

# House File 413 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 37)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to electronic filing of campaign finance  
2 organizational statements, dissolution reports, and disclosure  
3 reports by candidates for statewide office or for the general  
4 assembly, establishing a filing deadline for all statements  
5 and reports, providing a penalty, and providing applicability  
6 dates.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
8 TLSB 1308HV 82  
9 jr/je/5

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1 1 Section 1. Section 68A.401, subsection 1, Code 2007, is  
1 2 amended to read as follows:  
1 3 1. All statements and reports required to be filed under  
1 4 this chapter shall be filed with the board as provided in  
~~1 5 section 68A.402, subsection 1. The board shall provide copies~~  
~~1 6 of post on its internet website all statements and reports~~  
1 7 filed under this chapter for a county, city, school, or other  
~~1 8 political subdivision to the commissioner responsible under~~  
~~1 9 section 47.2. For purposes of this section, the term~~  
1 10 "statement" does not include a bank statement.

1 11 Sec. 2. Section 68A.401, subsection 1, Code 2007, is  
1 12 amended by adding the following new paragraphs:  
1 13 NEW PARAGRAPH. a. A candidate's committee of a candidate  
1 14 for statewide office or the general assembly shall file all  
1 15 statements and reports in an electronic format by four-thirty  
1 16 p.m. of the day the filing is due and according to rules  
1 17 adopted by the board. Any other candidate or political  
1 18 committee may submit the statements and reports in an  
1 19 electronic format as prescribed by rule.

1 20 NEW PARAGRAPH. b. If the board determines that a  
1 21 violation of this subsection has occurred, the board may  
1 22 impose any of the remedies or penalties provided for under  
1 23 section 68B.32D, except that the board shall not refer any  
1 24 complaint or supporting information of a violation of this  
1 25 section to the attorney general or any county attorney for  
1 26 prosecution.

1 27 Sec. 3. Section 68A.402, subsection 1, Code 2007, is  
1 28 amended to read as follows:  
1 29 1. FILING METHODS. Each committee shall file with the  
1 30 board reports disclosing information required under this  
1 31 section on forms prescribed by rule. Reports shall be filed  
1 32 on or before the required due dates by using any of the  
1 33 following methods: mail bearing a United States postal  
1 34 service postmark, hand-delivery, facsimile transmission, or  
1 35 electronic filing as prescribed by rule. Any report that is  
~~2 1 required to be filed five days prior to an election must be~~  
~~2 2 physically received by the board to be considered timely~~  
~~2 3 filed. For purposes of this section, "physically received"~~  
~~2 4 means the report is either electronically filed using the~~  
~~2 5 board's electronic filing system or is received by the board~~  
~~2 6 prior to four-thirty p.m. on the report due date.~~

2 7 Sec. 4. Section 68A.403, subsection 1, Code 2007, is  
2 8 amended to read as follows:  
2 9 1. ~~Unless filed in an electronic format in accordance~~  
~~2 10 with section 68A.401, subsection 1, a report or statement~~  
2 11 required to be filed under this chapter shall be signed by the  
2 12 person filing the report.

2 13 Sec. 5. APPLICABILITY. The requirements of section  
2 14 68A.401, subsection 1, paragraphs "a" and "b", apply to

2 15 committees that file a statement of organization on or after  
2 16 January 1, 2010, and all committees, regardless of when they  
2 17 filed their statement of organization, on January 1, 2012.

2 18 EXPLANATION

2 19 This bill institutes mandatory electronic filing of  
2 20 campaign finance statements of organization, dissolution  
2 21 reports, and disclosure reports by all candidates for  
2 22 statewide office and for the general assembly. The required  
2 23 electronic filing shall be made by 4:30 p.m. on the day the  
2 24 filing is due. The election filing portions of the bill apply  
2 25 January 1, 2010, to newly formed committees of a candidate for  
2 26 statewide office or for the general assembly, and apply to all  
2 27 such committees on January 1, 2012.

2 28 Any other candidate or committee may submit its campaign  
2 29 finance statements of organization, dissolution reports, and  
2 30 disclosure reports in an electronic format.

2 31 The bill requires that all reports required to be filed  
2 32 five days prior to an election must be electronically filed or  
2 33 physically received by the board by 4:30 p.m. on the due date  
2 34 to be considered timely filed. The bill requires that  
2 35 statements and reports be posted on the board's website and  
3 1 clarifies that the term "statement" does not include a bank  
3 2 statement.

3 3 Penalties for the violation of these provisions are set out  
3 4 in Code section 68B.32D, ranging from a public reprimand to a  
3 5 \$2,000 fine.

3 6 LSB 1308HV 82

3 7 jr:rj/je/5.1