

House File 358 - Introduced

HOUSE FILE 358
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 148)

A BILL FOR

1 An Act relating to campaign finance, including disclosure
2 report and contribution requirements, and making penalties
3 applicable.

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

1 Section 1. Section 68A.402, subsection 2, paragraph a, Code
2 2021, is amended to read as follows:

3 a. *Election year.* A candidate's committee of a candidate
4 for statewide office, the general assembly, or county office
5 shall file reports in an election year as follows:

6 Report due:	Covering period:
7 May 19	January 1 through May 14
8 July 19	May 15 or Wednesday 9 preceding primary 10 election through July 14
11 <u>September 19</u>	<u>July 15 through September 14</u>
12 October 19	July <u>September</u> 15 through October 14
13 January 19 (next 14 calendar year)	October 15 or Wednesday 15 preceding general 16 election through December 31

17 Sec. 2. Section 68A.402A, Code 2021, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 3. Each report filed under section 68A.402
20 shall separate contributions received from sources within the
21 state from contributions received from sources outside the
22 state and shall include separate totals for contributions
23 received from sources within the state and contributions
24 received from sources outside the state.

25 Sec. 3. Section 68A.502, subsection 3, Code 2021, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. d. A contribution or expenditure made using
28 a fictitious address.

29 Sec. 4. NEW SECTION. 68A.507 **Contributions by foreign**
30 **nationals — prohibitions.**

31 1. As provided in federal regulation 11 C.F.R. §110.20,
32 a foreign national shall not directly or indirectly make a
33 monetary or in-kind contribution, or specifically promise
34 to make such a contribution, in connection with a state or
35 local campaign or election in this state, to a candidate or

1 candidate's committee organized under this chapter.

2 2. A candidate or candidate's committee shall not knowingly
3 accept or receive a contribution from a foreign national.

4 3. A person shall not knowingly accept a monetary donation
5 from a foreign national for the purposes of making an
6 independent expenditure.

7 4. A foreign national shall not directly or indirectly
8 participate in the decision-making process of a person with
9 regard to such person's election-related activities. For the
10 purposes of this section, "*election-related activities*" include
11 the making of contributions, donations, or expenditures in
12 connection with elections for state or local office, decisions
13 regarding ballot issues, and the administration of a committee.

14 5. For the purposes of this section, "*foreign national*"
15 means the same as defined in section 68A.404, subsection 2.

16 EXPLANATION

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

19 This bill relates to campaign finance. The bill requires
20 a candidate's committee for a candidate for statewide office,
21 the general assembly, or county office to file a disclosure
22 report on September 19 of an election year to cover the period
23 between July 15 and September 14. The bill changes the time
24 period covered by the report filed on October 19 to September
25 15 through October 14.

26 The bill requires a committee filing a report of
27 contributions received to separate contributions received
28 from sources within the state from contributions received
29 from sources outside the state and to provide separate totals
30 for each category. The bill also categorizes a contribution
31 or expenditure made using a fictitious address as an illegal
32 contribution or expenditure.

33 The bill prohibits a foreign national, currently defined
34 in Code, from directly or indirectly making or specifically
35 promising to make a monetary or in-kind contribution to a

1 candidate or candidate's committee in connection with a state
2 or local campaign or election in this state. The bill also
3 prohibits candidates and candidate's committees from accepting
4 such contributions, and prohibits persons from knowingly
5 accepting monetary donations from a foreign national for the
6 purposes of making an independent expenditure.

7 The bill prohibits a foreign national from directly or
8 indirectly participating in the decision-making process
9 of a person with regard to such person's election-related
10 activities. The bill includes items that constitute
11 election-related activities.

12 The bill codifies language currently found in the Iowa
13 administrative code at 351 IAC 4.28.

14 By operation of law, a person who willfully violates a
15 provision of the bill is guilty of a serious misdemeanor. A
16 serious misdemeanor is punishable by confinement for no more
17 than one year and a fine of at least \$430 but not more than
18 \$2,560.