

Senate File 145 - Introduced

SENATE FILE 145

BY PETERSEN

A BILL FOR

1 An Act relating to the payment of dependent care expenses from
2 campaign funds and making penalties applicable.

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

1 Section 1. NEW SECTION. **68A.303A Dependent care expenses.**

2 1. In addition to the uses permitted under sections 68A.302
3 and 68A.303, a candidate or candidate's committee may use
4 campaign funds to pay for expenses related to the care of any
5 dependent of the candidate if all of the following conditions
6 are met:

7 a. The expense is incurred as a direct result of campaign
8 activity or as a direct result of the official duties of the
9 candidate's office if the candidate wins election to the office
10 sought.

11 b. The candidate would not have needed the dependent care
12 but for the candidate's candidacy for office or election to
13 that office.

14 c. The payment to the dependent care provider is reasonable
15 for the services rendered.

16 d. The dependent care provider is not the spouse or
17 dependent child of the candidate.

18 2. A candidate using campaign funds for dependent care
19 expenses shall keep a log detailing the date, campaign or
20 official purpose, length of time of care, name of dependent
21 care provider, and cost for each dependent care expense paid
22 or owed by the campaign or candidate. Total dependent care
23 expenses shall be included as a line-item expense in a report
24 submitted pursuant to section 68A.402. A candidate's log of
25 dependent care expenses shall be provided to the board if
26 requested during the course of an audit. The candidate's
27 committee shall preserve a dependent care log for five years
28 following the submission of a report relating to the log, or
29 for three years following the dissolution of the candidate's
30 committee.

31 3. For purposes of this section, "*dependent*" means the same
32 as defined in section 152 of the Internal Revenue Code.

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EXPLANATION

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

1 This bill relates to the payment for dependent care with
2 campaign funds. The bill permits a candidate to pay for
3 dependent care expenses using campaign funds if the expense is
4 incurred as a direct result of a campaign activity or official
5 duty if the candidate wins election, the candidate would
6 not have needed the dependent care but for the candidate's
7 candidacy or election, the payment to the dependent care
8 provider is reasonable, and the dependent care provider is
9 not the spouse or dependent child of the candidate. The bill
10 requires the candidate to keep logs relating to payment for any
11 such services, which shall be provided to the Iowa ethics and
12 campaign disclosure board upon request during the course of an
13 audit. The bill requires the candidate's committee to preserve
14 a dependent care log for five years following the submission of
15 a report relating to the log, or for three years following the
16 dissolution of the committee.

17 A person who violates a provision of Code chapter 68A
18 is subject to civil penalties imposed by the Iowa ethics
19 and campaign disclosure board, including remedial action, a
20 reprimand, and a civil penalty up to \$2,000. In addition, a
21 person who willfully violates a provision of Code chapter 68A
22 is guilty of a serious misdemeanor. A serious misdemeanor is
23 punishable by confinement for no more than one year and a fine
24 of at least \$430 but not more than \$2,560.