House File 2528 - Introduced

Passed House, Date Nays Vote: Ayes Nays Approved A BILL FOR 1 An Act relating to campaign finance procedures and requirements and providing an effective date. 3 ER IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 4 TILS 5459HV 82 5 jr/rj/14 PAG LIN 1 Section 1. Section 68A.101, Code 2007, is amended to read 2 as follows: 1 3 68A.101 CITATION AND ADMINISTRATION. 1 4 This chapter may be cited as the "Campaign Disclosure == 1 5 Income Tax Checkoff Act". 1 6 This chapter shall be administered by the Iowa ethics and 1 7 campaign disclosure board as provided in sections 68B.32. 1 8 68B.32A. 68B.32B. 68B.32C. and 68B.32D. 1 9 Sec. 2. Section 68A.201, subsection 5, Code Supplement 10 2007, is amended by striking the subsection. 1 11 Sec. 3. NEW SECTION. 68A.201A FILING BY OUT-0F-STATE AND 12 FEDERAL COMMITTEES. 1 13 1. When either a committee or organization not organized 14 as a committee under section 68A.201 makes a contribution to a 15 committee organized in Iowa, that committee or organization to 16 shall disclose each contribution in excess of fifty dollars to 17 the board. 1 8 2. A committee or organization not organized as 1 19 committee under section 68A.201 that is not registered and 20 filing full disclosure reports of all financial activities 1 21 with the federal election commission or another state's 12 disclosure commission shall register and file full disclosure 1 23 reports with the board pursuant to this chapter. The 14 committee or organization shall either appoint an eligible 1 25 Iowa elector as committee or organization treasurer, or shall 2 financial activities 1 21 with the federal election commission or another state's 1 22 disclosure commission shall register and file full disclosure 1 23 reports with the board pursuant to this chapter. The 14 committee or organization shall either file a statement 1 30 of organization under section 68A.201, subsections 1 and 2, 1 and file disclosure reports under section 68A.402, or shall 1 2 file one copy of a verified statement with the board wi			HOUSE FILEBY COMMITTEE ON STATE GOVERNMENT	
Nays Nays Nays Nays Nays			(SUCCESSOR TO HSB 612)	
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2 8 the state or federal jurisdiction under which it is registered 2 9 or operates, the identification of any parent entity or other 2 10 affiliates or sponsors, its purpose, the name and address of 2 11 an Iowa resident authorized to receive service of original 2 12 notice, the name and address of the receiving committee, the 2 13 amount of the cash or in=kind contribution, and the date the 2 14 contribution was made. 2 15 Sec. 4. Section 68A.303, subsection 6, Code 2007, is 2 16 amended to read as follows: 2 17 6. An individual or a political committee A person shall 2 18 not knowingly make transfers or contributions to a candidate	$\begin{array}{c} 1 \\ 1 \\ 1 \\ 1 \\ 1 \\ 1 \\ 1 \\ 1 \\ 1 \\ 1 $	as follows: 3 68A.101 CITATION AND ADMI 4 This chapter may be cited 5 Income Tax Checkoff Act". 6 This chapter shall be admi 7 campaign disclosure board as 8 68B.32A, 68B.32B, 68B.32C, an 9 Sec. 2. Section 68A.201, 10 2007, is amended by striking 11 Sec. 3. NEW SECTION. 68A 12 FEDERAL COMMITTEES. 13 1. When either a committe 14 as a committee under section 15 committee organized in Iowa, 16 shall disclose each contribut 17 the board. 18 2. A committee or organiz 19 committee under section 68A.2 20 filing full disclosure report 21 with the federal election com 22 disclosure commission shall reports with the board pursua 24 committee or organization sha 25 Iowa elector as committee or 26 maintain all committee funds 27 institution located in Iowa. 28 3. A committee that is cu 29 report in another jurisdiction 30 of organization under section 31 and file disclosure reports u 32 file one copy of a verified s 33 fifteen days of the contribut 4. The verified statement 35 the board and shall attest th 1 reports with the federal elec 2 jurisdiction with reporting r 3 substantially similar to thos 4 contribution is made from an 5 contribution is made from an 6 contribution sthat would be i 7 5. The verified statement 7 address, and telephone number 8 the state or federal jurisdic 9 or operates, the identificati 10 affiliates or sponsors, its p 11 an Iowa resident authorized t 12 notice, the name and address 13 amount of the cash or in=kind 14 contribution was made. 15 Sec. 4. Section 68A.303, 16 amended to read as follows: 17 6. An individual or a pol	NISTRATION. as the "Campaign Disclosure == nistered by the Iowa ethics and provided in sections 68B.32. d 68B.32D. subsection 5, Code Supplement the subsection201A FILING BY OUT=OF=STATE AND e or organization not organized 68A.201 makes a contribution to a that committee or organization ion in excess of fifty dollars to ation not organized as a 01 that is not registered and s of all financial activities mission or another state's egister and file full disclosure not to this chapter. The li either appoint an eligible organization treasurer, or shall in an account in a financial rrently filing a disclosure of shall either file a statement 68A.201, subsections 1 and 2, nder section 68A.402, or shall tatement with the board within ion being made. shall be on forms prescribed by at the committee is filing tion commission or in a equirements which are e of this chapter, and that the account that does not accept n violation of section 68A.503. shall include the complete name, of the contributing committee, to not fany parent entity or other urpose, the name and address of o receive service of original of the receiving committee, the contribution, and the date the subsection 6, Code 2007, is itical committee A person shall	

2 19 or candidate's committee for the purpose of transferring the 2 20 funds to another candidate or candidate's committee to avoid 2 21 the disclosure of the source of the funds pursuant to this 22 chapter. A candidate or candidate's committee shall not 2 23 knowingly accept transfers or contributions from an individual 24 or political committee any person for the purpose of 2 25 transferring funds to another candidate or candidate's 2 26 committee as prohibited by this subsection. A candidate or 2 27 candidate's committee shall not accept transfers or 28 contributions which have been transferred to another candidate 29 or candidate's committee as prohibited by this subsection. 2 30 The board shall notify candidates of the prohibition of such 2 31 transfers and contributions under this subsection. 32 Sec. 5. Section 68A.402, subsection 1, Code Supplement 33 2007, is amended to read as follows: 2

1. FILING METHODS. Each committee shall file with the 35 board reports disclosing information required under this 1 section on forms prescribed by rule. Reports shall be filed 2 on or before the required due dates by using any of the 3 following methods: mail bearing a United States postal 4 service postmark, hand=delivery, facsimile transmission, 5 electronic mail attachment, or electronic filing as prescribed 6 by rule. Any report that is required to be filed five days or less prior to an election must be physically received by the 8 board to be considered timely filed. For purposes of this 9 section, "physically received" means the report is either 3 10 electronically filed using the board's electronic filing 3 11 system or is received by the board prior to 4:30 p.m. on the 3 12 report due date.

Section 68A.402A, subsection 1, paragraph g, Code Sec. 6. 3 14 2007, is amended by striking the paragraph and inserting the 3 15 following:

- 3 16 g. Disbursements made to a third party and disbursements 3 17 made by the third party during the reporting period disclosing 3 18 the name and address of the recipient, amount, purpose, and 3 19 date.
- 3 20 Sec. 7. Section 68A.404, subsection 2, paragraph a, Code 3 21 2007, is amended to read as follows: 3 22 a. The requirement to file an independent expenditure
- 3 23 statement under this section does not by itself mean that the 3 24 person filing the independent expenditure statement is 3 25 required to register and file reports under sections 68A.201, 26 68A.201A, and 68A.402.
- 3 27 Sec. 8. EFFECTIVE DATE. The section of this Act amending 3 28 section 68A.402, being deemed of immediate importance, takes 3 29 effect upon enactment.

EXPLANATION

This bill makes a number of technical changes to Iowa's 32 campaign disclosure law. The bill moves requirements dealing 33 with required filings by out=of=state and federal committees 34 into its own Code section.

The bill amends current restrictions concerning transfer of 1 contributions between candidates or candidate committees. 2 Under current law, an individual or a political committee 3 cannot knowingly make or accept transfers or contributions to 4 a candidate or candidate's committee for the purpose of 5 transferring the funds to another candidate or candidate's 6 committee to avoid the disclosure of the source of the funds. 7 The bill substitutes the term "person" in lieu of the phrase 8 "individual or a political committee".

The bill also revises a provision relating to the physical 4 10 receipt of reports that must be filed five days before the 4 11 election; that change establishes that physical receipt of the 12 report is required for any reports required to be filed less 13 than five days before the election. This provision is made 4 14 effective upon enactment.

4 15 The bill expands disbursement reporting requirements to 4 16 include any third party. 4 17 LSB 5459HV 82

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