

Senate Study Bill 1108 - Introduced

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

A BILL FOR

1 An Act relating to electronic filing requirements for
2 statements and reports filed with the ethics and campaign
3 disclosure board.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68A.201A, subsection 6, Code 2017, is
2 amended to read as follows:

3 ~~6. Effective January 1, 2011, the~~ The verified statement
4 shall be filed ~~in an electronic format~~ by 4:30 p.m. of the day
5 the filing is due.

6 Sec. 2. Section 68A.401, subsection 1, Code 2017, is amended
7 to read as follows:

8 1. All statements and reports required to be filed under
9 this chapter shall be filed with the board as provided in this
10 section and [section 68A.402, subsection 1](#). The board shall
11 post on its internet site all statements and reports filed
12 under [this chapter](#). For purposes of [this section](#), the term
13 *"statement"* does not include a bank statement.

14 *a.* A state statutory political committee, a county statutory
15 political committee, a political committee ~~expressly advocating~~
16 ~~for or against the nomination, election, or defeat of a~~
17 ~~candidate for statewide office or the general assembly, and a~~
18 ~~candidate's committee of a candidate for statewide office or~~
19 ~~the general assembly~~ shall file all statements and reports in
20 an electronic format by 4:30 p.m. of the day the filing is due
21 and according to rules adopted by the board.

22 ~~*b.* Any other candidate or committee involved in a county,~~
23 ~~city, school, or other political subdivision election that~~
24 ~~accepts monetary or in-kind contributions in excess of two~~
25 ~~thousand dollars, or incurs indebtedness in excess of two~~
26 ~~thousand dollars in the aggregate in a calendar year, or makes~~
27 ~~expenditures in excess of two thousand dollars in a calendar~~
28 ~~year to expressly advocate for or against a clearly identified~~
29 ~~candidate or ballot issue shall file all statements and reports~~
30 ~~in an electronic format by 4:30 p.m. of the day the filing is~~
31 ~~due and according to rules adopted by the board. The committee~~
32 ~~shall continue to file subsequent statements and reports in~~
33 ~~an electronic format until being certified as dissolved under~~
34 [section 68A.402B](#).

35 ~~*c.* Effective January 1, 2016, any other candidate or~~

1 ~~political committee not described in paragraphs "a" and "b"~~
2 ~~shall file all statements and reports in an electronic format~~
3 ~~by 4:30 p.m. of the day the filing is due according to rules~~
4 ~~adopted by the board pursuant to [chapter 17A](#).~~

5 ~~d.~~ b. If the board determines that a violation of this
6 subsection has occurred, the board may impose any of the
7 remedies or penalties provided for under [section 68B.32D](#),
8 except that the board shall not refer any complaint or
9 supporting information of a violation of [this section](#) to the
10 attorney general or any county attorney for prosecution.

11 Sec. 3. Section 68A.402, subsection 1, Code 2017, is amended
12 to read as follows:

13 1. *Filing methods.* Each committee shall electronically file
14 with the board reports disclosing information required under
15 this section on forms prescribed by rule. ~~Except as set out~~
16 ~~in [section 68A.401](#), reports shall be filed on or before the~~
17 ~~required due dates by using any of the following methods: mail~~
18 ~~bearing a United States postal service postmark, hand delivery,~~
19 ~~facsimile transmission, electronic mail attachment, or~~
20 ~~electronic filing as prescribed by rule. Any report that is~~
21 ~~required to be filed five days or less prior to an election~~
22 ~~must be physically received by the board to be considered~~
23 ~~timely filed. For purposes of [this section](#), "physically~~
24 ~~received" means the report is either electronically filed using~~
25 ~~the board's electronic filing system or is received by the~~
26 ~~board prior to 4:30 p.m. on the report due date.~~

27 Sec. 4. Section 68A.403, Code 2017, is amended to read as
28 follows:

29 **68A.403 Reports signed and preserved.**

30 1. ~~Unless filed in an electronic format, a report or~~
31 ~~statement required to be filed under [this chapter](#) shall be~~
32 ~~signed by the person filing the report.~~

33 2. A copy of every report or statement shall be preserved
34 by the person filing it or the person's successor for at least
35 three years following the filing of the report or statement.

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EXPLANATION

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

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This bill makes changes related to electronic filing
requirements for statements and reports filed with the Iowa
ethics and campaign disclosure board (board).

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The bill makes technical changes to provisions requiring
state statutory political committees, county statutory
political committees, political committees, and candidate's
committees to file all statements and reports with the board in
an electronic format. Since January 1, 2016, all candidates
and committees have been required to file statements and
reports in an electronic format.

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