

**House File 955 - Introduced**

HOUSE FILE 955  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 366)

**A BILL FOR**

1 An Act relating to government ethics of employees of a state  
2 agency, and making penalties applicable.

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

unofficial

1 Section 1. NEW SECTION. **68B.2D Prohibited use of evidences**  
2 **of office or employment.**

3 A person who serves or is employed by a state agency shall  
4 not use a badge, uniform, business card, electronic mail address,  
5 or other evidences of office or employment while engaging in an  
6 activity concerning a member of the general assembly that is  
7 unrelated to the official duties of the person's employment or  
8 service.

9 Sec. 2. Section 68B.31, subsection 4, paragraph a,  
10 subparagraphs (3) and (4), Code 2025, are amended to read as  
11 follows:

12 (3) Issue advisory opinions interpreting the intent of  
13 constitutional and statutory provisions relating to legislators,  
14 lobbyists, and clients of a lobbyist, and persons who serve or  
15 are employed by a state agency as well as interpreting the code  
16 of ethics and rules issued pursuant to this section. Opinions  
17 shall be issued when approved by a majority of the six members  
18 and may be issued upon the written request of a member of the  
19 general assembly or upon the committee's initiation. Opinions  
20 are not binding on the legislator, lobbyist, ~~or client,~~ or person  
21 who serves or is employed by a state agency.

22 (4) Receive and hear complaints and charges against members  
23 of its house, lobbyists, ~~or clients of a lobbyist,~~ and persons  
24 who serve or are employed by a state agency alleging a violation  
25 of the code of ethics, rules governing lobbyists, this chapter,  
26 or other matters referred to it by its house or the independent  
27 special counsel. The committee shall recommend rules for the  
28 receipt and processing of findings of probable cause relating to  
29 ethical violations of members of the general assembly, lobbyists,  
30 ~~or clients of lobbyists,~~ or persons who serve or are employed by  
31 a state agency during the legislative session and those received  
32 after the general assembly adjourns.

33 Sec. 3. Section 68B.31, subsections 5 and 8, Code 2025, are  
34 amended to read as follows:

35 5. Any person may file a complaint with the ethics committee

1 of either house alleging that a member of the general assembly,  
2 lobbyist, ~~or~~ client of a lobbyist, or a person who serves or  
3 is employed by a state agency before the general assembly has  
4 committed a violation of this chapter. The ethics committee  
5 shall prescribe and provide forms for this purpose. The  
6 complaint shall include the name and address of the complainant  
7 and a statement of the facts believed to be true that form the  
8 basis of the complaint, including the sources of information and  
9 approximate dates of the acts alleged and a certification by the  
10 complainant under penalty of perjury that the facts stated to be  
11 true are true to the best of the complainant's knowledge.

12 8. If a hearing on the complaint is ordered, the ethics  
13 committee shall receive all admissible evidence, determine any  
14 factual or legal issues presented during the hearing, and make  
15 findings of fact based upon evidence received. Hearings shall be  
16 conducted in the manner prescribed in section 17A.12. The rules  
17 of evidence applicable under section 17A.14 shall also apply  
18 in hearings before the ethics committee. Clear and convincing  
19 evidence shall be required to support a finding that the member  
20 of the general assembly, lobbyist, ~~or~~ client ~~before the general~~  
21 ~~assembly of a lobbyist, or person who serves or is employed~~  
22 by a state agency has committed a violation of this chapter.  
23 Parties to a complaint may, subject to the approval of the ethics  
24 committee, negotiate for settlement of disputes that are before  
25 the ethics committee. Terms of any negotiated settlements shall  
26 be publicly recorded. If a complaint is filed or initiated  
27 less than ninety days before the election for a state office,  
28 for which the person named in the complaint is the incumbent  
29 officeholder, the ethics committee shall, if possible, set the  
30 hearing at the earliest available date so as to allow the issue  
31 to be resolved before the election. An extension of time for  
32 a hearing may be granted when both parties mutually agree on an  
33 alternate date for the hearing. The ethics committee shall make  
34 every effort to hear all ethics complaints within three months  
35 of the date that the complaints are filed. However, after three

1 months from the date of the filing of the complaint, extensions  
2 of time for purposes of preparing for hearing may only be granted  
3 by the ethics committee when the party charged in the complaint  
4 with the ethics violation consents to an extension. If the party  
5 charged does not consent to an extension, the ethics committee  
6 shall not grant any extensions of time for preparation prior to  
7 hearing. All complaints alleging a violation of this chapter  
8 or the code of ethics shall be heard within nine months of the  
9 filing of the complaint. Final dispositions of violations, which  
10 the ethics committee has found to have been established by clear  
11 and convincing evidence, shall be made within thirty days of the  
12 conclusion of the hearing on the complaint.

13 EXPLANATION

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

16 Under current law, an ethics committee is established in the  
17 senate and in the house of representatives. The ethics committee  
18 of each chamber must, among other duties listed under Code  
19 section 68B.31, receive and hear complaints and charges against  
20 members of its chamber, lobbyists, or clients of a lobbyist  
21 alleging a violation of the code of ethics, rules governing  
22 lobbyists, Code chapter 68B (government ethics and lobbying),  
23 or other matters referred to it by its chamber or independent  
24 special counsel.

25 This bill amends Code chapter 68B to prohibit a person  
26 who serves or is employed by a state agency from using a  
27 badge, uniform, business card, electronic mail address, or other  
28 evidences of office or employment while engaging in an activity  
29 concerning a member of the general assembly that is unrelated  
30 to the official duties of the person's employment or service.  
31 The bill adds such persons to the jurisdiction of each chamber's  
32 ethics committee. Any person may file an ethics complaint  
33 against a person who violates the bill.

34 Under current law, any person may file a complaint with the  
35 Iowa ethics and campaign disclosure board (board), which is an

1 independent agency established to oversee government ethics and  
2 lobbying, alleging that a candidate, committee, person holding  
3 a state office in the executive branch of state government,  
4 employee of the executive branch of state government, or other  
5 person has committed a violation of Code chapter 68A (campaign  
6 finance), Code chapter 68B, or rules adopted by the board. A  
7 person who violates the bill is also subject to a complaint filed  
8 with the board.

9 A person who knowingly and intentionally violates the bill  
10 is guilty of a serious misdemeanor and may be reprimanded,  
11 suspended, or dismissed from the person's position or otherwise  
12 sanctioned. A serious misdemeanor is punishable by confinement  
13 for no more than one year and a fine of at least \$430 but not  
14 more than \$2,560.

15 When used in the bill, "state agency" means a department,  
16 division, board, commission, bureau, authority, or office of  
17 the executive or legislative branch of state government, the  
18 office of attorney general, the state board of regents,  
19 community colleges, and the office of the governor, including  
20 a regulatory agency, but does not include any agricultural  
21 commodity promotional board, which is subject to a producer  
22 referendum.