 providing for fundraising activity oversight by the department
4 of public safety.

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

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SF 2359

1 Section 1. NEW SECTION. 80.40 PROFESSIONAL ASSOCIATION
2 FUNDRAISING -- RESTRICTIONS -- OVERSIGHT.

3 A professional association, group, or society comprised of
4 fire fighters employed by the state fire marshal's office or
5 fire fighters holding a civil service position pursuant to
6 chapter 400 that engages in fundraising activities, including
7 revenue-earning enterprises and the solicitation of grants,
8 gifts, or donations, shall annually submit to the department a
9 report detailing the nature and location of activities engaged
10 in, the amounts raised, and the allocation or disposition of
11 the amounts raised. Fundraising activities undertaken
12 pursuant to this section shall be organized by, originate
13 from, and be directly attributable to or for the benefit of
14 members of the professional association, group, or society
15 involved, or be applied to advance a public safety purpose or
16 project primarily benefiting the citizens of the state of
17 Iowa. The department shall by rule establish procedures
18 designed to ensure that fundraising activities shall be based
19 within the state and that the amounts raised as a result of
20 such activities shall remain within the state, and shall
21 establish penalties applicable for violations of this section.
22 The department shall annually submit a report to the general
23 assembly by January 1 summarizing fundraising activities and
24 allocation of the funds raised.

25 EXPLANATION

26 This bill relates to fundraising activities undertaken by
27 members of professional associations, groups, or societies
28 comprised of fire fighters employed by the state fire
29 marshal's office or fire fighters holding a civil service
30 position pursuant to Code chapter 400. The bill provides that
31 fundraising activities, including revenue-earning enterprises
32 and the solicitation of grants, gifts, or donations, shall be
33 organized and based within the state, and that amounts raised
34 as a result of the activities shall benefit members of the
35 association, group, or society or be allocated for the benefit

1 of public safety projects or purposes primarily benefiting the
2 citizens of this state. The bill requires an association,
3 group, or society undertaking fundraising activities to
4 annually submit to the department of public safety a report
5 detailing the nature and location of activities engaged in,
6 the amounts raised, and their disposition. Further, the bill
7 provides that the department shall establish procedures by
8 rule ensuring that fundraising activities shall be based
9 within the state and that the amounts raised as a result of
10 such activities shall remain within the state, and shall by
11 rule establish penalties applicable for violations of the
12 bill. The department is directed in the bill to submit an
13 annual report to the general assembly summarizing fundraising
14 activities and the allocation of funds raised.

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SENATE FILE 2359

S-5112

1 Amend Senate File 2359 as follows:
2 1. Page 1, line 3, by inserting before the word
3 "A" the following: "1."
4 2. Page 1, by inserting after line 24 the
5 following:
6 "2. The provisions of subsection 1 requiring that
7 fundraising activities shall be organized by,
8 originate from, and be directly attributable to or for
9 the benefit of members of the professional
10 association, group, or society involved, or be applied
11 to advance a public safety purpose or project
12 primarily benefiting the citizens of the state of
13 Iowa, shall not apply to not-for-profit fundraising
14 activities. Such activities shall, however, be
15 included in the annual report summarizing fundraising
16 activities submitted to the department."

By TOM HANCOCK

S-5112 FILED MARCH 21, 2006
ADOPTED

1 Section 1. NEW SECTION. 80.40 PROFESSIONAL ASSOCIATION
2 FUNDRAISING -- RESTRICTIONS -- OVERSIGHT.

3 1. A professional association, group, or society comprised
4 of fire firefighters employed by the state fire marshal's office
5 or fire fighters holding a civil service position pursuant to
6 chapter 400 that engages in fundraising activities, including
7 revenue-earning enterprises and the solicitation of grants,
8 gifts, or donations, shall annually submit to the department a
9 report detailing the nature and location of activities engaged
10 in, the amounts raised, and the allocation or disposition of
11 the amounts raised. Fundraising activities undertaken
12 pursuant to this section shall be organized by, originate
13 from, and be directly attributable to or for the benefit of
14 members of the professional association, group, or society
15 involved, or be applied to advance a public safety purpose or
16 project primarily benefiting the citizens of the state of
17 Iowa. The department shall by rule establish procedures
18 designed to ensure that fundraising activities shall be based
19 within the state and that the amounts raised as a result of
20 such activities shall remain within the state, and shall
21 establish penalties applicable for violations of this section.
22 The department shall annually submit a report to the general
23 assembly by January 1 summarizing fundraising activities and
24 allocation of the funds raised.

25 2. The provisions of subsection 1 requiring that
26 fundraising activities shall be organized by, originate from,
27 and be directly attributable to or for the benefit of members
28 of the professional association, group, or society involved,
29 or be applied to advance a public safety purpose or project
30 primarily benefiting the citizens of the state of Iowa, shall
31 not apply to not-for-profit fundraising activities. Such
32 activities shall, however, be included in the annual report
33 summarizing fundraising activities submitted to the
34 department.

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Hancock co-chair
Ward co-chair
Danielson
Wieck

Accceeded By
SF HF 2329

SSB#3224

State Government

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CO-CHAIRPERSON HORN)

Passed Senate, Date _____ Passed House, Date _____

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

Approved _____

A BILL FOR

1 An Act restricting fundraising activities by specified
2 professional associations under certain circumstances, and
3 providing for fundraising activity oversight by the department
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5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 80.40 PROFESSIONAL ASSOCIATION
2 FUNDRAISING -- RESTRICTIONS -- OVERSIGHT.

3 A professional association, group, or society comprised of
4 peace officers as defined in section 97A.1 or persons holding
5 a civil service position pursuant to chapter 400 that engages
6 in fundraising activities, including revenue-earning
7 enterprises and the solicitation of grants, gifts, or
8 donations, shall annually submit to the department a report
9 detailing the nature and location of activities engaged in,
10 the amounts raised, and the allocation or disposition of the
11 amounts raised. Fundraising activities undertaken pursuant to
12 this section shall be organized by, originate from, and be
13 directly attributable to or for the benefit of members of the
14 professional association, group, or society involved, or be
15 applied to advance a public safety purpose or project
16 primarily benefiting the citizens of the state of Iowa. The
17 department shall by rule establish procedures designed to
18 ensure that fundraising activities shall be based within the
19 state and that the amounts raised as a result of such
20 activities shall remain within the state, and shall establish
21 penalties applicable for violations of this section. The
22 department shall annually submit a report to the general
23 assembly by January 1 summarizing fundraising activities and
24 allocation of the funds raised.

25 EXPLANATION

26 This bill relates to fundraising activities undertaken by
27 members of professional associations, groups, or societies
28 comprised of peace officers as defined in Code section 97A.1
29 or persons holding a civil service position pursuant to Code
30 chapter 400. The bill provides that fundraising activities,
31 including revenue-earning enterprises and the solicitation of
32 grants, gifts, or donations, shall be organized and based
33 within the state, and that amounts raised as a result of the
34 activities shall benefit members of the association, group, or
35 society or be allocated for the benefit of public safety

1 projects or purposes primarily benefiting the citizens of this
2 state. The bill requires an association, group, or society
3 undertaking fundraising activities to annually submit to the
4 department of public safety a report detailing the nature and
5 location of activities engaged in, the amounts raised, and
6 their disposition. Further, the bill provides that the
7 department shall establish procedures by rule ensuring that
8 fundraising activities shall be based within the state and
9 that the amounts raised as a result of such activities shall
10 remain within the state, and shall by rule establish penalties
11 applicable for violations of the bill. The department is
12 directed in the bill to submit an annual report to the general
13 assembly summarizing fundraising activities and the allocation
14 of funds raised.

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