

Senate Study Bill 3013 - Introduced

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

A BILL FOR

1 An Act relating to permissible gifts from restricted donors
2 to public officials, public employees, candidates, and
3 immediate family members of such persons.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68B.22, subsection 4, paragraph j, Code
2 2016, is amended to read as follows:

3 *j.* Nonmonetary items with a value of ~~three~~ ten dollars or
4 less that are received from any one donor during one calendar
5 day.

6 Sec. 2. Section 68B.22, subsection 8, Code 2016, is amended
7 to read as follows:

8 8. Except as otherwise provided in **subsection 4**, an
9 organization or association which has as one of its purposes
10 the encouragement of the passage, defeat, introduction,
11 or modification of legislation shall not give and a member
12 of the general assembly shall not receive food, beverages,
13 registration, or scheduled entertainment with a per person
14 value in excess of ~~three~~ ten dollars.

15 EXPLANATION

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

18 This bill relates to permissible gifts from restricted
19 donors to public officials, public employees, candidates, and
20 immediate family members of such persons.

21 Under the gift law, a public official, public employee,
22 candidate, or that person's immediate family members are
23 prohibited from accepting, receiving, or soliciting a gift from
24 a restricted donor, and a restricted donor is prohibited from
25 offering or making such gift. The gift law makes permissible
26 certain otherwise prohibited gifts if the gift falls under
27 one of the listed exceptions provided in Code section 68B.22,
28 subsection 4. One of the exceptions allows gifts from
29 restricted donors if the gift is a nonmonetary item with a
30 value of \$3 or less given by one restricted donor during one
31 calendar day. The bill increases the limit to \$10.

32 Currently, except as otherwise provided, an organization or
33 association which has as one of its purposes the encouragement
34 of the passage, defeat, introduction, or modification of
35 legislation is prohibited from giving and a member of the

1 general assembly is prohibited from receiving food, beverages,
2 registration, or scheduled entertainment with a per person
3 value in excess of \$3. The bill raises the per person value to
4 \$10.

5 A knowing and intentional violation of the limit on the
6 value of permissible gifts is a serious misdemeanor. A serious
7 misdemeanor is punishable by confinement for no more than one
8 year and a fine of at least \$315 but not more than \$1,875.

9 In addition, a person violating the limit on the value of
10 permissible gifts is subject to civil penalties or disciplinary
11 action issued by the ethics and campaign disclosure board or
12 subject to disciplinary action taken by the ethics committees
13 of the senate and house of representatives.