

# Senate File 2035 - Introduced

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

(SUCCESSOR TO SSB 3031)

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 5458SV 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.

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