

Senate File 2238 - Introduced

SENATE FILE 2238
BY DANIELSON

A BILL FOR

1 An Act relating to the prohibited use of government resources
2 for lobbying activities and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **68B.8A Prohibited use of government**
2 **resources for lobbying.**

3 1. A person employed by the state or a political subdivision
4 of the state shall not use the facilities, equipment, or
5 supplies of the state or the political subdivision for purposes
6 of encouraging the passage, defeat, approval, veto, or
7 modification of legislation, a rule, or an executive order.

8 2. This section shall not apply to an employee of the state
9 or political subdivision of the state described by any of the
10 following:

11 a. A person defined under section 68B.2, subsection 13,
12 paragraph "a", subparagraph (3).

13 b. A person exempt from the definition of lobbyist under
14 section 68B.2, subsection 13, paragraph "b".

15 c. A person serving in or employed by the general assembly.

16 Sec. 2. Section 68B.34, Code Supplement 2009, is amended to
17 read as follows:

18 **68B.34 Additional penalty.**

19 In addition to any penalty contained in any other provision
20 of law, a person who knowingly and intentionally violates a
21 provision of sections 68B.2A through ~~68B.8~~ 68B.8A, sections
22 68B.22 through 68B.24, or sections 68B.35 through 68B.38
23 is guilty of a serious misdemeanor and may be reprimanded,
24 suspended, or dismissed from the person's position or otherwise
25 sanctioned.

26 Sec. 3. Section 68B.34A, subsection 2, Code Supplement
27 2009, is amended to read as follows:

28 2. Complaints alleging conduct of local officials or local
29 employees which violates section 68B.8A, 68B.36, 68B.37,
30 or 68B.38 shall be filed with the ethics committee of the
31 appropriate house of the general assembly if the conduct
32 involves lobbying activities before the general assembly or
33 with the board if the conduct involves lobbying activities
34 before the executive branch.

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EXPLANATION

2 This bill relates to the prohibited use of government
3 resources for lobbying activities.

4 The bill prohibits a person employed by the state or a
5 political subdivision of the state from using the facilities,
6 equipment, or supplies of the state or the political
7 subdivision for purposes of encouraging the passage, defeat,
8 approval, veto, or modification of legislation, a rule, or an
9 executive order. The prohibition does not apply to a person
10 who represents the position of a federal, state, or local
11 government agency, in which the person serves or is employed
12 as the designated representative, a person included under the
13 various exceptions to the defined term "lobbyist", or a person
14 serving in or employed by the general assembly.

15 The bill provides that complaints alleging the conduct
16 of local officials or local employees which violates the
17 provisions of the bill shall be with the ethics committee of
18 the appropriate house of the general assembly if the conduct
19 involves lobbying activities before the general assembly or
20 with the ethics and campaign disclosure board if the conduct
21 involves lobbying activities before the executive branch.
22 The bill also provides that a person who knowingly and
23 intentionally violates the provisions of the bill is guilty of
24 a serious misdemeanor.