

Senate File 437 - Introduced

SENATE FILE 437

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A BILL FOR

1 An Act relating to certain persons who leave legislative
2 or executive branch service, including prohibiting certain
3 employment, lobbying activities, and use of influence, and
4 making penalties applicable.

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

unofficial

1 Section 1. Section 68B.5A, subsection 4, Code 2025, is
2 amended to read as follows:

3 4. A person who is subject to the requirements of subsection
4 1 shall not do any of the following within two years after the
5 termination of service or employment ~~become~~:

6 a. Become a lobbyist.

7 b. Directly authorize or permit lobbying by another
8 individual as part of the person's employment.

9 Sec. 2. Section 68B.7, subsection 1, Code 2025, is amended to
10 read as follows:

11 1. A person who has served as an official, state employee of
12 a state agency, member of the general assembly, or legislative
13 employee shall not do any of the following within a period of two
14 years after the termination of such service or employment:

15 a. Obtain employment in which the person will take direct
16 advantage, unavailable to others, or receive compensation for any
17 services rendered on behalf of any person, firm, corporation, or
18 association in relation to any case, proceeding, or application
19 with respect to which the person was directly concerned
20 and personally participated during the period of service or
21 employment.

22 b. Be interested in a contract with this state or a political
23 subdivision of this state if, during the legislative session in
24 which the person ends service or employment, the contract was
25 authorized by an enacted law or order made by any board of which
26 the person was a member.

27 Sec. 3. NEW SECTION. **68B.9 State agency restrictions.**

28 A state agency or local government agency shall not enter
29 into a contract with or take any action favorably selecting
30 any business or person represented by a person who served as
31 a statewide elected official, the executive or administrative
32 head of an agency of state government, the deputy executive or
33 administrative head of an agency of state government, or a member
34 of the general assembly within the preceding year if the value
35 of the contract or action is over one thousand dollars and the

1 contract is a direct result of an official act by the person.

2 Sec. 4. Section 68B.34, Code 2025, is amended to read as
3 follows:

4 **68B.34 Additional penalty.**

5 In addition to any penalty contained in any other provision
6 of law, a person who knowingly and intentionally violates a
7 provision of sections 68B.2A through ~~68B.8~~ 68B.9, sections 68B.22
8 through 68B.24, or sections 68B.35 through 68B.38 is guilty
9 of a serious misdemeanor and may be reprimanded, suspended, or
10 dismissed from the person's position or otherwise sanctioned.

11 EXPLANATION

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

14 This bill relates to former statewide elected officials, heads
15 and deputy heads of an agency, members of the general assembly,
16 persons who served as an official, employees of a state agency,
17 and legislative employees.

18 Under current law, former statewide elected officials, heads
19 and deputy heads of an agency, and members of the general
20 assembly are prohibited from becoming a lobbyist within two
21 years after the termination of service or employment. The
22 bill also prohibits such persons from directly authorizing
23 or permitting lobbying by another individual as part of such
24 person's employment.

25 Under current law, a person who has served as an official,
26 state employee of a state agency, member of the general assembly,
27 or legislative employee is prohibited from receiving compensation
28 for any services rendered on behalf of any person, firm,
29 corporation, or association in relation to any case, proceeding,
30 or application with respect to which the person was directly
31 concerned and personally participated within a period of two
32 years after the termination of service or employment. The bill
33 also prohibits such persons from obtaining employment in which
34 the person will take direct advantage, unavailable to others.
35 Such persons are also prohibited from being interested in a

1 contract with Iowa or a political subdivision of Iowa if, during
2 the legislative session in which the person ends service or
3 employment, the contract was authorized by an enacted law or
4 order made by any board of which the person was a member.

5 The bill prohibits a state agency or local government agency
6 from entering into a contract with or taking any action
7 favorably selecting any business or person represented by a
8 person who served as a statewide elected official, the executive
9 or administrative head of an agency of state government, the
10 deputy executive or administrative head of an agency of state
11 government, or a member of the general assembly within the
12 preceding year if the value of the contract or action is over
13 \$1,000 and the contract is a direct result of an official act by
14 the person.

15 By operation of law, a person who knowingly and intentionally
16 violates Code section 68B.5A, 68B.7, or 68B.9, including as
17 amended or enacted by the bill, as applicable, is guilty of
18 a serious misdemeanor and may be reprimanded, suspended, or
19 dismissed from the person's position or otherwise sanctioned. A
20 serious misdemeanor is punishable by confinement for no more than
21 one year and a fine of at least \$430 but not more than \$2,560.