

Senate Study Bill 3065 - Introduced

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

A BILL FOR

1 An Act relating to campaign finance by requiring electronic
2 filing of certain statements and reports and by raising the
3 minimum dollar amounts that trigger certain regulations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68A.102, subsections 5, 12, and 18, Code
2 2014, are amended to read as follows:

3 5. "*Candidate's committee*" means the committee designated
4 by the candidate for a state, county, city, or school office
5 to receive contributions in excess of ~~seven hundred fifty one~~
6 thousand dollars in the aggregate, expend funds in excess of
7 ~~seven hundred fifty one thousand~~ dollars in the aggregate, or
8 incur indebtedness on behalf of the candidate in excess of
9 ~~seven hundred fifty one thousand~~ dollars in the aggregate in
10 any calendar year.

11 12. "*County statutory political committee*" means a committee
12 as described in section 43.100 that accepts contributions in
13 excess of ~~seven hundred fifty one thousand~~ dollars in the
14 aggregate, makes expenditures in excess of ~~seven hundred fifty~~
15 one thousand dollars in the aggregate, or incurs indebtedness
16 in excess of ~~seven hundred fifty one thousand~~ dollars in the
17 aggregate in any one calendar year to expressly advocate the
18 nomination, election, or defeat of a candidate for public
19 office.

20 18. "*Political committee*" means any of the following:

21 a. A committee, but not a candidate's committee, that
22 accepts contributions in excess of ~~seven hundred fifty one~~
23 thousand dollars in the aggregate, makes expenditures in excess
24 of ~~seven hundred fifty one thousand~~ dollars in the aggregate,
25 or incurs indebtedness in excess of ~~seven hundred fifty one~~
26 thousand dollars in the aggregate in any one calendar year
27 to expressly advocate the nomination, election, or defeat of
28 a candidate for public office, or to expressly advocate the
29 passage or defeat of a ballot issue.

30 b. An association, lodge, society, cooperative, union,
31 fraternity, sorority, educational institution, civic
32 organization, labor organization, religious organization,
33 or professional organization that accepts contributions in
34 excess of ~~seven hundred fifty one thousand~~ dollars in the
35 aggregate, makes expenditures in excess of ~~seven hundred fifty~~

1 one thousand dollars in the aggregate, or incurs indebtedness
2 in excess of ~~seven hundred fifty~~ one thousand dollars in the
3 aggregate in any one calendar year to expressly advocate the
4 nomination, election, or defeat of a candidate for public
5 office, or to expressly advocate the passage or defeat of a
6 ballot issue.

7 c. A person, other than an individual, that accepts
8 contributions in excess of ~~seven hundred fifty~~ one thousand
9 dollars in the aggregate, makes expenditures in excess of ~~seven~~
10 ~~hundred fifty~~ one thousand dollars in the aggregate, or incurs
11 indebtedness in excess of ~~seven hundred fifty~~ one thousand
12 dollars in the aggregate in any one calendar year to expressly
13 advocate that an individual should or should not seek election
14 to a public office prior to the individual becoming a candidate
15 as defined in subsection 4.

16 Sec. 2. Section 68A.201, subsection 2, paragraph e, Code
17 2014, is amended to read as follows:

18 e. A signed statement by the treasurer of the committee
19 and the candidate, in the case of a candidate's committee,
20 which shall verify that they are aware of the requirement
21 to file disclosure reports if the committee, the committee
22 officers, the candidate, or both the committee officers and
23 the candidate receive contributions in excess of ~~seven hundred~~
24 ~~fifty~~ one thousand dollars in the aggregate, make expenditures
25 in excess of ~~seven hundred fifty~~ one thousand dollars in the
26 aggregate, or incur indebtedness in excess of ~~seven hundred~~
27 ~~fifty~~ one thousand dollars in the aggregate in a calendar year
28 to expressly advocate the nomination, election, or defeat of
29 any candidate for public office. In the case of political
30 committees, statements shall be made by the treasurer of the
31 committee and the chairperson.

32 Sec. 3. Section 68A.202, subsection 1, Code 2014, is amended
33 to read as follows:

34 1. Each candidate for state, county, city, or school
35 office shall organize one, and only one, candidate's committee

1 for a specific office sought when the candidate receives
2 contributions in excess of ~~seven hundred fifty~~ one thousand
3 dollars in the aggregate, makes expenditures in excess of ~~seven~~
4 ~~hundred fifty~~ one thousand dollars in the aggregate, or incurs
5 indebtedness in excess of ~~seven hundred fifty~~ one thousand
6 dollars in the aggregate in a calendar year.

7 Sec. 4. Section 68A.202, subsection 2, paragraph a, Code
8 2014, is amended to read as follows:

9 a. A political committee shall not be established to
10 expressly advocate the nomination, election, or defeat of only
11 one candidate for office. However, a political committee may
12 be established to expressly advocate the passage or defeat of
13 approval of a single judge standing for retention. A permanent
14 organization, as defined in section 68A.402, subsection 9, may
15 make a one-time contribution to only one candidate for office
16 in excess of ~~seven hundred fifty~~ one thousand dollars.

17 Sec. 5. Section 68A.203, subsection 2, paragraph b, Code
18 2014, is amended to read as follows:

19 b. A person, other than a candidate or committee officer,
20 who receives contributions for a committee shall, not later
21 than fifteen days from the date of receipt of the contributions
22 or on demand of the treasurer, render to the treasurer the
23 contributions and an account of the total of all contributions,
24 including the name and address of each person making a
25 contribution in excess of ~~ten~~ twenty-five dollars, the amount
26 of the contributions, and the date on which the contributions
27 were received.

28 Sec. 6. Section 68A.203, subsection 3, paragraph b, Code
29 2014, is amended to read as follows:

30 b. The name and mailing address of every person making
31 contributions in excess of ~~ten~~ twenty-five dollars, and the
32 date and amount of the contribution.

33 Sec. 7. Section 68A.401, subsection 1, paragraph d, Code
34 2014, is amended to read as follows:

35 d. Any Effective January 1, 2015, any other candidate or

1 political committee not otherwise required to file a statement
2 or report in an electronic format under this section described
3 in paragraphs "a" through "c" shall file the all statements and
4 reports in either an electronic format as prescribed by rule or
5 by one of the methods specified in section 68A.402, subsection
6 ± by 4:30 p.m. of the day the filing is due according to rules
7 adopted by the board pursuant to chapter 17A.

8 Sec. 8. Section 68A.404, subsection 1, Code 2014, is amended
9 to read as follows:

10 1. As used in this section, "*independent expenditure*" means
11 one or more expenditures in excess of ~~seven hundred fifty one~~
12 thousand dollars in the aggregate for a communication that
13 expressly advocates the nomination, election, or defeat of
14 a clearly identified candidate or the passage or defeat of
15 a ballot issue that is made without the prior approval or
16 coordination with a candidate, candidate's committee, or a
17 ballot issue committee.

18 Sec. 9. Section 68A.404, subsection 4, paragraph a, Code
19 2014, is amended to read as follows:

20 a. An independent expenditure statement shall be filed
21 within forty-eight hours of the making of an independent
22 expenditure in excess of ~~seven hundred fifty one thousand~~
23 dollars in the aggregate, or within forty-eight hours of
24 disseminating the communication to its intended audience,
25 whichever is earlier. For purposes of this section, an
26 independent expenditure is made when the independent
27 expenditure communication is purchased or ordered regardless of
28 whether or not the person making the independent expenditure
29 has been billed for the cost of the independent expenditure.

30 Sec. 10. Section 68A.501, Code 2014, is amended to read as
31 follows:

32 **68A.501 Funds from unknown source — escheat.**

33 The expenditure of funds from an unknown or unidentifiable
34 source received by a candidate or committee is prohibited.
35 Such funds received by a candidate or committee shall escheat

1 to the state. Any candidate or committee receiving such
2 contributions shall remit such contributions to the board
3 which shall forward it to the treasurer of state for deposit
4 in the general fund of the state. Persons requested to make a
5 contribution at a fundraising event shall be advised that it
6 is illegal to make a contribution in excess of ~~ten~~ twenty-five
7 dollars unless the person making the contribution also provides
8 the person's name and address.

9 Sec. 11. Section 68B.2, subsection 5, Code 2014, is amended
10 to read as follows:

11 5. "*Candidate's committee*" means the committee designated
12 by a candidate for a state, county, city, or school office, as
13 provided under chapter 68A, to receive contributions in excess
14 of ~~seven hundred fifty~~ one thousand dollars in the aggregate,
15 expend funds in excess of ~~seven hundred fifty~~ one thousand
16 dollars in the aggregate, or incur indebtedness on behalf of
17 the candidate in excess of ~~seven hundred fifty~~ one thousand
18 dollars in the aggregate in any calendar year.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to campaign finance by requiring
23 electronic filing of certain statements and reports and
24 by raising the minimum dollar amounts that trigger certain
25 regulations.

26 The bill requires that, beginning January 1, 2015, certain
27 candidate and political committees shall file all statements
28 and reports with the Iowa ethics and campaign disclosure board
29 in an electronic format by 4:30 p.m. of the day the filing is
30 due.

31 The bill also raises the minimum dollar amounts for
32 contributions that trigger certain regulations. The bill
33 requires that a person receiving a contribution render the name
34 and address of each person making a contribution in excess of
35 \$25, and makes additional corresponding changes. Current law

1 limits these requirements to contributions in excess of \$10.

2 The bill also changes the definition of "candidate
3 committee", "county statutory political committee", and
4 "political committee" by raising the minimum qualifying amounts
5 of contributions, expenditures, or indebtedness to amounts in
6 excess of \$1,000. Under current law, the definitions of these
7 terms require contributions, expenditures, or indebtedness
8 in excess of \$750. The bill makes additional corresponding
9 changes.

10 Current law provides that certain permanent organizations
11 can make a one-time contribution to one candidate for office in
12 excess of \$750. The bill changes that amount to \$1,000.

13 Current law further provides that an independent expenditure
14 means one or more expenditures in excess of \$750 in the
15 aggregate for a communication expressly advocating the
16 nomination, election, or defeat of a clearly identified
17 candidate or the passage or defeat of a ballot issue that
18 is made without the prior approval or coordination with a
19 candidate, candidate's committee, or a ballot issue committee.
20 The bill, however, provides that an independent expenditure
21 requires one or more of such expenditures in excess of \$1,000
22 in the aggregate.