

House Study Bill 52 - Introduced

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

A BILL FOR

1 An Act prohibiting the use of public resources for political
2 purposes and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 68A.505A Use of public resources
2 for political purposes.

3 1. A public official or public employee shall not use or
4 permit the use of any of the following public resources for a
5 political purpose:

- 6 a. A website or social media page.
- 7 b. An electronic mail account or address.
- 8 c. Computer hardware or software.
- 9 d. A telephone, including a cellular telephone.
- 10 e. A facsimile machine.
- 11 f. A printer, copier, or scanner.
- 12 g. Public moneys.

13 2. For purposes of this section:

14 a. "*Public employee*" means the same as defined in section
15 68B.2.

16 b. "*Public official*" means the same as defined in section
17 68B.2.

18 c. "*Public resource*" means property managed or maintained
19 by the state or the governing body of a county, city, or other
20 political subdivision of the state.

21 3. This section does not prohibit a public official or
22 public employee from using a public resource for a political
23 purpose if the public resource is available to a member of the
24 general public to use for other purposes.

25 EXPLANATION

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

28 This bill relates to the use of public resources for
29 political purposes. The bill prohibits public officials and
30 employees from using or permitting the use of certain public
31 resources managed or maintained by the state of Iowa or the
32 governing body of a political subdivision of the state for a
33 political purpose. The bill does not prohibit the use of a
34 public resource for a political purpose if the public resource
35 is available to the general public to use for other purposes.

1 A person who violates a provision of Code chapter 68A
2 is subject to civil penalties imposed by the Iowa ethics
3 and campaign disclosure board, including remedial action, a
4 reprimand, and a civil penalty up to \$2,000. In addition, a
5 person who willfully violates a provision of Code chapter 68A
6 is guilty of a serious misdemeanor. A serious misdemeanor is
7 punishable by confinement for no more than one year and a fine
8 of at least \$315 but not more than \$1,875.