

House File 379 - Introduced

HOUSE FILE _____
BY WESSEL=KROESCHELL, ISENHART,
MASCHER, STECKMAN, KUHN,
BEARD, FREVERT, HUNTER,
WINCKLER, SMITH, LENSING,
GASKILL, WHITAKER, FORD, BERRY,
ABDUL=SAMAD, WHITEAD, GAYMAN,
SWAIM, T. TAYLOR, and D. TAYLOR

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

A BILL FOR

1 An Act relating to campaign finance by requiring electronic
2 filing of certain reports and by establishing a voter-owned
3 Iowa clean elections Act, providing for funding of the Act,
4 including an income tax checkoff, and providing an income tax
5 exemption, penalties, and effective dates.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1740YH 83
8 jr/sc/14

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1 1 Section 1. NEW SECTION. 68A.401B ELECTRONIC FILING.
1 2 Reports filed with the board pursuant to the requirements
1 3 of section 68A.401 shall be filed in an electronic format if a
1 4 candidate or committee accepts contributions in excess of
1 5 twenty thousand dollars in the aggregate, makes expenditures
1 6 in excess of twenty thousand dollars in the aggregate, or
1 7 incurs indebtedness in excess of twenty thousand dollars in
1 8 the aggregate. The board shall establish a system to verify
1 9 the identity of the person filing the report.
1 10 Sec. 2. Section 68A.603, Code 2009, is amended to read as
1 11 follows:
1 12 68A.603 RULES PROMULGATED.
1 13 The ethics and campaign disclosure board shall administer
1 14 the provisions of sections 68A.601 ~~through 68A.609~~, 68A.602,
1 15 ~~and 68A.604 through 68A.610~~ and shall promulgate all necessary
1 16 rules in accordance with chapter 17A.
1 17 Sec. 3. NEW SECTION. 68A.610 CHECKOFF == INCOME TAX ==
1 18 VOTER-OWNED IOWA CLEAN ELECTIONS.
1 19 A person whose state income tax liability for any taxable
1 20 year is five dollars or more may direct that five dollars of
1 21 that liability be paid over to the voter-owned Iowa clean
1 22 elections fund, as established in section 68A.823, when
1 23 submitting the person's state income tax return to the
1 24 department of revenue. In the case of a joint return of
1 25 husband and wife having a state income tax liability of ten
1 26 dollars or more, each spouse may direct that five dollars be
1 27 paid to the fund. The director of revenue shall provide space
1 28 for the voter-owned Iowa clean elections fund income tax
1 29 checkoff on the income tax form. An explanation shall be
1 30 included which clearly states that this checkoff does not
1 31 constitute an additional tax liability. The action taken by a
1 32 person for the checkoff is irrevocable.
1 33 Sec. 4. NEW SECTION. 68A.801 DEFINITIONS.
1 34 For the purposes of this subchapter:
1 35 1. "Allowable contribution" means a qualifying
2 1 contribution or a seed money contribution.
2 2 2. "Board" means the Iowa ethics and campaign disclosure
2 3 board established under section 68B.32.
2 4 3. "Clean election campaign qualifying period" means the
2 5 period during which candidates are permitted to collect
2 6 qualifying contributions in order to qualify for clean
2 7 election campaign funding. The period begins ninety days
2 8 before the beginning of the primary election campaign period
2 9 and ends thirty days before the beginning of the primary
2 10 election campaign period.
2 11 4. "Coordination" means a payment made for a communication

2 12 or anything of value that is for the purpose of influencing
2 13 the outcome of an election and that is made by a person
2 14 according to at least one of the following:
2 15 a. In cooperation, consultation, or concert with, at the
2 16 request or suggestion of, or pursuant to, a particular
2 17 understanding with a candidate, a candidate's committee, or an
2 18 agent acting on behalf of a candidate or candidate's
2 19 committee.
2 20 b. For the dissemination, distribution, or republication,
2 21 in whole or in part, of any broadcast or any written, graphic,
2 22 or other form of campaign material prepared by a candidate, a
2 23 candidate's committee, or an agent of a candidate or
2 24 candidate's committee.
2 25 c. Based on specific information about the candidate's
2 26 plans, projects, or needs provided to the person making the
2 27 payment by the candidate or the candidate's agent who provides
2 28 the information with a view toward having the payment made.
2 29 d. If, in the same election cycle in which the payment is
2 30 made, the person making the payment is serving or has served
2 31 as a member, employee, fundraiser, or agent of the candidate
2 32 or candidate's committee in an executive or policymaking
2 33 position.
2 34 e. If the person making the payment has served in any
2 35 formal policy or advisory position with the candidate's
3 1 campaign or has participated in strategic or policymaking
3 2 discussions with the candidate's campaign relating to the
3 3 candidate's pursuit of nomination for election, or election,
3 4 to office, in the same election cycle as the election cycle in
3 5 which the payment is made.
3 6 f. If the person making the payment retains the
3 7 professional services of an individual or person who, in a
3 8 nonministerial capacity, has provided or is providing
3 9 campaign-related services in the same election cycle to a
3 10 candidate who is pursuing the same nomination or election as
3 11 any of the candidates to whom the communication refers. For
3 12 purposes of this section, "professional services" includes
3 13 services in support of a candidate's pursuit of nomination for
3 14 election or election to office such as polling, media advice,
3 15 direct mail, fundraising, or campaign research services.
3 16 5. "Electioneering communication" means any communication
3 17 that refers to a clearly identified candidate for elected
3 18 public office, if the communication has the effect of
3 19 encouraging or discouraging a vote for the candidate,
3 20 regardless of whether the communication expressly advocates a
3 21 vote for or against the candidate.
3 22 6. "Excess expenditure amount" means the amount of money
3 23 spent or obligated to be spent by a nonparticipating candidate
3 24 in excess of the clean money amount available to a
3 25 participating candidate running for the same office.
3 26 7. "Express advocacy" means the same as defined in section
3 27 68A.102.
3 28 8. "General election campaign period" means the period
3 29 beginning the day after the primary election and ending on the
3 30 day of the general election.
3 31 9. "Independent candidate" means a candidate who does not
3 32 represent a political party that has been granted ballot
3 33 status and that holds a primary election to choose its nominee
3 34 for the general election.
3 35 10. "Independent expenditure" means an expenditure made by
4 1 a person or group of persons other than a candidate or
4 2 candidate's committee that meets both of the following
4 3 conditions:
4 4 a. The expenditure is made for a communication that
4 5 contains express advocacy.
4 6 b. The expenditure is made without the participation or
4 7 cooperation of and without coordination with a candidate or a
4 8 candidate's committee.
4 9 11. "Nonparticipating candidate" means a candidate who is
4 10 on the ballot but has chosen not to apply for clean election
4 11 campaign funding, or a candidate who is on the ballot and has
4 12 applied for but has not satisfied the requirements for
4 13 receiving clean election campaign funding.
4 14 12. "Participating candidate" means a candidate who
4 15 qualifies for clean election campaign funding. Such
4 16 candidates are eligible to receive clean election campaign
4 17 funding during primary or general election campaign periods.
4 18 13. "Party candidate" means a candidate who represents a
4 19 political party as defined by section 43.2.
4 20 14. "Primary election campaign period" means the period
4 21 beginning ninety days before the primary election and ending
4 22 on the day of the primary election.

4 23 15. "Qualifying contribution" means a contribution of five
4 24 dollars that is received during the designated clean election
4 25 campaign qualifying period by a candidate seeking to become
4 26 eligible for clean election campaign funding and that is
4 27 acknowledged by a written receipt identifying the contributor.
4 28 However, if the annual median household income of a
4 29 legislative district is at or below one hundred percent of the
4 30 most recent federal poverty guideline based on United States
4 31 census bureau data, the qualifying contribution is one dollar.

4 32 16. "Seed money contribution" means a contribution of no
4 33 more than one hundred dollars made by an individual adult
4 34 during the seed money period, but specifically excludes all of
4 35 the following:

5 1 a. Payments by a membership organization for the costs of
5 2 communications to its members.

5 3 b. Payments by a membership organization for the purpose
5 4 of facilitating the making of qualifying contributions.

5 5 c. The cash value of volunteer activity, including the
5 6 payment of incidental expenses of volunteers.

5 7 17. "Seed money period" means the period beginning the day
5 8 following the previous general election for that office and
5 9 ending on the last day of the clean election campaign
5 10 qualifying period. The "seed money period" is the exploratory
5 11 period during which candidates who wish to become eligible for
5 12 clean election campaign funding for the next elections are
5 13 permitted to raise and spend a limited amount of private seed
5 14 money, from contributions of up to one hundred dollars per
5 15 individual, for the purpose of determining whether to become a
5 16 candidate and fulfilling the clean election campaign
5 17 eligibility requirements.

5 18 Sec. 5. NEW SECTION. 68A.802 ELIGIBILITY FOR PARTY
5 19 CANDIDATES.

5 20 1. A party candidate qualifies as a participating
5 21 candidate for the primary election campaign period if the
5 22 candidate does both of the following:

5 23 a. The candidate files a declaration with the board that
5 24 the candidate has complied and will comply with all of the
5 25 requirements of this subchapter, including the requirement
5 26 that during the seed money period and the clean election
5 27 campaign qualifying period the candidate not accept or spend
5 28 private contributions from any source other than seed money
5 29 contributions and clean election campaign qualifying
5 30 contributions, unless the provisions of section 68A.804 apply.

5 31 b. The candidate meets both of the following qualifying
5 32 contribution requirements before the close of the clean
5 33 election campaign qualifying period:

5 34 (1) A party candidate must collect both qualifying
5 35 contributions and signatures as follows:

6 1 (a) For the office of governor, from five hundred eligible
6 2 electors in each congressional district.

6 3 (b) For statewide office other than governor, from two
6 4 hundred fifty eligible electors in each congressional
6 5 district.

6 6 (c) For the Iowa senate, from two hundred eligible
6 7 electors in the senate candidate's electoral district.

6 8 (d) For the Iowa house of representatives, from one
6 9 hundred eligible electors in the house candidate's electoral
6 10 district.

6 11 (2) Each qualifying contribution must meet all
6 12 requirements of this section.

6 13 2. Contributors shall be eligible electors who reside
6 14 within the candidate's electoral district and who are
6 15 therefore eligible to vote for that candidate.

6 16 3. Qualifying contributions shall be:

6 17 a. Made in cash, check, money order, or credit or debit
6 18 card.

6 19 b. Gathered by the candidate personally or by volunteers
6 20 who do not receive compensation.

6 21 c. Acknowledged by a receipt to the contributor, with a
6 22 copy to be kept by the candidate and a third copy to be
6 23 submitted to the board. The receipt shall include a signed
6 24 statement that the contributor understands that the purpose of
6 25 the contribution is to help the candidate qualify for clean
6 26 election campaign funding and that the contribution is made
6 27 without coercion or reimbursement. The receipt shall include
6 28 the contributor's signature, printed name, home address, and
6 29 telephone number, and the name of the candidate on whose
6 30 behalf the contribution is made.

6 31 d. Paid over to the board for deposit in the voter-owned
6 32 Iowa clean elections fund established under section 68A.823,
6 33 with the signed and completed receipt, according to a schedule

6 34 and procedure to be determined by the board. A contribution
6 35 submitted as a qualifying contribution that does not include
7 1 the signed and completed receipt shall not be counted as a
7 2 qualifying contribution.

7 3 4. A party candidate qualifies as a participating
7 4 candidate for the general election campaign period when the
7 5 candidate does both of the following:

7 6 a. The candidate has met all of the applicable
7 7 requirements of this subchapter and filed a declaration with
7 8 the board that the candidate has fulfilled and will fulfill
7 9 all of the requirements of a participating candidate as stated
7 10 in this subchapter.

7 11 b. As a participating candidate during the primary
7 12 election campaign period, the candidate had the highest number
7 13 of votes of the candidates contesting the primary election
7 14 from the candidate's respective party and won the party's
7 15 nomination.

7 16 Sec. 6. NEW SECTION. 68A.803 ELIGIBILITY FOR INDEPENDENT
7 17 CANDIDATES.

7 18 1. An independent candidate qualifies as a participating
7 19 candidate for the primary election campaign period if the
7 20 candidate does both of the following:

7 21 a. The candidate files a declaration with the board that
7 22 the candidate has complied and will comply with all of the
7 23 requirements of this subchapter, including the requirement
7 24 that during the seed money period and the clean election
7 25 campaign qualifying period the candidate not accept or spend
7 26 private contributions from any source other than seed money
7 27 contributions and clean election campaign qualifying
7 28 contributions, unless the provisions of section 68A.804 apply.

7 29 b. The candidate meets the following qualifying
7 30 contribution requirements before the close of the clean
7 31 election campaign qualifying period:

7 32 (1) An independent candidate shall collect the same number
7 33 of qualifying contributions as required of a party candidate
7 34 for the same office under section 68A.802.

7 35 (2) Each qualifying contribution must meet all
8 1 requirements of this section.

8 2 2. Contributors shall be registered voters who reside
8 3 within the candidate's electoral district and who are
8 4 therefore eligible to vote for that candidate.

8 5 3. Qualifying contributions shall be:

8 6 a. Made in cash, check, money order, or credit or debit
8 7 card.

8 8 b. Gathered by the candidate personally or by volunteers
8 9 who do not receive compensation.

8 10 c. Acknowledged by a receipt to the contributor, with a
8 11 copy to be kept by the candidate and a third copy to be
8 12 submitted to the board. The receipt shall include a signed
8 13 statement that the contributor understands that the purpose of
8 14 the contribution is to help the candidate qualify for clean
8 15 election campaign funding and that the contribution is made
8 16 without coercion or reimbursement. The receipt shall include
8 17 the contributor's signature, printed name, home address, and
8 18 telephone number, and the name of the candidate on whose
8 19 behalf the contribution is made.

8 20 d. Paid over to the board for deposit in the voter-owned
8 21 Iowa clean elections fund established under section 68A.823,
8 22 with the signed and completed receipt, according to a schedule
8 23 and procedure to be determined by the board. A contribution
8 24 submitted as a qualifying contribution that does not include
8 25 the signed and completed receipt shall not be counted as a
8 26 qualifying contribution.

8 27 4. An independent candidate qualifies as a participating
8 28 candidate for the general election campaign period when the
8 29 candidate does both of the following:

8 30 a. If, prior to the primary election, the candidate has
8 31 met all of the applicable requirements of this subchapter and
8 32 filed a declaration with the board that the candidate has
8 33 fulfilled and will fulfill all of the requirements of a
8 34 participating candidate as stated in this subchapter.

8 35 b. If, during the primary election campaign period, the
9 1 candidate has fulfilled all the requirements of a
9 2 participating candidate as stated in this subchapter.

9 3 Sec. 7. NEW SECTION. 68A.804 TRANSITION RULE FOR CURRENT
9 4 ELECTION CYCLE.

9 5 During the election cycle in effect on the date of
9 6 enactment of this Act, a candidate may be certified as a
9 7 participating candidate, notwithstanding the acceptance of
9 8 contributions or making of expenditures from private funds
9 9 before the date of enactment of this Act that would, absent

9 10 this section, disqualify the candidate as a participating
9 11 candidate, provided that any private funds accepted but not
9 12 expended before the date of enactment of this Act shall either
9 13 be returned to the contributor or submitted to the board for
9 14 deposit in the voter-owned Iowa clean elections fund
9 15 established under section 68A.823.

9 16 Sec. 8. NEW SECTION. 68A.805 CONTINUING OBLIGATION TO
9 17 COMPLY.

9 18 A participating candidate who accepts any benefits under
9 19 section 68A.813 during the primary election campaign period
9 20 shall comply with all the requirements of this subchapter
9 21 through any remaining time during the primary election
9 22 campaign period as well as through the general election
9 23 campaign period whether or not the candidate continues to
9 24 accept benefits.

9 25 Sec. 9. NEW SECTION. 68A.806 CONTRIBUTIONS AND
9 26 EXPENDITURES.

9 27 1. During the primary and general election campaign
9 28 periods, a participating candidate who has voluntarily agreed
9 29 to participate in clean election campaign financing shall not
9 30 accept private contributions from any source other than the
9 31 candidate's political party as specified in section 68A.808.

9 32 2. A person shall not make a contribution in violation of
9 33 section 68A.502. A participating candidate who receives a
9 34 qualifying contribution or a seed money contribution that is
9 35 not from the person listed on the receipt as required by this
10 1 subchapter shall pay to the board for deposit in the
10 2 voter-owned Iowa clean elections fund established under
10 3 section 68A.823 the entire amount of such contribution.

10 4 3. The board shall issue each participating candidate a
10 5 card known as the "clean election campaign debit card", and a
10 6 line of debit entitling the candidate to draw clean election
10 7 campaign funds to pay for all campaign costs and expenses up
10 8 to the amount of funding the candidate has received. A
10 9 participating candidate shall not pay campaign costs by cash,
10 10 check, money order, loan, or by any other financial means
10 11 other than the clean election campaign debit card. During the
10 12 primary and general election campaign periods, a participating
10 13 candidate shall pay by means of the board's clean election
10 14 campaign debit card.

10 15 4. Eligible candidates shall furnish complete campaign
10 16 records, including all records of seed money contributions and
10 17 qualifying contributions, to the board at regular filing
10 18 times, or on request by the board. Candidates shall cooperate
10 19 with any audit or examination conducted or ordered by the
10 20 board.

10 21 Sec. 10. NEW SECTION. 68A.807 NONPARTICIPATING
10 22 CANDIDATES == CONTRIBUTION LIMITS.

10 23 Nonparticipating candidates shall be subject to the
10 24 following contribution limits:

10 25 1. Candidates for statewide office:

10 26 a. One thousand dollars in the aggregate per individual
10 27 contribution.

10 28 b. Five thousand dollars in the aggregate per political
10 29 committee contribution.

10 30 2. Candidates for the Iowa senate and house of
10 31 representatives:

10 32 a. Five hundred dollars in the aggregate per individual
10 33 contribution.

10 34 b. One thousand dollars in the aggregate per political
10 35 committee contribution.

11 1 Sec. 11. NEW SECTION. 68A.808 POLITICAL PARTY
11 2 CONTRIBUTIONS AND EXPENDITURES.

11 3 1. Participating candidates may accept monetary or in-kind
11 4 contributions from political parties provided that the
11 5 aggregate amount of such contributions from all political
11 6 party committees combined does not exceed the equivalent of
11 7 five percent of the clean election campaign financing amount
11 8 for that office.

11 9 2. In-kind contributions made during a general election
11 10 campaign period on behalf of a group of the party's candidates
11 11 shall not be considered a prohibited party contribution or
11 12 count against the five percent limit established in subsection
11 13 1 if such group includes at least fifty-one percent of the
11 14 candidates whose names will appear on the general election
11 15 ballot in the political subdivision represented by the party
11 16 committee making such in-kind contributions.

11 17 3. Contributions made to, and expenditures made by,
11 18 political parties during primary and general campaign periods
11 19 shall be reported to the board on the same basis as
11 20 contributions and expenditures made to or by candidates.

11 21 4. This section and this subchapter shall not prevent
11 22 political party funds from being used for any of the
11 23 following:
11 24 a. General operating expenses of the party.
11 25 b. Conventions.
11 26 c. Nominating and endorsing candidates.
11 27 d. Identifying, researching, and developing the party's
11 28 positions on issues.
11 29 e. Party platform activities.
11 30 f. Noncandidate-specific voter registration.
11 31 g. Noncandidate-specific get-out-the-vote drives.
11 32 h. Travel expenses for noncandidate party leaders and
11 33 staff.
11 34 i. Other noncandidate-specific party-building activities,
11 35 as defined by rule of the board.

12 1 j. Employing a staff person to provide election services
12 2 to two or more candidates.
12 3 Sec. 12. NEW SECTION. 68A.809 USE OF PERSONAL FUNDS.
12 4 1. Personal funds contributed as seed money by a candidate
12 5 seeking to become eligible as a participating candidate or by
12 6 the candidate's spouse shall not exceed one hundred dollars
12 7 per contributor.
12 8 2. Personal funds shall not be used to meet the qualifying
12 9 contribution requirement except for one five-dollar
12 10 contribution from the candidate and one five-dollar
12 11 contribution from the candidate's spouse.

12 12 Sec. 13. NEW SECTION. 68A.810 SEED MONEY.
12 13 1. The only private contributions a candidate seeking to
12 14 become eligible for clean election campaign funding shall
12 15 accept, other than qualifying contributions, are seed money
12 16 contributions contributed by individual adults prior to the
12 17 end of the clean election campaign qualifying period.
12 18 2. A seed money contribution shall not exceed one hundred
12 19 dollars, and the aggregate amount of seed money contributions
12 20 accepted by a candidate seeking to become eligible for clean
12 21 election campaign funding shall not exceed the relevant limit,
12 22 as follows:

12 23 a. Twenty-five thousand dollars for a candidate team
12 24 running for governor and lieutenant governor.
12 25 b. Fifteen thousand dollars for a candidate running for
12 26 statewide office other than governor or lieutenant governor.
12 27 c. Two thousand dollars for a candidate running for the
12 28 Iowa senate.
12 29 d. One thousand dollars for a candidate running for the
12 30 Iowa house of representatives.
12 31 3. Receipts for seed money contributions shall include the
12 32 contributor's signature, printed name, street address and zip
12 33 code, telephone number, occupation, and name of employer.
12 34 Contributions shall not be accepted if the required disclosure
12 35 information is not received.

13 1 4. Seed money shall be spent only during the clean
13 2 election campaign qualifying period. Seed money shall not be
13 3 spent during the primary or general election campaign periods.

13 4 5. Within forty-eight hours after the close of the clean
13 5 election campaign qualifying period, candidates seeking to
13 6 become eligible for clean election campaign funding shall do
13 7 both of the following:

13 8 a. Fully disclose all seed money contributions and
13 9 expenditures to the board.
13 10 b. Pay over to the board for deposit in the voter-owned
13 11 Iowa clean elections fund any seed money the candidate has
13 12 raised during the designated seed money period that exceeds
13 13 the aggregate seed money limit.

13 14 Sec. 14. NEW SECTION. 68A.811 PARTICIPATION IN DEBATES.
13 15 1. Participating candidates in contested races shall
13 16 participate in all of the following:

13 17 a. For the offices of governor and lieutenant governor:
13 18 (1) One one-hour debate during a contested primary
13 19 election.
13 20 (2) Two one-hour debates during a contested general
13 21 election.

13 22 b. For all other offices:
13 23 (1) One one-hour debate during a contested primary
13 24 election.
13 25 (2) One one-hour debate during a contested general
13 26 election.

13 27 2. Nonparticipating candidates for the same office whose
13 28 names will appear on the ballot shall be invited to join the
13 29 debates.

13 30 Sec. 15. NEW SECTION. 68A.812 CERTIFICATION.

13 31 1. No more than five days after a candidate applies for

13 32 clean election campaign funding benefits, the board shall
13 33 certify that the candidate is or is not eligible to receive
13 34 clean election campaign funds.

13 35 2. Eligibility can be revoked if the candidate violates
14 1 the requirements of this subchapter, in which case all clean
14 2 election campaign funds shall be repaid.

14 3 3. The candidate's request for certification shall be
14 4 signed by the candidate and the treasurer of the candidate's
14 5 committee, both under penalty of perjury.

14 6 4. The board's determination is final except that it is
14 7 subject to examination and audit by an outside agency
14 8 according to rule and to prompt judicial review according to
14 9 rule and chapter 17A.

14 10 Sec. 16. NEW SECTION. 68A.813 BENEFITS PROVIDED TO
14 11 CANDIDATES ELIGIBLE TO RECEIVE CLEAN ELECTION CAMPAIGN
14 12 FUNDING.

14 13 1. Candidates who qualify for clean election campaign
14 14 funding for primary and general elections shall receive all of
14 15 the following:

14 16 a. Clean election campaign funding from the board for each
14 17 election, the amount of which is specified in section 68A.815.
14 18 This funding may be used to finance any and all campaign
14 19 expenses during the particular campaign period for which it
14 20 was received.

14 21 b. Additional clean election campaign funding to match any
14 22 excess expenditure amount spent by a nonparticipating
14 23 candidate, as specified in section 68A.817.

14 24 c. Additional clean election campaign funding to match any
14 25 independent expenditure made in opposition to their
14 26 candidacies or on behalf of their opponents' candidacies, as
14 27 specified in section 68A.819.

14 28 d. Additional clean election campaign funding to match any
14 29 electioneering communication expenditure, as specified in
14 30 section 68A.820.

14 31 2. The maximum aggregate amount of additional funding,
14 32 above the initial allocation as determined in section 68A.815
14 33 that a participating candidate shall receive to match
14 34 independent expenditures, the excess expenditures of
14 35 nonparticipating candidates, and electioneering communication
15 1 expenditures shall be two hundred percent of the full amount
15 2 of clean election campaign funding allocated to a
15 3 participating candidate for a particular primary or general
15 4 election campaign period.

15 5 Sec. 17. NEW SECTION. 68A.814 SCHEDULE OF CLEAN ELECTION
15 6 CAMPAIGN FUNDING PAYMENTS.

15 7 1. An eligible candidate shall receive clean election
15 8 campaign funding for the primary election campaign period on
15 9 the date on which the board certifies the candidate as a
15 10 participating candidate. This certification shall take place
15 11 no later than five days after the candidate has submitted the
15 12 required number of qualifying contributions and a declaration
15 13 stating that the candidate has complied with all other
15 14 requirements for eligibility as a participating candidate, but
15 15 no earlier than the beginning of the primary election campaign
15 16 period.

15 17 2. An eligible candidate shall receive clean election
15 18 campaign funding for the general election campaign period
15 19 within forty-eight hours after certification of the primary
15 20 election results.

15 21 Sec. 18. NEW SECTION. 68A.815 DETERMINATION OF CLEAN
15 22 ELECTION CAMPAIGN FUNDING AMOUNTS.

15 23 1. a. For party candidates, the amount of clean election
15 24 campaign funding for a contested primary election is as
15 25 follows:

15 26 (1) Seven hundred fifty thousand dollars for a candidate
15 27 team running for governor and lieutenant governor.

15 28 (2) Seventy-five thousand dollars for a candidate for
15 29 statewide office other than governor and lieutenant governor.

15 30 (3) Twenty-two thousand five hundred dollars for a
15 31 candidate running for the Iowa senate.

15 32 (4) Fifteen thousand dollars for a candidate running for
15 33 the Iowa house of representatives.

15 34 b. The clean election campaign funding amount for an
15 35 eligible party candidate in an uncontested primary election is
16 1 twenty-five percent of the amount provided in a contested
16 2 primary election.

16 3 c. In a contested general election, if an eligible party
16 4 candidate or all of the candidates of the candidate's party
16 5 combined received at least twenty percent of the total number
16 6 of votes cast for all candidates seeking that office in the
16 7 most recent primary election or in the previous general

16 8 election, the candidate shall receive the full amount of clean
16 9 election campaign funding for the general election, as
16 10 follows:

16 11 (1) Three million dollars for a candidate team running for
16 12 governor and lieutenant governor.

16 13 (2) Two hundred thousand dollars for a candidate for
16 14 statewide office other than governor and lieutenant governor.

16 15 (3) Forty thousand dollars for a candidate running for the
16 16 Iowa senate.

16 17 (4) Thirty thousand dollars for a candidate running for
16 18 the Iowa house of representatives.

16 19 d. The clean election campaign funding amount for an
16 20 eligible party candidate in an uncontested general election is
16 21 ten percent of the amount provided in a contested general
16 22 election for the same office.

16 23 2. a. For eligible independent candidates, the clean
16 24 election campaign funding amount for the primary election
16 25 campaign period is twenty-five percent of the amount of clean
16 26 election campaign funding received by a party candidate in a
16 27 contested primary election for the same office.

16 28 b. The clean election campaign funding amount for an
16 29 eligible independent candidate in the general election is the
16 30 same as the full amount received by a party candidate in the
16 31 general election for the same office.

16 32 c. After the first cycle of clean election campaign
16 33 financing elections, the board shall modify all clean election
16 34 campaign funding amounts based on the percentage increase in
16 35 the consumer price index, for all urban consumers, United
17 1 States city average, as published in the federal register by
17 2 the United States department of labor, bureau of labor
17 3 statistics, that reflects the percentage increase in the
17 4 consumer price index for the twelve-month period ending
17 5 December 31 of the previous year.

17 6 Sec. 19. NEW SECTION. 68A.816 EXPENDITURES MADE WITH
17 7 CLEAN ELECTION CAMPAIGN FUNDS.

17 8 1. The clean election campaign funding received by a
17 9 participating candidate shall be used only for the purpose of
17 10 defraying that candidate's campaign-related expenses during
17 11 the particular election campaign period for which the clean
17 12 election campaign funding was received.

17 13 2. Payments shall not be used for the following:

17 14 a. Payments that are in violation of the law.

17 15 b. Payments that repay any personal, family, or business
17 16 loans, expenditures, or debts.

17 17 Sec. 20. NEW SECTION. 68A.817 DISCLOSURE OF EXCESS
17 18 SPENDING BY NONPARTICIPATING CANDIDATES.

17 19 1. If a nonparticipating candidate's total expenditures
17 20 exceed the amount of clean election campaign funding allocated
17 21 to the candidate's clean election campaign opponent, the
17 22 candidate shall declare to the board within forty-eight hours
17 23 every excess expenditure amount that, in the aggregate, is
17 24 more than one thousand dollars.

17 25 2. During the last twenty days before the end of the
17 26 relevant campaign period, a nonparticipating candidate shall
17 27 declare to the board each excess expenditure amount over five
17 28 hundred dollars within twenty-four hours of when the
17 29 expenditure is made or obligated to be made.

17 30 3. The board may make its own determination as to whether
17 31 excess expenditures have been made by nonparticipating
17 32 candidates.

17 33 4. Upon receiving an excess expenditure declaration, the
17 34 board shall immediately release additional clean election
17 35 campaign funding to the opposing participating candidate or
18 1 candidates equal to the excess expenditure amount the
18 2 nonparticipating candidate has spent or intends to spend,
18 3 subject to the limit set forth in section 68A.813.

18 4 Sec. 21. NEW SECTION. 68A.818 CAMPAIGN ADVERTISEMENTS.

18 5 All broadcast and print advertisements placed by candidates
18 6 or candidate's committees shall include a clear written or
18 7 spoken statement indicating that the candidate has approved of
18 8 the contents of the advertisement.

18 9 Sec. 22. NEW SECTION. 68A.819 DISCLOSURE OF INDEPENDENT
18 10 EXPENDITURES == ADDITIONAL CLEAN ELECTION CAMPAIGN FUNDING.

18 11 1. Any person or group of persons who makes or obligates
18 12 to make an independent expenditure during a primary or general
18 13 election campaign period which, in the aggregate, exceeds one
18 14 thousand dollars, shall report each expenditure within forty=
18 15 eight hours to the board.

18 16 2. The report to the board shall include a statement,
18 17 under penalty of perjury, by the person or persons making the
18 18 independent expenditure identifying the candidate whom the

18 19 independent expenditure is intended to help elect or defeat
18 20 and affirming that the expenditure is totally independent and
18 21 involves no coordination with a candidate or a political
18 22 party.

18 23 a. An individual or organization may file a complaint with
18 24 the board if the candidate or the organization believes that
18 25 the statement according to this subsection is false.

18 26 b. A hearing on a complaint under this subsection shall be
18 27 held within three business days of filing and a decision
18 28 issued within seven days of filing.

18 29 3. Any person or group of persons who makes or obligates
18 30 to make an independent expenditure during the last twenty days
18 31 before the end of the relevant campaign period which, in the
18 32 aggregate, exceeds five hundred dollars, shall report each
18 33 expenditure within twenty-four hours to the board.

18 34 4. Upon receiving a report that an independent expenditure
18 35 has been made or obligated to be made, the board shall
19 1 immediately release additional clean election campaign
19 2 funding, equal in amount to the cost of the independent
19 3 expenditure, to all participating candidates whom the
19 4 independent expenditure is intended to oppose or defeat,
19 5 subject to the limit set forth in section 68A.813.

19 6 Sec. 23. NEW SECTION. 68A.820 DEFINITION AND DISCLOSURE
19 7 OF ELECTIONEERING COMMUNICATIONS == ADDITIONAL CLEAN ELECTION
19 8 CAMPAIGN FUNDING.

19 9 1. A person who makes or obligates to make a disbursement
19 10 to purchase an electioneering communication shall file a
19 11 report with the board not later than forty-eight hours after
19 12 making or obligating to make the disbursement, containing the
19 13 following information:

19 14 a. The amount of the disbursement.

19 15 b. The name and address of the person making the
19 16 disbursement.

19 17 c. The purpose of the electioneering communication.

19 18 2. Upon receiving a report that an electioneering
19 19 communication has been made or obligated to be made, and upon
19 20 determination that the electioneering communication can
19 21 reasonably be interpreted as having the effect of promoting
19 22 the defeat of a participating candidate or the election of
19 23 that candidate's opponent, the board shall immediately release
19 24 to that candidate additional clean election campaign funding,
19 25 equal in amount to the cost of the electioneering
19 26 communication, subject to the limit set forth in section
19 27 68A.813.

19 28 Sec. 24. NEW SECTION. 68A.821 VOTER INFORMATION PROGRAM.

19 29 1. The board shall establish and administer a nonpartisan
19 30 voter information program, including an advisory council
19 31 consisting of representatives of nonprofit organizations,
19 32 political parties, the media, and interested citizens.

19 33 2. The voter information program advisory council may
19 34 establish a voter information program for the purpose of
19 35 providing voters with election-related information and
20 1 fostering political dialogue and debate.

20 2 3. The voter information program advisory council shall
20 3 organize the publication and distribution of a voter
20 4 information guide that includes important information about
20 5 the following issues:

20 6 a. Candidates appearing on the ballot, including
20 7 biographical material submitted by the candidates.

20 8 b. Whether candidates are funding their campaigns with
20 9 public money or private money.

20 10 c. Policy statements by the candidates or their political
20 11 parties on issues designated by the council and other issues.

20 12 d. Candidates' voting records.

20 13 Sec. 25. NEW SECTION. 68A.822 DEBATES.

20 14 1. A nonpartisan organization that is involved in
20 15 providing information to the public concerning elections, or a
20 16 nonpartisan organization that has been involved in education
20 17 and the advocacy of open, clean election and campaign laws for
20 18 at least five years, may host and sponsor voter-owned Iowa
20 19 clean election candidate debates in contested primary and
20 20 general elections.

20 21 2. All participating candidates shall participate in the
20 22 debates and all nonparticipating candidates for the same
20 23 office whose names will appear on the ballot shall be invited
20 24 to join the debates.

20 25 Sec. 26. NEW SECTION. 68A.823 VOTER-OWNED IOWA CLEAN
20 26 ELECTIONS FUND (VOICE) == NATURE AND PURPOSES.

20 27 1. A voter-owned Iowa clean elections fund is established
20 28 as a separate fund within the office of the state treasurer,
20 29 under the control of the board, for the following purposes:

20 30 a. Providing public financing for the election campaigns
20 31 of certified participating candidates during primary election
20 32 and general election campaign periods.

20 33 b. Paying for the administrative and enforcement costs of
20 34 the board in relation to this subchapter.

20 35 2. The fund shall consist of moneys received pursuant to
21 1 section 68A.824. Notwithstanding section 8.33, unencumbered
21 2 or unobligated moneys and any interest earned on moneys in the
21 3 fund on June 30 of any fiscal year shall not revert to the
21 4 general fund of the state but shall remain in the fund and be
21 5 available for expenditure in subsequent years.

21 6 Sec. 27. NEW SECTION. 68A.824 FUNDING.

21 7 In addition to any moneys appropriated by the general
21 8 assembly to the voter-owned Iowa clean elections fund
21 9 established in section 68A.823, the following moneys shall be
21 10 deposited in the fund:

21 11 1. The qualifying contributions required of candidates
21 12 seeking to become certified as participating candidates
21 13 according to section 68A.802 or 68A.803 and candidates' excess
21 14 qualifying contributions.

21 15 2. Moneys deposited in the fund pursuant to section
21 16 68A.610 or section 556.18.

21 17 3. The excess seed money contributions of candidates
21 18 seeking to become certified as participating candidates.

21 19 4. Moneys distributed to any participating candidate who
21 20 does not remain a candidate until the primary or general
21 21 election for which they were distributed.

21 22 5. Civil penalties levied by the board against candidates
21 23 for violations of this subchapter.

21 24 6. Voluntary donations made directly to the fund.

21 25 7. Any other sources of revenue designated by the general
21 26 assembly.

21 27 Sec. 28. NEW SECTION. 68A.825 POWERS AND PROCEDURES.

21 28 The board shall have the following powers and duties, in
21 29 addition to those granted in this chapter and chapter 68B,
21 30 when administering this subchapter:

21 31 1. After every primary and general election, the board may
21 32 conduct random audits and investigations to ensure compliance
21 33 with this subchapter. The subjects of such audits and
21 34 investigations shall be selected on the basis of impartial
21 35 criteria established by a vote of at least four members of the
22 1 board.

22 2 2. a. The board may investigate anonymous complaints.

22 3 b. The identity of a complainant may be kept confidential
22 4 if the complainant states in the complaint that revealing the
22 5 identity of the complainant could reasonably result in
22 6 disciplinary action or loss of employment.

22 7 3. The board may seek injunctions when all of the
22 8 following conditions are met:

22 9 a. There is a substantial likelihood that a violation of
22 10 this subchapter is occurring or is about to occur.

22 11 b. The failure to act expeditiously will result in
22 12 irreparable harm to a party affected by the violation or
22 13 potential violation.

22 14 c. Expeditious action will not cause undue harm or
22 15 prejudice to the interests of others.

22 16 d. The public interest would be best served by the
22 17 issuance of an injunction.

22 18 4. The board may levy civil penalties for violations of
22 19 this subchapter. Civil penalties shall be deposited in the
22 20 voter-owned Iowa clean elections fund.

22 21 5. The board shall refer criminal violations to the county
22 22 attorney or attorney general for prosecution.

22 23 6. The board may participate fully in any actions filed
22 24 under this section.

22 25 7. The board shall adopt rules pursuant to chapter 17A as
22 26 necessary to administer this subchapter.

22 27 Sec. 29. NEW SECTION. 68A.826 CIVIL ACTIONS.

22 28 1. A citizen who believes a candidate has violated this
22 29 subchapter may pursue a civil action in a court of relevant
22 30 jurisdiction, provided that both of the following are true:

22 31 a. The citizen has previously filed a complaint with the
22 32 board regarding the same alleged violation.

22 33 b. The board has failed to make a determination within
22 34 thirty days of the filing of the complaint.

22 35 2. A complainant who prevails in a civil action charging a
23 1 violation of this subchapter shall be entitled to receive
23 2 reasonable attorney fees and court costs from the defendant.

23 3 3. If a court in which a civil action has been filed under
23 4 subsection 1 finds that the complaint in that action was made
23 5 frivolously or without cause, the court may require the

23 6 complainant to pay the costs of the board, the court, and the
23 7 defendant parties.

23 8 Sec. 30. NEW SECTION. 68A.827 BOARD REPORTS.

23 9 1. The board shall report to the general assembly after
23 10 each election cycle.

23 11 2. The report shall include a detailed summary of all seed
23 12 money contributions, qualifying contributions, and clean
23 13 election campaign funding benefits received, and expenditures
23 14 made, by all participating candidates. The report shall also
23 15 include a summary and evaluation of the board's activities and
23 16 recommendations relating to the implementation,
23 17 administration, and enforcement of this subchapter.

23 18 Sec. 31. NEW SECTION. 68A.828 REPAYMENTS OF EXCESS
23 19 EXPENDITURES.

23 20 1. If a participating candidate spends or obligates to
23 21 spend more than the clean election campaign funding the
23 22 candidate receives, and if such is determined not to be an
23 23 amount that had or could have been expected to have a
23 24 significant impact on the outcome of the election, the
23 25 candidate shall personally repay to the voter-owned Iowa clean
23 26 elections fund an amount equal to the excess.

23 27 2. If a participating candidate spends or obligates to
23 28 spend more than the clean election campaign funding the
23 29 candidate receives, and if such is determined to be an amount
23 30 that had or could have been expected to have a significant
23 31 impact on the outcome of the election, the candidate shall
23 32 personally repay to the voter-owned Iowa clean elections fund
23 33 an amount equal to five times the value of the excess.

23 34 Sec. 32. NEW SECTION. 68A.829 PENALTIES.

23 35 1. A candidate shall not knowingly accept more benefits
24 1 than those to which the candidate is entitled, spend more than
24 2 the amount of clean election campaign funding received, or
24 3 misuse such clean election campaign funding benefits or clean
24 4 election campaign funding.

24 5 2. If a violation of subsection 1 was intentional and
24 6 involved an amount that had or could have been expected to
24 7 have a significant impact on the outcome of the election, the
24 8 candidate commits an aggravated misdemeanor.

24 9 3. If it is determined that the violation of subsection 1
24 10 was intentional and involved an amount that had or could have
24 11 been expected to have a significant impact on the outcome of
24 12 the election, and if, in the judgment of the board, the
24 13 violation is believed to have contributed to the violator
24 14 winning the election, the board may recommend to the
24 15 appropriate authority that proceedings be commenced to remove
24 16 the violator from office or to impeach the violator if
24 17 applicable.

24 18 4. A person shall not provide false information to the
24 19 board or conceal or withhold information from the board. A
24 20 violation of this subsection is an aggravated misdemeanor.

24 21 Sec. 33. NEW SECTION. 68A.830 LOCAL PROVISION.

24 22 Each city council, school board, and county board of
24 23 supervisors shall have the authority to adopt and fund a
24 24 voter-owned Iowa clean elections fund, consistent with this
24 25 section, for local government elections.

24 26 Sec. 34. Section 422.7, Code 2009, is amended by adding
24 27 the following new subsection:

24 28 NEW SUBSECTION. 54. Subtract, to the extent not otherwise
24 29 excluded, up to two hundred dollars of the amount contributed
24 30 to the voter-owned Iowa clean elections fund pursuant to
24 31 section 68A.824, subsection 6.

24 32 Sec. 35. Section 422.12E, subsection 1, Code 2009, is
24 33 amended to read as follows:

24 34 1. For tax years beginning on or after January 1, 2004,
24 35 there shall be allowed no more than four income tax return
25 1 checkoffs on each income tax return. When the same four
25 2 income tax return checkoffs have been provided on the income
25 3 tax return for two consecutive years, the two checkoffs for
25 4 which the least amount has been contributed, in the aggregate
25 5 for the first tax year and through March 15 of the second tax
25 6 year, are repealed. This section does not apply to the income
25 7 tax return ~~checkoff~~ checkoffs provided in ~~section~~ sections
25 8 68A.601 and 68A.610.

25 9 Sec. 36. NEW SECTION. 422.12G INCOME TAX CHECKOFF FOR
25 10 VOTER-OWNED IOWA CLEAN ELECTIONS FUND.

25 11 A person who files an individual or a joint income tax
25 12 return with the department of revenue under section 422.13 may
25 13 designate a contribution to the voter-owned Iowa clean
25 14 elections fund authorized pursuant to section 68A.610.

25 15 Sec. 37. Section 556.18, subsections 2 and 3, Code 2009,
25 16 are amended to read as follows:

25 17 2. Before making any deposit to the credit of the general
25 18 funds, the state treasurer may deduct:
25 19 a. Any costs in connection with sale of abandoned
25 20 property.
25 21 b. Any costs of mailing and publication in connection with
25 22 any abandoned property.
25 23 c. Reasonable service charges.
25 24 d. Any costs in connection with information on outstanding
25 25 state warrants addressed pursuant to section 556.2C.
25 26 e. Ten million dollars to be deposited in the voter-owned
25 27 Iowa clean elections fund established in section 68A.823.

25 28 3. The treasurer of state shall annually credit all moneys
25 29 received under section 556.4 to the general fund of the state.
25 30 Moneys credited to the general fund of the state pursuant to
25 31 this subsection are subject to the requirements of subsections
25 32 1 and 2 and section 8.60. However, if the amount collected
25 33 under subsection 2, paragraph "e", does not equal ten million
25 34 dollars, the treasurer of state shall annually pay over an
25 35 amount received under section 556.4 as necessary to bring the
26 1 amount deposited with the voter-owned Iowa clean elections
26 2 fund to ten million dollars.

26 3 Sec. 38. SEVERABILITY. The provisions of this Act are
26 4 severable as provided in section 4.12.

26 5 Sec. 39. EFFECTIVE DATES.

26 6 1. The sections of this Act enacting sections 68A.610 and
26 7 422.12G and amending sections 422.7 and 556.18 are effective
26 8 January 1, 2010.

26 9 2. The remaining sections of this Act take effect November
26 10 6, 2012.

26 11 Sec. 40. IMPLEMENTATION OF ACT. Section 25B.2, subsection
26 12 3, shall not apply to this Act.

26 13 EXPLANATION

26 14 This bill amends Code chapter 68A, relating to campaign
26 15 finance law, in three distinct ways: new Code section
26 16 68A.401B requires electronic filing by any candidate or
26 17 committee that reaches a \$20,000 threshold; Code sections
26 18 68A.610 through 68A.628 create a voluntary mechanism for
26 19 publicly financed elections; and Code section 68A.807
26 20 establishes contribution limits for candidates who do not
26 21 participate in the public financing process.

26 22 The bill enacts a process for public financing for
26 23 statewide and legislative elections, and enacts new Code
26 24 section 68A.801, providing definitions for key terms related
26 25 to this process.

26 26 New Code section 68A.823 establishes a separate,
26 27 nonreverting fund in the state treasury to be known as the
26 28 voter-owned Iowa clean elections fund (VOICE), and new Code
26 29 section 68A.824 provides sources of revenue for the fund.

26 30 New Code sections 68A.802 and 68A.803 specify eligibility
26 31 procedures for both party and independent candidates,
26 32 specifying the number and details for collection of qualifying
26 33 contributions.

26 34 New Code section 68A.806 prohibits a participating
26 35 candidate from accepting private funding during the primary
27 1 and general election campaign periods other than certain
27 2 permitted party funding. Contributions in the name of another
27 3 person are prohibited and subject to payment to the board as
27 4 are any applicable penalties. The use of personal funds for
27 5 seed money or as qualifying contributions is limited by new
27 6 Code section 68A.809. Contributions to nonparticipating
27 7 candidates are limited in Code section 68A.807.

27 8 New Code section 68A.807 establishes contribution limits
27 9 for those candidates who do not choose to participate in the
27 10 public financing process.

27 11 New Code section 68A.808 limits political party
27 12 contributions and expenditures on behalf of candidates.

27 13 New Code section 68A.810 details the collection of private
27 14 contributions for use as seed money, limited to \$100 per
27 15 individual contributor, and also limited in the aggregate in
27 16 differing amounts for candidates for governor and lieutenant
27 17 governor, for other statewide candidates, for Iowa senate
27 18 candidates, and for Iowa house of representatives candidates.
27 19 Seed money expenditures are limited to the clean election
27 20 campaign qualifying period and seed money contributions and
27 21 expenditures must be fully disclosed at the end of the public
27 22 financing qualifying period.

27 23 New Code section 68A.812 provides for a certification
27 24 process after a candidate applies for public financing
27 25 campaign funding benefits and requires repayment of funds if
27 26 eligibility is revoked. The bill provides for audit and
27 27 judicial review of the certification decision.

27 28 New Code section 68A.813 provides certain benefits for
27 29 participating candidates, including specified amounts of
27 30 public funding pursuant to new Code section 68A.815, mandatory
27 31 participation in debates pursuant to new Code sections 68A.811
27 32 and 68A.822, and additional limited public funding to respond
27 33 to certain excess expenditures by nonparticipating candidates,
27 34 independent expenditures, and electioneering communications
27 35 expenditures. Any candidate who accepts benefits during the
28 1 primary campaign must continue to comply with the requirements
28 2 of the public financing program, even if the candidate stops
28 3 accepting benefits of the program at any point during the
28 4 primary or general election according to new Code section
28 5 68A.805.

28 6 New Code section 68A.814 provides for a schedule of
28 7 payments to participating candidates, and new Code section
28 8 68A.815 specifies differing total amounts for primary and
28 9 general elections for candidates for governor and lieutenant
28 10 governor, for other statewide candidates, for Iowa senate
28 11 candidates, and for Iowa house of representatives candidates.
28 12 Alternate amounts are provided for uncontested races. Clean
28 13 election campaign funding payments must be used only for
28 14 campaign-related expenses, and cannot be used for payments in
28 15 violation of law or to repay personal or business loans,
28 16 expenditures, or debts, pursuant to new Code section 68A.816.

28 17 Nonparticipating candidates must disclose within 48 hours
28 18 every expenditure in excess of the public financing funding
28 19 allocated to the candidate's participating opponent, that in
28 20 the aggregate is more than \$1,000, pursuant to new Code
28 21 section 68A.817. Certain other reporting requirements apply
28 22 during the last 20 days of a campaign.

28 23 All candidates must include a statement with all
28 24 advertisements indicating that the candidate has approved of
28 25 the contents of the advertisement pursuant to new Code section
28 26 68A.818.

28 27 Persons making certain independent expenditures must report
28 28 such expenditures to the board, along with an affidavit
28 29 affirming that the expenditure has not been coordinated with
28 30 the candidate or party, pursuant to new Code section 68A.819.
28 31 Alleged violations of the coordination affirmation are subject
28 32 to an expedited hearing procedure.

28 33 Persons making certain electioneering communications must
28 34 also report to the board pursuant to new Code section 68A.820.

28 35 New Code section 68A.821 provides that the board shall
29 1 administer a voter information program, including
29 2 establishment of an advisory council, to provide voters with
29 3 election-related information, including a voter guide with
29 4 candidate biographical material, policy statements, voting
29 5 records, and whether the candidate funds the campaign with
29 6 public or private money.

29 7 New Code section 68A.825 provides the board with certain
29 8 specific enforcement powers and duties in relation to the new
29 9 subchapter, and new Code section 68A.827 provides for an
29 10 election cycle report to the general assembly on the public
29 11 funding program.

29 12 New Code section 68A.826 creates a civil right of action
29 13 for citizens alleging that a candidate has violated the law.

29 14 Violations of the public funding program are subject to
29 15 aggravated misdemeanor penalties, pursuant to new Code section
29 16 68A.829. An aggravated misdemeanor is punishable by
29 17 confinement for not more than two years and a fine of at least
29 18 \$625 but not more than \$6,250. New Code section 68A.828
29 19 provides for repayment of certain excess expenditures by the
29 20 candidate.

29 21 New Code sections 68A.610 and 422.12G create an income tax
29 22 checkoff for the voter-owned Iowa clean elections fund. This
29 23 checkoff allows a person to direct that \$5 of that person's
29 24 state income tax liability be paid over to the Iowa
29 25 voter-owned clean elections fund.

29 26 Code section 422.7, new subsection 54, is amended to
29 27 provide up to a \$200 exemption from income for purposes of the
29 28 individual income tax for contributions to the Iowa
29 29 voter-owned clean elections fund.

29 30 Code section 556.18 is amended to provide that ten million
29 31 dollars shall be annually transferred from the proceeds from
29 32 the sale of lost or unclaimed property to the voter-owner Iowa
29 33 clean elections fund.

29 34 The sections of the bill enacting the income tax checkoff
29 35 and the transfer in Code section 556.18 take effect January 1,
30 1 2010. The remainder of the bill takes effect November 6,
30 2 2012, which is the day after general election day 2010, to
30 3 allow the new system to commence with a new campaign cycle.

30 4 New Code section 68A.804 provides guidelines for dealing with
30 5 money collected by candidates prior to the effective date of
30 6 the public financing program.
30 7 The bill may include a state mandate as defined in Code
30 8 section 25B.3. The bill makes inapplicable Code section
30 9 25B.2, subsection 3, which would relieve a political
30 10 subdivision from complying with a state mandate if funding for
30 11 the cost of the state mandate is not provided or specified.
30 12 Therefore, political subdivisions are required to comply with
30 13 any state mandate included in the bill.
30 14 LSB 1740YH 83
30 15 jr/sc/14