

# House Study Bill 94 - Introduced

HOUSE RESOLUTION NO. \_\_\_\_\_

BY (PROPOSED COMMITTEE ON ETHICS RESOLUTION BY  
CHAIRPERSON GUSTOFF)

1 A Resolution relating to the code of ethics of  
2 the House of Representatives for the Ninety-first  
3 General Assembly.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
5 the House Code of Ethics shall be as follows:

6 HOUSE CODE OF ETHICS

7 PREAMBLE. Every legislator and legislative employee  
8 has a duty to uphold the integrity and honor of the  
9 general assembly, to encourage respect for the law and  
10 for the general assembly, and to observe the house code  
11 of ethics. The members and employees of the house  
12 have a responsibility to conduct themselves so as to  
13 reflect credit on the general assembly, and to inspire  
14 the confidence, respect, and trust of the public. The  
15 following rules are adopted pursuant to chapter 68B of  
16 the Code, to assist the members and employees in the  
17 conduct of their activities:

18 1. DEFINITIONS. The definitions of terms provided  
19 in chapter 68B of the Code apply to the use of those  
20 terms in these rules.

21 2. ECONOMIC INTEREST OF MEMBER OR EMPLOYEE OF  
22 HOUSE.

23 a. *Economic or investment opportunity.* A member  
24 or employee of the house shall not solicit or accept  
25 economic or investment opportunity under circumstances  
26 where the member or employee knows, or should know,  
27 that the opportunity is being afforded with the intent

1 to influence the member's or employee's conduct in  
2 the performance of official duties. If a member  
3 or employee of the house learns that an economic  
4 or investment opportunity previously accepted was  
5 offered with the intent of influencing the member's or  
6 employee's conduct in the performance of the official  
7 duties, the member or employee shall take steps to  
8 divest that member or employee of that investment  
9 or economic opportunity, and shall report the matter  
10 in writing to the chairperson of the house ethics  
11 committee.

12 b. *Excessive charges for services, goods, or*  
13 *property interests.* A member or employee of the  
14 house shall not charge to or accept from a person  
15 known to have a legislative interest, a price, fee,  
16 compensation, or other consideration for the sale or  
17 lease of any property or the furnishing of services  
18 which is in excess of that which the member or employee  
19 would ordinarily charge another person.

20 c. *Use of confidential information.* A member or  
21 employee of the house, in order to further the member's  
22 or employee's own economic interests, or those of any  
23 other person, shall not disclose or use confidential  
24 information acquired in the course of the member's or  
25 employee's official duties. For the purpose of this  
26 rule, information disclosed in open session at a public  
27 meeting and information that is a public record is not  
28 confidential information.

29 d. *Employment.* A member or employee of the  
30 house shall not accept employment, either directly

1 or indirectly, from a political action committee.  
2 A member of the house shall not act as a paid  
3 lobbyist for any organization. However, this paragraph  
4 shall not prohibit a member or employee of the  
5 house from working for a candidate's committee, a  
6 political party's action committee, or a political  
7 action committee which does not expressly advocate the  
8 nomination, election, or defeat of a candidate for  
9 public office in this state or expressly advocate the  
10 passage or defeat of a ballot issue in this state and  
11 which is not interested in issues before the general  
12 assembly.

13 For the purpose of this rule, a political  
14 action committee means a committee, but not a  
15 candidate's committee, which accepts contributions,  
16 makes expenditures, or incurs indebtedness in the  
17 aggregate of more than one thousand dollars in any  
18 one calendar year to expressly advocate the nomination,  
19 election, or defeat of a candidate for public office or  
20 to expressly advocate the passage or defeat of a ballot  
21 issue or for the purpose of influencing legislative  
22 action.

23 e. *Solicitation of employment as lobbyist.* A  
24 member or employee of the house shall not solicit  
25 employment on behalf of the member or employee, or on  
26 behalf of another legislator or employee, as a lobbyist  
27 while the general assembly is in session.

28 f. *Certain goods or services.* A member or employee  
29 of the house shall not solicit or obtain goods or  
30 services from another person under circumstances where

1 the member or employee knows or should know that the  
2 goods or services are being offered or sold with the  
3 intent to influence the member's or employee's conduct  
4 in the performance of official duties. If a member  
5 or employee of the house is afforded goods or services  
6 by another person at a price that is not available  
7 to other members or classes of members of the general  
8 public or is afforded goods or services that are  
9 not available to other members or classes of members  
10 of the general public by another person where the  
11 member or employee knows or should know that the other  
12 person intends to influence the member's or employee's  
13 official conduct, the member or employee shall not take  
14 or purchase the goods or services.

15 3. APPEARANCE BEFORE STATE AGENCY. A member or  
16 employee of the house may appear before a state agency  
17 in any representation case but shall not act as a  
18 lobbyist with respect to the passage, defeat, approval,  
19 veto, or modification of any legislation, rule, or  
20 executive order. Whenever a member or employee of  
21 the house appears before a state agency, the member  
22 or employee shall carefully avoid all conduct which  
23 might in any way lead members of the general public  
24 to conclude that the member or employee is using the  
25 member's or employee's official position to further the  
26 member's or employee's professional success or personal  
27 financial interest.

28 4. CONFLICTS OF INTEREST. In order for the general  
29 assembly to function effectively, members of the house  
30 may be required to vote on bills and participate in

1 committee work which will affect their employment and  
2 other areas in which they may have a monetary interest.  
3 Action on bills and committee work which furthers a  
4 member's specific employment, specific investment, or  
5 other specific interest, as opposed to the interests of  
6 the public in general or the interests of a profession,  
7 trade, business, or other class of persons, shall be  
8 avoided. In making a decision relative to a member's  
9 activity on particular bills or in committee work, the  
10 following factors should be considered:

11 a. Whether a substantial threat to the member's  
12 independence of judgment has been created by the  
13 conflict situation.

14 b. The effect of the member's participation on  
15 public confidence in the integrity of the general  
16 assembly.

17 c. Whether the member's participation is likely to  
18 have any significant effect on the disposition of the  
19 matter.

20 d. The need for the member's particular  
21 contribution, such as special knowledge of the subject  
22 matter, to the effective functioning of the general  
23 assembly.

24 If a member decides not to participate in committee  
25 work or to abstain from voting because of a possible  
26 conflict of interest, the member should disclose this  
27 fact to the legislative body. The member shall not  
28 vote on any question in which the member has an  
29 economic interest that is distinguishable from the  
30 interests of the general public or a substantial class

1 of persons.

2 5. STATUTORY REQUIREMENTS. Members and employees  
3 of the house shall comply with the requirements  
4 contained in chapters 68B (Government Ethics and  
5 Lobbying), 721 (Official Misconduct), and 722 (Bribery  
6 and Corruption), and sections 2.18 (Contempt) and 711.4  
7 (Extortion) of the Code.

8 6. CHARGE ACCOUNTS. Members and employees of the  
9 house shall not charge any amount or item to a charge  
10 account to be paid for by a lobbyist or any client of a  
11 lobbyist.

12 7. TRAVEL EXPENSES. A member or employee of the  
13 house shall not charge to the state of Iowa amounts  
14 for travel and expenses unless the member or employee  
15 actually has incurred those mileage and expense costs.  
16 Members or employees shall not file the vouchers for  
17 weekly mileage reimbursement required by section 2.10,  
18 subsection 1, of the Code, unless the travel expense  
19 was actually incurred.

20 A member or employee of the house shall not file  
21 a claim for per diem compensation for a meeting of  
22 an interim study committee or a visitation committee  
23 unless the member or employee attended the meeting.  
24 However, the speaker may waive this provision and allow  
25 a claim to be filed if the member or employee attempted  
26 to attend the meeting but was unable to do so because  
27 of circumstances beyond the member's or employee's  
28 control.

29 8. GIFTS ACCEPTED OR RECEIVED. Members and  
30 employees of the house shall comply with the

1 restrictions relating to the receipt or acceptance  
2 of gifts contained in section 68B.22 of the Code.  
3 The sponsor of a function under section 68B.22,  
4 subsection 4, paragraph "s", shall electronically file  
5 a registration with the chief clerk of the house five  
6 days prior to the function disclosing the name of  
7 the sponsor, and the date, time, and location of the  
8 function. The sponsor shall also electronically file a  
9 report of expenditures as required pursuant to section  
10 68B.22, subsection 4, paragraph "s".

11 9. HONORARIA RESTRICTIONS. Members and employees of  
12 the house shall comply with the restrictions relating  
13 to the receipt of honoraria contained in section 68B.23  
14 of the Code.

15 10. DISCLOSURE BY MEMBERS REQUIRED. Each member of  
16 the house and the chief clerk of the house shall file  
17 the personal financial disclosure statements required  
18 under section 68B.35 of the Code by February 15 of each  
19 year for the prior calendar year.

20 10A. DISCLOSURE BY CANDIDATES REQUIRED. A candidate  
21 for election to the house shall file a personal  
22 financial disclosure statement, as provided in section  
23 68B.35 of the Code, with the chief clerk on forms  
24 provided by the chief clerk within fourteen days after  
25 the deadline for the filing of nomination papers or  
26 fourteen days after the nominating convention, as  
27 applicable. Such disclosures shall be made for the  
28 year preceding the year in which the election is to  
29 be held. A statement filed under this rule shall  
30 be open to public inspection in the chief clerk's

1 office at all reasonable times. The chief clerk  
2 shall provide information relating to the duty to file  
3 the necessary statement and applicable deadlines to  
4 persons interested in becoming a candidate for election  
5 to the house. The chief clerk shall inform the  
6 ethics committee of the statements that are filed by  
7 candidates and shall report to the ethics committee the  
8 name of any candidate who appears to have not filed  
9 a complete statement. The chief clerk shall notify a  
10 candidate who has failed to file a complete statement  
11 to file a complete statement within five days. If  
12 a candidate does not file a complete statement within  
13 five days after receiving notice, the chief clerk shall  
14 fine the candidate fifty dollars, payable to the "Iowa  
15 House of Representatives" for deposit in the general  
16 fund of the state established pursuant to section  
17 444.21 of the Code, and the ethics committee may  
18 require the candidate to appear before the committee.

19 11. HARASSMENT — SEXUAL HARASSMENT —  
20 RETALIATION. Members and employees of the house shall  
21 not engage in conduct which constitutes harassment,  
22 including sexual harassment as defined in section  
23 19B.12 of the Code, or retaliation, or conduct  
24 that is prohibited pursuant to any harassment policy  
25 adopted by the house committee on administration  
26 and rules. Harassment is a form of discrimination  
27 based on any protected basis, including race, color,  
28 national origin, religion, sex, pregnancy, physical  
29 or mental disability, age, marital status, veteran  
30 status, gender identity, sexual orientation, or any

1 other characteristic protected by law, including the  
2 federal Civil Rights Act of 1964, the federal Age  
3 Discrimination in Employment Act of 1967, the federal  
4 Americans with Disabilities Act of 1990, and chapter  
5 216 of the Code. Harassment of an individual based  
6 on any protected basis is unlawful if submission to  
7 or rejection of such conduct by an individual is made  
8 the basis for an employment decision affecting the  
9 individual or if such conduct is sufficiently severe  
10 or pervasive to create a hostile work environment.  
11 Members and employees of the house shall not engage  
12 in conduct which constitutes unlawful harassment or  
13 discrimination based on any protected basis, or  
14 retaliation for reporting harassment or discrimination,  
15 threatening to report harassment or discrimination,  
16 or participating in a harassment or discrimination  
17 investigation.

18 12. COMPLAINTS.

19 a. *Filing of complaint.* Complaints may be filed by  
20 any person believing that a member or employee of the  
21 house, a lobbyist, or a client of a lobbyist is guilty  
22 of a violation of the house code of ethics, the joint  
23 rules governing lobbyists, or chapter 68B of the Code.

24 b. *Complaints by committee.* The ethics committee  
25 may initiate a complaint on its own motion. Committee  
26 complaints may be initiated by the committee as a  
27 result of a committee investigation or as a result of  
28 receipt of any complaint or other information that does  
29 not meet the requirements of these rules regarding the  
30 form of a complaint but that contains allegations that

1 would form the basis for a valid complaint.

2 c. *Form and contents of complaint.* A complaint  
3 shall be in writing.

4 Complaint forms shall be available from the chief  
5 clerk of the house, but a complaint shall not be  
6 rejected for failure to use the approved form if it  
7 complies with the requirements of these rules. The  
8 complaint shall contain a certification made by the  
9 complainant, under penalty of perjury, that the facts  
10 stated in the complaint are true to the best of the  
11 complainant's knowledge.

12 To be valid, a complaint shall allege all of the  
13 following:

14 (1) Facts, that if true, establish a violation of  
15 a provision of chapter 68B of the Code, the house code  
16 of ethics, or joint rules governing lobbyists for which  
17 penalties or other remedies are provided.

18 (2) That the conduct providing the basis for the  
19 complaint occurred within three years of the filing of  
20 the complaint.

21 (3) That the party charged with a violation is  
22 a party subject to the jurisdiction of the ethics  
23 committee.

24 d. *Confidentiality of complaint.* The identity  
25 of the parties and the contents of the complaint  
26 shall be confidential until the time that the  
27 committee chairperson and ranking member determine  
28 under paragraph "f" that the complaint is sufficient  
29 as to form, unless either the complainant or the  
30 party charged in the complaint makes the identity

1 of the parties, or the information contained in the  
2 complaint, public. The chief clerk of the house  
3 and the committee chairperson and ranking member may  
4 communicate confidentially with appropriate legislative  
5 staff during any stage of the complaint process.

6 e. *Notice of complaint.* Upon receipt of the  
7 complaint, the chief clerk of the house shall promptly  
8 notify the chairperson and ranking member of the  
9 ethics committee that a complaint has been filed  
10 and provide both the chairperson and the ranking  
11 member with copies of the complaint and any supporting  
12 information. Within two working days, the chief  
13 clerk shall send notice, ~~either by personal delivery~~  
14 ~~or by certified mail, return receipt requested,~~ to  
15 the person or persons alleged to have committed the  
16 violation, along with a copy of the complaint and any  
17 supporting information. The notice to the accused  
18 person shall ~~contain a request~~ inform the person that  
19 the person has ten working days to submit a written  
20 response to the complaint within ten working days of  
21 the date that the notice was sent by the chief clerk  
22 after the chairperson and ranking member determine the  
23 complaint is sufficient as to form. At the request  
24 of the accused person, the committee may extend the  
25 time for the response, not to exceed ten additional  
26 calendar days. A response to a complaint shall not be  
27 confidential.

28 f. *Hearing regarding Determination of sufficiency*  
29 *as to form of complaint and validity of complaint.*  
30 The committee chairperson and the ranking member shall

1 review the complaint and supporting information to  
2 determine whether the complaint meets the requirements  
3 as to form. If the complaint is deficient as to form,  
4 the complaint shall be returned to the complainant  
5 with instructions indicating the deficiency. If the  
6 complaint ~~is in writing,~~ is sufficient as to form,  
7 ~~and contains the appropriate certification,~~ as soon  
8 as practicable, the chairperson and ranking member  
9 shall notify the accused person. Without delay, the  
10 chairperson shall call a meeting of the committee to  
11 review the complaint to determine whether the complaint  
12 meets the requirements for validity and whether the  
13 committee should take action on the complaint pursuant  
14 to paragraph "g" or whether the committee should  
15 request that the chief justice of the supreme court  
16 appoint an independent special counsel to conduct  
17 an investigation to determine whether probable cause  
18 exists to believe that a violation of the house  
19 code of ethics, joint rules governing lobbyists,  
20 or chapter 68B of the Code, has occurred. The  
21 sufficiency as to form determination and the valid  
22 complaint requirements determination shall be based  
23 solely upon the original complaint and the response to  
24 the complaint. Additional documents or responses shall  
25 not be filed by the parties or otherwise considered by  
26 the committee prior to a validity determination. The  
27 committee shall not receive or consider oral testimony  
28 in support of or against a validity determination.  
29 If the committee finds that a complaint does not  
30 meet the content requirements for a valid complaint,

1 the committee shall dismiss the complaint and notify  
2 both the complainant and the party alleged to have  
3 committed the violation of the dismissal and the  
4 reasons for dismissal. A dismissal for failure to meet  
5 the formal requirements for the filing of a complaint  
6 shall be without prejudice and the complainant may  
7 refile the complaint at any time within three years of  
8 the date that the alleged violation took place. If  
9 the dismissal is based upon a failure to allege facts  
10 and circumstances necessary for a valid complaint, the  
11 dismissal shall be with prejudice and the party shall  
12 not be permitted to file a complaint based upon the  
13 same facts and circumstances.

14 g. *Action on undisputed complaint.* If the committee  
15 determines a complaint is valid and determines no  
16 dispute exists between the parties regarding the  
17 material facts that establish a violation, the  
18 committee may take action on the complaint under this  
19 paragraph without requesting the appointment of an  
20 independent special counsel.

21 The committee may do any of the following:

22 (1) Issue an admonishment to advise against the  
23 conduct that formed the basis for the complaint and to  
24 exercise care in the future.

25 (2) Issue an order to cease and desist the conduct  
26 that formed the basis for the complaint.

27 (3) Make a recommendation to the house that the  
28 person subject to the complaint be censured or  
29 reprimanded.

30 h. *Request for appointment of independent special*

1 counsel. If, after review of the complaint and any  
2 response made by the party alleged to have committed  
3 the violation, the committee determines that the  
4 complaint meets the requirements for form and content  
5 and the committee has not taken action under paragraph  
6 "g", the committee shall request that the chief justice  
7 of the supreme court appoint independent special  
8 counsel to investigate the matter and determine whether  
9 probable cause exists to believe that a violation of  
10 chapter 68B of the Code, the house code of ethics, or  
11 the joint rules governing lobbyists has occurred.

12 i. *Receipt of report of independent special*  
13 *counsel.* The report from the independent special  
14 counsel regarding probable cause to proceed on a  
15 complaint shall be filed with the chief clerk of the  
16 house. Upon receipt of the report of the independent  
17 special counsel, the chief clerk shall notify the  
18 chairperson of the filing of the report and shall send  
19 copies of the report to the members of the ethics  
20 committee. As soon as practicable after the filing  
21 of the report, the chairperson shall schedule a public  
22 meeting for review of the report. The purpose of  
23 the public meeting shall be to determine whether the  
24 complaint should be dismissed, whether a formal hearing  
25 should be held on the complaint, or whether other  
26 committee action is appropriate. The complainant and  
27 the person alleged to have committed the violation  
28 shall be given notice of the public meeting, shall have  
29 the right to be present at the public meeting, and may,  
30 at the discretion of the committee, present testimony

1 in support of or against the recommendations contained  
2 in the report.

3 If the committee determines that the matter should  
4 be dismissed, the committee shall cause an order to  
5 be entered dismissing the matter and notice of the  
6 dismissal shall be given to the complainant and the  
7 party alleged to have committed the violation. If  
8 the committee determines that the complaint should be  
9 scheduled for formal hearing, the committee shall issue  
10 a charging statement which contains the charges and  
11 supporting facts that are to be set for formal hearing  
12 and notice shall be sent to the complainant and the  
13 accused person.

14 The notice shall include a statement of the nature  
15 of the charge or charges, a statement of the time and  
16 place of hearing, a short and plain statement of the  
17 facts asserted, and a statement of the rights of the  
18 accused person at the hearing.

19 j. *Formal hearing.* Formal hearings shall be public  
20 and conducted in the manner provided in section 68B.31,  
21 subsection 8, of the Code. At a formal hearing the  
22 accused shall have the right to be present and to  
23 be heard in person and by counsel, to cross-examine  
24 witnesses, and to present evidence. Members of the  
25 committee shall also have the right to question  
26 witnesses.

27 The committee may require, by subpoena or otherwise,  
28 the attendance and testimony of witnesses and the  
29 production of such books, records, correspondence,  
30 memoranda, papers, documents, and any other things it

1 deems necessary to the conduct of the inquiry.

2 Evidence at the formal hearing shall be received  
3 in accordance with rules and procedures applicable to  
4 contested cases under chapter 17A of the Code.

5 The committee chairperson, or the vice chairperson  
6 or ranking member in the absence of the chairperson,  
7 shall preside at the formal hearing and shall rule on  
8 the admissibility of any evidence received. The ruling  
9 of the chairperson may be overturned by a majority  
10 vote of the committee. Independent special counsel  
11 shall present the evidence in support of the charge  
12 or charges. The burden shall be on the independent  
13 special counsel to prove the charge or charges by clear  
14 and convincing evidence. Upon completion of the formal  
15 hearing, the committee shall adopt written findings  
16 of fact and conclusions concerning the merits of the  
17 charges and make its report and recommendation to the  
18 house.

19 k. *Disqualification of member.* Members of the  
20 committee may disqualify themselves from participating  
21 in any investigation of the conduct of another person  
22 upon submission of a written statement that the member  
23 cannot render an impartial and unbiased decision in  
24 a case. A member may also be disqualified by a  
25 unanimous vote of the remaining eligible members of the  
26 committee.

27 A member of the committee is ineligible to  
28 participate in committee meetings, as a member of the  
29 committee, in any proceeding relating to the member's  
30 own official conduct.

1 If a member of the committee is disqualified or  
2 ineligible to act, the majority or minority leader who  
3 appointed the member shall appoint a replacement member  
4 to serve as a member of the committee during the period  
5 of disqualification or ineligibility.

6 1. *Recommendations by the committee.* The committee  
7 shall recommend to the house that the complaint be  
8 dismissed, or that one or more of the following be  
9 imposed:

10 (1) That the member or employee of the house  
11 or lobbyist or client of a lobbyist be censured or  
12 reprimanded, and the recommended appropriate form of  
13 censure or reprimand be used.

14 (2) That the member of the house be suspended or  
15 expelled from membership in the house and required  
16 to forfeit the member's salary for that period,  
17 the employee of the house be suspended or dismissed  
18 from employment, or that the lobbyist's or lobbyist's  
19 client's lobbying privileges be suspended.

20 13. COMMUNICATIONS WITH ETHICS COMMITTEE. After a  
21 complaint has been filed or an investigation has been  
22 initiated, a party to the complaint or investigation  
23 shall not communicate, or cause another to communicate,  
24 as to the merits of the complaint or investigation with  
25 a member of the committee, except under the following  
26 circumstances:

27 a. During the course of any meetings or other  
28 official proceedings of the committee regarding the  
29 complaint or investigation.

30 b. In writing, if a copy of the writing is

1 delivered to the adverse party or the designated  
2 representative for the adverse party.

3 c. Orally, if adequate prior notice of the  
4 communication is given to the adverse party or the  
5 designated representative for the adverse party.

6 d. As otherwise authorized by statute, the house  
7 code of ethics, joint rules governing lobbyists, or  
8 vote of the committee.

9 14. PERMANENT RECORD. The chief clerk of the house  
10 shall maintain a permanent record of all complaints  
11 filed and any corresponding committee action. The  
12 permanent record shall be prepared by the ethics  
13 committee and shall contain the date the complaint  
14 was filed, name and address of the complainant, name  
15 and address of the accused person, a brief statement  
16 of the charges made, any evidence received by the  
17 committee, any transcripts or recordings of committee  
18 action, and ultimate disposition of the complaint. In  
19 recording the ultimate disposition of a complaint that  
20 is dismissed, the information shall include whether the  
21 complaint was dismissed due to formal insufficiency  
22 or due to a failure to meet the content requirements  
23 of a valid complaint. Except as provided in rule  
24 12, paragraph "d", the chief clerk shall keep each  
25 complaint confidential until public disclosure is made  
26 by the ethics committee.

27 15. MEETING AUTHORIZATION. The house ethics  
28 committee is authorized to meet at the discretion of  
29 the committee chairperson in order to conduct hearings  
30 and other business that properly may come before it.

1 If the committee submits a report seeking house action  
2 against a member or employee of the house or lobbyist  
3 after the second regular session of a general assembly  
4 has adjourned sine die, the report shall be submitted  
5 to and considered by the subsequent general assembly.

6 16. ADVISORY OPINIONS.

7 a. *Requests for formal opinions.* A request for a  
8 formal advisory opinion may be filed by any person who  
9 is subject to the authority of the ethics committee.  
10 The ethics committee may also issue a formal advisory  
11 opinion on its own motion, without having previously  
12 received a formal request for an opinion, on any issue  
13 that is within the jurisdiction of the committee.

14 Requests shall be filed with either the chief clerk of  
15 the house or the chairperson of the ethics committee.

16 b. *Form and contents of requests.* A request for  
17 a formal advisory opinion shall be in writing and  
18 may pertain to any subject matter that is related to  
19 application of the house code of ethics, the joint  
20 rules governing lobbyists, or chapter 68B of the Code  
21 to any person who is subject to the authority of  
22 the ethics committee. Requests shall contain one or  
23 more specific questions and shall relate either to  
24 future conduct or be stated in the hypothetical. A  
25 request for an advisory opinion shall not specifically  
26 name any individual or contain any other specific  
27 identifying information, unless the request relates to  
28 the requester's own conduct. However, any request  
29 may contain information which identifies the kind  
30 of individual who may be affected by the subject

1 matter of the request. Examples of this latter kind  
2 of identifying information may include references to  
3 conduct of a category of individuals, such as but not  
4 limited to conduct of legislators, legislative staff,  
5 or lobbyists.

6 c. *Confidentiality of formal requests and opinions.*

7 Requests for formal opinions are not confidential and  
8 any deliberations of the committee regarding a request  
9 for a formal opinion shall be public. Opinions issued  
10 in response to requests for formal opinions are not  
11 confidential, shall be in writing, and shall be placed  
12 on file in the office of the chief clerk of the house.  
13 Persons requesting formal opinions shall personally  
14 receive a copy of the written formal opinion that is  
15 issued in response to the request.

16 17. PERSONAL FINANCIAL DISCLOSURE FORM. The  
17 following form shall be used for disclosure of economic  
18 interests under these rules and section 68B.35 of the  
19 Code:

20 STATEMENT OF ECONOMIC INTERESTS

21 Name: \_\_\_\_\_  
22 (Last) (First) (Middle Initial)

23 Address: \_\_\_\_\_  
24 (Street Address, Apt.#/P.O. Box)

25 \_\_\_\_\_  
26 (City)(State)(Zip)

27 Phone:  
28 (Home)\_\_\_\_\_/\_\_\_\_\_-\_\_\_\_\_(Business)\_\_\_\_\_/\_\_\_\_\_-\_\_\_\_\_

29 \*\*\*\*\*

30 This form is due each year on or before February 15.

1 The reporting period is the most recently completed  
2 calendar year. An amended form shall be filed if a  
3 change in business, occupation, or profession reported  
4 in Division I of the form has occurred. The amended  
5 form shall include the date the change took effect and  
6 must be filed within thirty days of the first day of  
7 the change in employment or engagement necessitating  
8 the amended form. If the date of the change occurs  
9 between January 1 and February 15, the change shall be  
10 included in the filing due February 15.

11 In completing Division III of this form, if your  
12 percentage of ownership of an asset is less than 100  
13 percent, multiply your percentage of ownership by the  
14 total revenue produced to determine if you have reached  
15 the \$1,000 threshold.

16 Do not report income received by your spouse or  
17 other family members.

18 In completing this form, if insufficient space is  
19 provided for your answer, you may attach additional  
20 information/answers on full-size sheets of paper.

21 Division I. Business, Occupation, or Profession.

22 List each business, occupation, or profession in  
23 which you are engaged, the nature of the business if  
24 not evident, and your position or job title. No income  
25 threshold or time requirement applies.

26 Examples:

27 If you are employed by an individual, state the name  
28 of the individual employer, the nature of the business,  
29 and your position.

30 If you are self-employed and are not incorporated

1 or are not doing business under a particular business  
2 name, state that you are self-employed, the nature of  
3 the business, and your position.

4 If you own your own corporation, are employed by a  
5 corporation, or are doing business under a particular  
6 business name, state the name and nature of the  
7 business or corporation and your position.

8 1 \_\_\_\_\_  
9 2 \_\_\_\_\_  
10 3 \_\_\_\_\_  
11 4 \_\_\_\_\_  
12 5 \_\_\_\_\_  
13 6 \_\_\_\_\_

14 Division II. Commissions from Sales of Goods or  
15 Services to Political Subdivisions.

16 This part is to be completed only by Legislators.  
17 If you received income in the form of a commission  
18 from the sale of goods or services to a political  
19 subdivision, state the name of the purchasing political  
20 subdivision. The amount of commission earned is not  
21 required to be listed.

22 1 \_\_\_\_\_  
23 2 \_\_\_\_\_  
24 3 \_\_\_\_\_  
25 4 \_\_\_\_\_  
26 5 \_\_\_\_\_  
27 6 \_\_\_\_\_

28 Division III. Sources of Gross Income.

29 In each one of the following categories list each  
30 source which produces more than \$1,000 in annual gross

1 income, if the revenue produced by the source was  
2 subject to federal or state income taxes last year.  
3 List the nature or type of each company, business,  
4 financial institution, corporation, partnership, or  
5 other entity which produces more than \$1,000 of annual  
6 gross income. Neither the amount of income produced  
7 nor value of the holding is required to be listed in  
8 any of the items.

9 A. Securities: State the nature of the business of  
10 any company in which you hold stock, bonds, or other  
11 pecuniary interests that generate more than \$1,000 in  
12 annual gross income. Income generated by multiple  
13 holdings in a single company are deemed received from  
14 a single source.

15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_

21 B. Instruments of Financial Institutions: State  
22 the types of institutions in which you hold financial  
23 instruments, such as certificates of deposit, savings  
24 accounts, etc., that produce annual gross income in  
25 excess of \$1,000, e.g., banks, savings and loans, or  
26 credit unions.

27 \_\_\_\_\_  
28 \_\_\_\_\_  
29 \_\_\_\_\_  
30 \_\_\_\_\_

1 \_\_\_\_\_

2 \_\_\_\_\_

3 C. Trusts: State the nature or type of any trust  
4 from which you receive more than \$1,000 of gross income  
5 annually.

6 \_\_\_\_\_

7 \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

11 \_\_\_\_\_

12 D. Real Estate: State the general nature of real  
13 estate interests that generate more than \$1,000 of  
14 gross income annually, e.g., residential leasehold  
15 interest or farm leasehold interest. The size or  
16 location of the property interest is not required to  
17 be listed.

18 \_\_\_\_\_

19 \_\_\_\_\_

20 \_\_\_\_\_

21 \_\_\_\_\_

22 \_\_\_\_\_

23 \_\_\_\_\_

24 E. Retirement Systems: State the name of each  
25 pension plan or other corporation or company that pays  
26 you more than \$1,000 annually in retirement benefits.

27 \_\_\_\_\_

28 \_\_\_\_\_

29 \_\_\_\_\_

30 \_\_\_\_\_

H.R. \_\_\_\_\_

1 \_\_\_\_\_

2 \_\_\_\_\_

3 F. Other Income Categories Specified in State and  
4 Federal Income Tax Regulations.

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

11 (Signature of Filer)

(Date)

unofficial