

House Study Bill 509

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE
BOARD BILL)

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

A BILL FOR

1 An Act relating to campaign signs and contributions.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 5458DP 82
4 jr/rj/24

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1 1 Section 1. Section 53.10, unnumbered paragraph 3, Code
1 2 Supplement 2007, is amended to read as follows:
1 3 During the hours when absentee ballots are available in the
1 4 office of the commissioner, ~~the posting of political signs is~~
~~1 5 prohibited within three hundred feet of the absentee voting~~
~~1 6 site. No~~ electioneering shall not be allowed within the sight
1 7 or hearing of voters at the absentee voting site.
1 8 Sec. 2. Section 53.11, subsection 4, Code Supplement 2007,
1 9 is amended to read as follows:
1 10 4. During the hours when absentee ballots are available at
1 11 a satellite absentee voting station, ~~the posting of political~~
~~1 12 signs is prohibited within three hundred feet of the satellite~~
~~1 13 absentee voting station. Electioneering~~ electioneering shall
1 14 not be allowed within the sight or hearing of voters at the
1 15 satellite absentee voting station.
1 16 Sec. 3. Section 68A.404, subsection 1, Code 2007, is
1 17 amended to read as follows:
1 18 1. As used in this section, "independent expenditure"
1 19 means one or more expenditures in excess of ~~seven hundred~~
~~1 20 fifty one hundred~~ dollars in the aggregate for a communication
1 21 that expressly advocates the nomination, election, or defeat
1 22 of a clearly identified candidate or the passage or defeat of
1 23 a ballot issue that is made without the prior approval or
1 24 coordination with a candidate, candidate's committee, or a
1 25 ballot issue committee.
1 26 Sec. 4. Section 68A.404, subsection 3, paragraph a, Code
1 27 2007, is amended to read as follows:
1 28 a. An independent expenditure statement shall be filed
1 29 within forty-eight hours of the making of an independent
1 30 expenditure in excess of ~~seven hundred fifty one hundred~~
1 31 dollars in the aggregate.
1 32 Sec. 5. Section 68A.406, Code Supplement 2007, is amended
1 33 to read as follows:
1 34 68A.406 CAMPAIGN SIGNS == YARD SIGNS.
1 35 1. Campaign signs may be placed with the permission of the
2 1 property owner or lessee on any of the following:
2 2 a. Residential property.
2 3 b. Agricultural land owned by individuals or by a family
2 4 farm operation as defined in section 9H.1, subsections 8, 9,
2 5 and 10.
2 6 c. Property leased for residential purposes including, but
2 7 not limited to, apartments, condominiums, college housing
~~2 8 facilities, and houses if placed only on leased property space~~
~~2 9 that is actually occupied.~~
2 10 d. Vacant lots owned by a ~~private individual person who is~~
~~2 11 not a prohibited contributor under section 68A.503.~~
2 12 e. Property owned by an organization that is not a
2 13 prohibited contributor under section 68A.503.
2 14 f. Property leased by a candidate, committee, or an
2 15 organization established to advocate the nomination, election,
2 16 or defeat of a candidate or the passage or defeat of a ballot
2 17 issue that has not yet registered pursuant to section 68A.201,
2 18 when the property is used as campaign headquarters or a
2 19 campaign office and the placement of the sign is limited to

2 20 the space that is actually leased.

2 21 2. a. Campaign signs shall not be placed on any of the
2 22 following:

2 23 ~~a.~~ (1) Any property owned by the state or the governing
2 24 body of a county, city, or other political subdivision of the
2 25 state, including all property considered the public
2 26 right-of-way. Upon a determination by the board that a sign
2 27 has been improperly placed, the sign shall be removed by
2 28 highway authorities as provided in section 318.5, or by county
2 29 or city law enforcement authorities in a manner consistent
2 30 with section 318.5.

2 31 ~~b.~~ (2) Property owned, leased, or occupied by a
2 32 prohibited contributor under section 68A.503 unless the sign
2 33 advocates the passage or defeat of a ballot issue or is
2 34 exempted under subsection 1.

2 35 ~~c.~~ (3) On any property without the permission of the
3 1 property owner or lessee.

3 2 ~~d.~~ (4) On election day either on the premises of any
3 3 polling place or within three hundred feet of any outside door
3 4 of any building affording access to any room where the polls
3 5 are held, or of any outside door of any building affording
3 6 access to any hallway, corridor, stairway, or other means of
3 7 reaching the room where the polls are held.

3 8 ~~e.~~ (5) Within On the premises of or within three hundred
3 9 feet of any outside door of any building affording access to
3 10 an absentee voting site during the hours when absentee ballots
3 11 are available in the office of the county commissioner of
3 12 elections as provided in section 53.10.

3 13 ~~f.~~ (6) Within On the premises of or within three hundred
3 14 feet of any outside door of any building affording access to a
3 15 satellite absentee voting station during the hours when
3 16 absentee ballots are available at the satellite absentee
3 17 voting station as provided in section 53.11.

3 18 ~~b. Paragraphs "d", "e", and "f" Paragraph "a",~~

3 19 ~~subparagraphs (4), (5), and (6) shall not apply to the posting~~

3 20 of signs on private property not a polling place, except that
3 21 the placement of a sign on a motor vehicle, trailer, or
3 22 semitrailer, or any attachment to a motor vehicle, trailer, or
3 23 semitrailer parked on public property within three hundred
3 24 feet of any outside door of any building affording access to
3 25 any room serving as a polling place, which sign is more than
3 26 ninety square inches in size, is prohibited.

3 27 3. Campaign signs with dimensions of thirty-two square
3 28 feet or less are exempt from the attribution statement
3 29 requirement in section 68A.405. Campaign signs in excess of
3 30 thirty-two square feet, or signs that are affixed to buildings
3 31 or vehicles regardless of size except for bumper stickers, are
3 32 required to include the attribution statement required by
3 33 section 68A.405. The placement or erection of campaign signs
3 34 shall be exempt from the requirements of chapter 480 relating
3 35 to underground facilities information.

4 1 Sec. 6. Section 68A.503, subsection 5, Code Supplement
4 2 2007, is amended by striking the subsection and inserting in
4 3 lieu thereof the following:

4 4 5. For purposes of this section:

4 5 a. "Committee" includes a statutory political committee
4 6 organized under chapter 43 and a nonparty political
4 7 organization organized under chapter 44.

4 8 b. "Corporation" includes a limited liability company or S
4 9 corporation, but does not include a family farm operation as
4 10 defined in section 9H.1, subsections 8, 9, and 10.

4 11 EXPLANATION

4 12 This bill moves current restrictions concerning campaign
4 13 signs near absentee voting sites and satellite absentee voting
4 14 stations from Code chapter 53 to Code chapter 68A, and
4 15 specifies that the 300 foot restriction is measured from the
4 16 outside door of the voting premises. Code chapter 53
4 17 provisions continue to prohibit electioneering within the
4 18 sight or hearing of voters.

4 19 The bill lowers the reporting threshold for independent
4 20 expenditures from \$750 to \$100.

4 21 The bill adds a definition for the term "corporation" to
4 22 include limited liability companies and S corporations as that
4 23 term relates to limitations on political campaign
4 24 contributions.

4 25 The bill specifies restrictions on yard signs, providing
4 26 that signs may be placed on property leased for college
4 27 housing facilities on leased property space that is actually
4 28 occupied, and on vacant lots owned by a person who is not a
4 29 prohibited contributor.

