

**House File 2601 - Introduced**

HOUSE FILE 2601  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HF 2044)

(COMPANION TO SF 2204 BY  
COMMITTEE ON STATE GOVERNMENT)

**A BILL FOR**

1 An Act relating to campaign finance, including participation  
2 in ballot issue campaigns by foreign nationals and  
3 investigations of election misconduct, and making penalties  
4 applicable.

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

1 Section 1. Section 68A.102, Code 2026, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 12A. *“Directly or indirectly”* means acting  
4 either independently or jointly with, through, or on behalf of  
5 a committee or other person.

6 NEW SUBSECTION. 14A. *“Foreign national”* means any of the  
7 following:

8 a. An individual who is not a citizen or lawful permanent  
9 resident of the United States.

10 b. A government or political subdivision of a foreign  
11 country.

12 c. A foreign political party.

13 d. An entity, such as a partnership, association,  
14 corporation, organization, or other combination of persons,  
15 that is organized under the laws of, or has its principal place  
16 of business in, a foreign country.

17 e. A United States entity, such as a partnership,  
18 association, corporation, or organization, that is wholly owned  
19 or majority-owned by a foreign national, unless both of the  
20 following apply:

21 (1) All contributions and expenditures made by the entity  
22 are derived entirely from funds generated by the entity’s  
23 operations in the United States.

24 (2) All decisions concerning contributions and expenditures  
25 are made by an individual who is a citizen or lawful permanent  
26 resident of the United States, except that a person who is not  
27 a citizen or lawful permanent resident of the United States may  
28 set overall budget amounts for the entity.

29 Sec. 2. Section 68A.203, subsection 3, Code 2026, is amended  
30 by adding the following new paragraph:

31 NEW PARAGRAPH. f. All affirmations obtained pursuant to  
32 subsection 5, if applicable.

33 Sec. 3. Section 68A.203, Code 2026, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 5. Upon receipt of a contribution from

1 a donor by a political committee expressly advocating the  
2 passage or defeat of a ballot issue, the treasurer shall obtain  
3 from the donor an affirmation that the donor is not a foreign  
4 national and has not knowingly or willfully accepted funds in  
5 excess of one hundred thousand dollars in aggregate from one  
6 or more foreign nationals within the four years immediately  
7 preceding the date the contribution is made.

8 Sec. 4. Section 68A.402, subsection 8, Code 2026, is  
9 amended by adding the following new paragraphs after unnumbered  
10 paragraph 1:

11 NEW PARAGRAPH. a. A report filed by a political committee  
12 pursuant to this subsection shall include an affirmation by  
13 the treasurer of the political committee that the political  
14 committee has not knowingly or willfully received, solicited,  
15 or accepted a contribution from a foreign national.

16 NEW PARAGRAPH. b. A report filed by a political committee  
17 pursuant to this subsection shall include an affirmation by the  
18 treasurer of the political committee that no donor associated  
19 with a contribution covered by the report is a foreign national  
20 and that no donor associated with a contribution covered by  
21 the report has knowingly or willfully received, solicited, or  
22 accepted, whether directly or indirectly, funds in excess of  
23 one hundred thousand dollars in aggregate from one or more  
24 foreign nationals within the four years immediately preceding  
25 the date the contribution was made to the political committee.

26 Sec. 5. Section 68A.404, subsection 2, paragraph c, Code  
27 2026, is amended to read as follows:

28 c. A foreign national shall not make an independent  
29 expenditure, directly or indirectly, that advocates the  
30 nomination, election, or defeat of any candidate or the  
31 passage or defeat of any ballot issue. ~~As used in this~~  
32 ~~section, "foreign national" means a person who is not a citizen~~  
33 ~~of the United States and who is not lawfully admitted for~~  
34 ~~permanent residence. "Foreign national" includes a foreign~~  
35 ~~principal, such as a government of a foreign country or a~~

~~1 foreign political party, partnership, association, corporation,  
2 organization, or other combination of persons that has its  
3 primary place of business in or is organized under the laws of  
4 a foreign country. "Foreign national" does not include a person  
5 who is a citizen of the United States or who is a national of  
6 the United States.~~

7 Sec. 6. Section 68A.404, subsection 5, Code 2026, is amended  
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *i.* For an independent expenditure statement  
10 for a communication which expressly advocates the passage or  
11 defeat of a ballot issue, an affirmation that the person making  
12 the independent expenditure has not knowingly or willfully  
13 accepted funds in excess of one hundred thousand dollars in  
14 aggregate from one or more foreign nationals within the four  
15 years immediately preceding the date the expenditure was made  
16 and will not do so through the date of the election in which the  
17 ballot issue will appear on the ballot.

18 Sec. 7. NEW SECTION. **68A.507 Influence by foreign national**  
19 **prohibited — investigation.**

20 1. A foreign national shall not direct, dictate, control,  
21 or directly or indirectly participate in the decision-making  
22 process of a person regarding the person's activities to  
23 influence a ballot issue, including decisions concerning the  
24 making of contributions or expenditures to influence a ballot  
25 issue.

26 2. A foreign national shall not solicit, directly or  
27 indirectly, the making of a contribution or expenditure by  
28 another person to influence a ballot issue.

29 3. *a.* An investigation of a violation of this section,  
30 section 68A.203, subsection 5, section 68A.402, subsection  
31 8, section 68A.404, subsection 2, paragraph "c", or section  
32 68A.404, subsection 5, paragraph "i", or an investigation  
33 undertaken pursuant to a court order issued following a  
34 complaint submitted under section 68B.32B, shall, to the  
35 greatest extent possible, shield the identity of lawful donors



1 affirmation that the donor is not a foreign national and has  
2 not knowingly or willfully accepted funds in excess of \$100,000  
3 in aggregate from one or more foreign nationals within the four  
4 years immediately preceding the date the contribution is made.

5 The bill also requires a political committee expressly  
6 advocating the passage or defeat of a ballot issue to include  
7 with its required reports to the Iowa ethics and campaign  
8 disclosure board affirmations that the political committee has  
9 not knowingly or willfully received, solicited, or accepted  
10 contributions from a foreign national, or from a donor that has  
11 knowingly or willfully accepted funds in excess of \$100,000  
12 in aggregate from one or more foreign nationals within the  
13 four years immediately preceding the date the contribution is  
14 made. A person required to file an independent expenditure  
15 report must also affirm that the person will not knowingly or  
16 willfully accept funds in excess of \$100,000 in aggregate from  
17 one or more foreign nationals through the date of the election  
18 in which the ballot issue will appear on the ballot.

19 The bill prohibits a foreign national from directly or  
20 indirectly participating in the decision-making process of a  
21 person regarding the person's activities to influence a ballot  
22 issue. The bill requires a governmental entity conducting an  
23 investigation related to certain forms of election misconduct  
24 to, to the greatest extent possible, shield the identity of  
25 lawful donors to tax-exempt organizations. The bill prohibits  
26 a governmental entity from collecting information regarding the  
27 identity of a donor to a tax-exempt organization that is not  
28 directly related to a violation of Code chapter 68A (campaign  
29 finance). The bill also prohibits a governmental entity from  
30 disclosing information concerning the identity of a donor to a  
31 tax-exempt organization to the public or another governmental  
32 entity, other than to another governmental entity directly  
33 involved in an investigation, unless a final determination has  
34 been made that the donor violated a provision of Code chapter  
35 68A.

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1 A person who knowingly or willfully violates a provision  
2 of the bill shall be subject to a civil penalty of \$10,000 or  
3 three times the amount of the contribution or expenditure,  
4 whichever is greater, to be collected by the Iowa ethics  
5 and campaign disclosure board and deposited in the general  
6 fund of the state. By operation of law, a person who  
7 willfully violates a provision of the bill is also guilty of a  
8 serious misdemeanor. A serious misdemeanor is punishable by  
9 confinement for no more than one year and a fine of at least  
10 \$430 but not more than \$2,560.