

House Study Bill 16

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 the administration of campaign disclosure
2 laws.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1177DP 83
5 jr/rj/5

PAG LIN

1 1 Section 1. Section 68A.101, Code 2009, is amended to read
1 2 as follows:

1 3 68A.101 CITATION AND ADMINISTRATION.

1 4 This chapter may be cited as the "Campaign
1 5 Disclosure==Income Tax Checkoff Act". The Iowa ethics and
1 6 campaign disclosure board shall administer this chapter as
1 7 provided in sections 68B.32, 68B.32A, 68B.32B, 68B.32C, and
1 8 68B.32D.

1 9 Sec. 2. Section 68A.301, subsection 1, Code 2009, is
1 10 amended to read as follows:

1 11 1. A candidate's committee shall not accept contributions
1 12 from, or make contributions to, any other candidate's
1 13 committee including candidate's committees from other states
1 14 or for federal office, unless the candidate for whom each
1 15 committee is established is the same person. For purposes of
1 16 this section, "contributions" includes monetary and in-kind
1 17 contributions but does not include travel costs incurred by a
1 18 candidate in attending a campaign event of another candidate
1 19 and does not include the sharing of information in any format.

1 20 Sec. 3. Section 68A.303, subsection 6, Code 2009, is
1 21 amended to read as follows:

1 22 6. ~~An individual or a political committee~~ A person shall
1 23 not knowingly make transfers or contributions to a candidate
1 24 or candidate's committee for the purpose of transferring the
1 25 funds to another candidate or candidate's committee to avoid
1 26 the disclosure of the source of the funds pursuant to this
1 27 chapter. A candidate or candidate's committee shall not
1 28 knowingly accept transfers or contributions from ~~an individual~~
1 29 ~~or political committee~~ any person for the purpose of
1 30 transferring funds to another candidate or candidate's
1 31 committee as prohibited by this subsection. A candidate or
1 32 candidate's committee shall not accept transfers or
1 33 contributions which have been transferred to another candidate
1 34 or candidate's committee as prohibited by this subsection.
1 35 The board shall notify candidates of the prohibition of such
2 1 transfers and contributions under this subsection.

2 2 Sec. 4. Section 68A.402, subsection 1, Code 2009, is
2 3 amended to read as follows:

2 4 1. FILING METHODS. Each committee shall file with the
2 5 board reports disclosing information required under this
2 6 section on forms prescribed by rule. ~~Reports~~ Except as set
2 7 out in section 68A.401, reports shall be filed on or before
2 8 the required due dates by using any of the following methods:
2 9 mail bearing a United States postal service postmark,
2 10 hand-delivery, facsimile transmission, electronic mail
2 11 attachment, or electronic filing as prescribed by rule. Any
2 12 report that is required to be filed five days or less prior to
2 13 an election must be physically received by the board to be
2 14 considered timely filed. For purposes of this section,
2 15 "physically received" means the report is either
2 16 electronically filed using the board's electronic filing
2 17 system or is received by the board prior to 4:30 p.m. on the
2 18 report due date.

2 19 Sec. 5. Section 68A.402A, subsection 1, paragraph g, Code
2 20 2009, is amended to read as follows:
2 21 g. Disbursements made to a consultant or subvendor and
2 22 disbursements made by the consultant or subvendor during the
2 23 reporting period disclosing the name and address of the
2 24 recipient, amount, purpose, and date. "Subvendor" means a
2 25 person working under the control, direction, or on behalf of a
2 26 consultant.

2 27 Sec. 6. Section 68A.404, subsection 2, paragraph b, Code
2 28 2009, is amended to read as follows:
2 29 b. This section does not apply to a candidate, candidate's
2 30 committee, state statutory political committee, county
2 31 statutory political committee, or a political committee. This
2 32 section does not apply to a federal committee or an
2 33 out-of-state committee that makes an independent expenditure.

2 34 Sec. 7. Section 68A.503, subsection 4, paragraph c, Code
2 35 2009, is amended to read as follows:
3 1 c. The placement of campaign signs as permitted under
3 2 section 68A.406.

3 3 EXPLANATION

3 4 This bill specifies that the campaign finance disclosure
3 5 laws are administered by the Iowa ethics and campaign
3 6 disclosure board citing authority currently set out in Code
3 7 sections 68B.32, 68B.32A, 68B.32B, 68B.32C, and 68B.32D.

3 8 The bill provides that the term "contribution" includes
3 9 both monetary and in-kind contributions with respect to
3 10 restrictions on receipt of contributions by a candidate's
3 11 committee from another candidate's committee.

3 12 The bill also provides that disbursements to a subvendor
3 13 must be reported; current law provides for reporting
3 14 disbursements to consultants.

3 15 The bill substitutes the term "person" for the phrase
3 16 "individual or political committee" in relation to certain
3 17 disclosures of campaign contributions.

3 18 The bill excludes from reporting requirements an
3 19 independent expenditure made by a federal committee or an
3 20 out-of-state committee.

3 21 LSB 1177DP 83

3 22 jr/rj/5