

# House File 37

HOUSE FILE \_\_\_\_\_  
BY WENTHE

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

## A BILL FOR

1 An Act prohibiting the use of false caller identification for  
2 campaign purposes and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1480YH 83  
5 jr/rj/24

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1 1 Section 1. NEW SECTION. 68A.407 USE OF FALSE CALLER  
1 2 IDENTIFICATION FOR CAMPAIGN PURPOSES PROHIBITED.  
1 3 1. A person shall not knowingly use or provide to another  
1 4 person either of the following:  
1 5 a. False caller identification information with intent to  
1 6 defraud for purposes related to expressly advocating the  
1 7 nomination, election, or defeat of a clearly identified  
1 8 candidate or for the passage or defeat of a clearly identified  
1 9 ballot issue.  
1 10 b. Caller identification information pertaining to an  
1 11 actual person without that person's consent and with intent to  
1 12 deceive the recipient of a call about the identity of the  
1 13 caller.  
1 14 2. This section shall not apply to conduct that was  
1 15 lawfully authorized as investigative, protective, or  
1 16 intelligence activity of a law enforcement agency of the  
1 17 United States, a state, or a political subdivision of a state.  
1 18 3. As used in this section:  
1 19 a. "Caller identification information" means information  
1 20 regarding the origination of the telephone call, such as the  
1 21 name or the telephone number of the caller.  
1 22 b. "Telephone call" means a call made using or received on  
1 23 a telecommunications service or voice over internet protocol  
1 24 service.  
1 25 c. "Voice over internet protocol service" means a service  
1 26 to which all of the following apply:  
1 27 (1) The service provides real-time two-way voice  
1 28 communications transmitted using internet protocol, or a  
1 29 successor protocol.  
1 30 (2) The service is offered to the public, or such classes  
1 31 of users as to be effectively available to the public.  
1 32 (3) The service has the capability to originate traffic  
1 33 to, or terminate traffic from, the public switched telephone  
1 34 network or a successor network.  
1 35 4. The board shall adopt rules pursuant to chapter 17A to  
2 1 administer this section.  
2 2 5. A person who violates this section is subject to  
2 3 sections 68A.701 and 68B.32D.

### EXPLANATION

2 4 This bill prohibits any person from using either false  
2 5 caller identification information with intent to defraud for  
2 6 purposes related to expressly advocating the nomination,  
2 7 election, or defeat of a clearly identified candidate or for  
2 8 the passage or defeat of a clearly identified ballot issue.  
2 9 The bill also prohibits using another person's identification  
2 10 information without that person's consent and with intent to  
2 11 deceive the recipient of a call.  
2 12 The bill applies to telephone communications made either  
2 13 through a traditional service provider or through the  
2 14 internet. As provided in Code section 68A.701, a willful  
2 15 violation of any provision of the campaign finance chapter is  
2 16 a serious misdemeanor punishable by confinement for up to one  
2 17 year and a fine of at least \$315 but not more than \$1,875. A  
2 18 variety of civil remedies are also available in Code section  
2 19 68B.32D for a violation of Code chapter 68A or rules of the  
2 20

2 21 ethics and campaign disclosure board, ranging from a reprimand  
2 22 to a civil penalty of not more than \$2,000.  
2 23 LSB 1480YH 83  
2 24 jr/rj/24.1