

Senate File 639 - Introduced

SENATE FILE 639
BY COMMITTEE ON GOVERNMENT
OVERSIGHT

(SUCCESSOR TO SSB 1261)

A BILL FOR

1 An Act relating to lobbying activities by political
2 subdivisions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 68B.9 Lobbying activities by
2 political subdivisions.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "Lobbying" means direct action to encourage the passage,
6 defeat, approval, veto, or modification of legislation, a rule,
7 or an executive order that is being considered by the general
8 assembly, a state agency, or a statewide elected official.

9 b. "Political subdivision" means a county, city, township,
10 community college, area education agency, or school district.

11 2. A political subdivision that contracts with or otherwise
12 compensates a person to lobby on behalf of the political
13 subdivision shall do so in a reasonable manner, including all
14 of the following:

15 a. Using written requests for proposal to solicit lobbying
16 services. The duration of a contract for lobbying services
17 shall not exceed five years. A political subdivision shall
18 not renew a contract for lobbying services or enter into a new
19 contract for lobbying services unless the political subdivision
20 uses a written request for proposal to solicit lobbying
21 services.

22 b. Selecting lobbyists on the basis of competence and
23 qualifications for the services required.

24 c. Paying fair and reasonable compensation.

25 3. a. If a political subdivision contracts with or
26 otherwise compensates a person to lobby on behalf of the
27 political subdivision, or if an employee, officer, or elected
28 or appointed official of the political subdivision engages in
29 more than ten hours of lobbying on behalf of the political
30 subdivision in a calendar month, the political subdivision
31 shall, subject to paragraph "b", publish all of the following on
32 its internet site:

33 (1) Full copies of all contracts in effect that provide, in
34 whole or in part, for the provision of lobbying services.

35 (2) Not later than two weeks after the end of each fiscal

1 year, a schedule showing all payments the political subdivision
2 made during the preceding fiscal year to any person acting as
3 a lobbyist on behalf of the political subdivision or, in the
4 case of an employee, officer, or elected or appointed official,
5 the total annual compensation the political subdivision paid to
6 such person and the total number of hours spent by that person
7 in lobbying activities on behalf of the political subdivision
8 in the preceding fiscal year.

9 (3) Not later than two weeks after the end of each fiscal
10 year, a schedule identifying each bill on which a person
11 serving as a lobbyist or engaged in lobbying registered a
12 position on behalf of the political subdivision, and for each
13 such bill either the legislative history for the bill as
14 depicted on the general assembly's internet site or the link
15 to the page of the general assembly's internet site with the
16 legislative history for the bill.

17 b. If the political subdivision does not maintain
18 an internet site but is otherwise subject to reporting
19 requirements under paragraph "a", the political subdivision
20 shall annually publish all the information required by
21 paragraph "a", subparagraphs (1) through (3), within three
22 weeks of the end of the fiscal year in the same manner that the
23 political subdivision provides notice pursuant to section 21.4.

24 4. An organization subject to audit pursuant to section
25 11.6, subsection 9, and any other organization that lobbies
26 on behalf of any category or group of political subdivisions,
27 shall, not later than two weeks after the end of the
28 fiscal year, publish on the organization's internet site
29 the information required by subsection 3, paragraph "a",
30 subparagraph (3).

31 5. Notwithstanding section 22.7, a record, document, or
32 other information stored or preserved in any medium that
33 relates to lobbying by a person for or on behalf of a political
34 subdivision is a public record subject to the provisions of
35 chapter 22, shall be preserved and maintained for a period

1 of not less than seven years, and shall be available for
2 examination and copying by the public upon reasonable terms as
3 required by chapter 22.

4

EXPLANATION

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

6

7 This bill relates to the lobbying activities of political
8 subdivisions.

9 The bill defines "political subdivision" as a county,
10 city, township, community college, area education agency, or
11 school district, and "lobbying" as direct action to encourage
12 the passage, defeat, approval, veto, or modification of
13 legislation, a rule, or an executive order that is being
14 considered by the general assembly, a state agency, or a
15 statewide elected official.

16 The bill provides that a political subdivision that
17 contracts with or otherwise compensates a person to lobby
18 on behalf of the political subdivision shall do so in a
19 reasonable manner, including by using a written request for
20 proposal, selecting a lobbyist on the basis of competence
21 and qualification for the services required, and paying fair
22 and reasonable compensation. The duration of a contract for
23 lobbying services shall not exceed five years, and a renewal or
24 new contract for lobbying services also requires the use of a
25 written request for proposal.

26 The bill provides that if a political subdivision contracts
27 with or otherwise compensates a person to lobby on behalf of
28 the political subdivision in exchange for compensation, or if
29 any employee, officer, or elected or appointed official of the
30 political subdivision engages in more than 10 hours of lobbying
31 on behalf of the political subdivision in a calendar month,
32 the political subdivision is subject to certain reporting
33 requirements. If the political subdivision is subject to
34 the reporting requirements but does not maintain an internet
35 site, the political subdivision shall annually publish all the

1 required information in the same manner that the political
2 subdivision provides notice pursuant to Code section 21.4
3 (notice of public meetings).

4 The bill provides that the Iowa state association of
5 counties, the Iowa league of cities, and the Iowa association
6 of school boards, and any other organization that lobbies on
7 behalf of any category or group of political subdivisions,
8 shall, not later than two weeks after the end of the fiscal
9 year, publish on the organization's internet site certain
10 specified information regarding each bill and amendment on
11 which the organization registered a position.

12 The bill provides that documents and records relating to
13 lobbying on or behalf of a political subdivision are public
14 records subject to Code chapter 22 (examination of public
15 records), and are not subject to any exception to the public
16 records law contained in Code section 22.7.