

House File 140 - Introduced

HOUSE FILE 140

BY ISENHART

A BILL FOR

1 An Act imposing a fee on certain campaign contributions and
2 independent expenditures, creating a special fund for these
3 fees, and providing for a penalty.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 68A.702 Fee imposed.

2 1. a. (1) A five percent fee is imposed, payable by
3 the recipient from the recipient's campaign fund, on all
4 contributions received from a single source, if the aggregate
5 amount received from that source, in any calendar year, exceeds
6 two hundred fifty dollars, and made to a state or county
7 statutory political committee, political committee, candidate,
8 or candidate's committee.

9 (2) This paragraph "a" does not apply to contributions made
10 between a candidate's committee and a state or county statutory
11 political committee.

12 b. A five percent fee is imposed on the entire amount of
13 any independent expenditure made by a candidate, candidate's
14 committee, political committee, or corporation.

15 2. Fees are due and payable upon filing of a disclosure
16 report by a state or county statutory political committee,
17 political committee, or candidate's committee and upon
18 disclosure of an independent expenditure by a candidate,
19 candidate's committee, political committee, or corporation.

20 3. a. Funds raised by the fees imposed under this section
21 shall be deposited in the accountable campaigns fund. The
22 accountable campaigns fund is established as a separate fund
23 within the office of the treasurer of state, under the control
24 of the board, for the following purposes:

25 (1) To offset and replace funds appropriated by the general
26 assembly to the board. Any general fund appropriation to the
27 board is automatically reduced by the amounts deposited into
28 the fund.

29 (2) For the general operation of the board.

30 b. The fund shall consist of moneys received pursuant to
31 this section. Notwithstanding section 8.33, unencumbered
32 or unobligated moneys in the fund on June 30 of any fiscal
33 year shall not revert to the general fund of the state but
34 shall remain in the fund and be available for expenditure in
35 subsequent years. Notwithstanding section 12C.7, interest or

1 earnings on moneys in the fund shall be credited to the fund.

2 Sec. 2. Section 68B.32D, subsection 1, paragraph h, Code
3 2011, is amended to read as follows:

4 h. Issue an order requiring the violator to pay a civil
5 penalty of not more than two thousand dollars for each
6 violation of this chapter, chapter 68A, section 8.7, or
7 rules adopted by the board. To the extent practicable, the
8 board shall by rule create a list of scheduled offenses and
9 penalties. In addition to any applicable penalty, a violator
10 is also responsible for all costs in collecting a penalty that
11 is delinquent.

12 EXPLANATION

13 This bill imposes a 5 percent fee on all contributions
14 received by a state or county statutory political committee,
15 political committee, candidate, or candidate's committee,
16 from a single source, if the aggregate amount received from
17 that source, in any calendar year, exceeds \$250. A 5 percent
18 fee is also imposed on the entire amount of any independent
19 expenditure made by a candidate or candidate's committee or
20 corporation.

21 Fees are deposited in the accountable campaigns fund. The
22 funds do not revert and are used to replace funds appropriated
23 by the general assembly.

24 The bill requires the board to adopt rules creating a list of
25 scheduled offenses and penalties. In addition to the penalty,
26 a violator is also responsible for all costs in collecting a
27 penalty that is delinquent.