

House Study Bill 19 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE BOARD
BILL)

A BILL FOR

1 An Act relating to public disclosure of the receipt of certain
2 gifts, bequests, and honoraria and making penalties
3 applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.7, Code 2013, is amended to read as
2 follows:

3 **8.7 Reporting of gifts and bequests received.**

4 All gifts and bequests received by a department or accepted
5 by the governor on behalf of the state shall be reported
6 in an electronic format to the Iowa ethics and campaign
7 disclosure board and the general assembly's standing committees
8 on government oversight. A report shall be filed only for
9 months in which a gift or bequest is received or accepted. A
10 report shall be filed no later than the tenth day of the month
11 following the month in which a gift or bequest is received or
12 accepted. The ethics and campaign disclosure board shall, by
13 January 31 of each year, submit to the fiscal services division
14 of the legislative services agency a written report listing all
15 gifts and bequests received or accepted during the previous
16 calendar year with a value over one thousand dollars and the
17 purpose for each such gift or bequest. The submission shall
18 also include a listing of all gifts and bequests received by a
19 department from a person if the cumulative value of all gifts
20 and bequests received by the department from the person during
21 the previous calendar year exceeds one thousand dollars, and
22 the ethics and campaign disclosure board shall include, if
23 available, the purpose for each such gift or bequest. However,
24 the reports on gifts or bequests filed by the state board of
25 regents and the Iowa state fair board pursuant to section 8.44
26 shall be deemed sufficient to comply with the requirements of
27 this section.

28 **Sec. 2. NEW SECTION. 68B.23A Gifts and honoraria reporting.**

29 1. An official or employee of the executive branch shall
30 submit a report to the board in an electronic format for any
31 gift or series of gifts or honorarium or series of honoraria
32 received by the official, employee, or immediate family member
33 of the official or employee from a restricted donor that
34 exceeds one hundred dollars in the aggregate in a calendar
35 year.

1 2. A report shall be filed no later than the tenth day of
2 the month following the month in which the gifts or honoraria
3 are received by the official or employee or that person's
4 immediate family member.

5 3. The board shall prescribe the information to be submitted
6 on the report which shall include, at a minimum, the name of
7 the official, employee, or immediate family member who received
8 the gift; the position or title of the official or employee;
9 the name and address of the restricted donor; a description of
10 the gift; the estimated value of the gift; and the exception in
11 section 68B.22, subsection 4, or section 68B.23, subsection 2,
12 that allows the official, employee, or immediate family member
13 to accept, directly or indirectly, the gift.

14 4. Contributions to a candidate or a candidate's committee
15 shall not be included in the report if such contributions are
16 disclosed on the candidate's committee disclosure reports.

17 5. Gifts of food, beverage, and entertainment received at
18 a function meeting the criteria in section 68B.22, subsection
19 4, paragraph "s", shall not be included in the report if
20 the function is registered and a disclosure report is filed
21 pursuant to section 68B.22, subsection 4, paragraph "s".

22 EXPLANATION

23 This bill relates to public disclosure of the receipt of
24 certain gifts, bequests, and honoraria.

25 The bill requires reports filed pursuant to Code section
26 8.7, relating to gifts and bequests received by a department or
27 accepted by the governor on behalf of the state, be filed in an
28 electronic format. The bill requires reports to be filed only
29 for months in which a gift or bequest is received or accepted.
30 The bill requires reports to be filed no later than the tenth
31 day of the month following the month in which the gift or
32 bequest is received or accepted.

33 The bill requires an official or employee of the executive
34 branch to submit a report in an electronic format to the
35 ethics and campaign disclosure board for any gift or series

1 of gifts or honorarium or series of honoraria received by the
2 official, employee, or immediate family member of the official
3 or employee from a restricted donor that exceeds \$100 in the
4 aggregate in a calendar year. The bill provides for the timing
5 of such reports and the information to be included in the
6 reports. Gifts received that are not required to be disclosed
7 include those that meet the gift law exceptions relating to
8 contributions to a candidate and relating to food, beverage,
9 and entertainment received at a function qualifying under Code
10 section 68B.22, subsection 4, paragraph "s".

11 A person that knowingly and intentionally violates this
12 provision is guilty of a serious misdemeanor under Code section
13 68B.34. A serious misdemeanor is punishable by confinement for
14 no more than one year and a fine of at least \$315 but not more
15 than \$1,875.