

**CHAPTER 142**  
**CAMPAIGN FINANCE**  
*H.F. 576*

**AN ACT** relating to the procedures of and requirements enforced by the campaign finance disclosure commission and changing filing and other procedural requirements placed on candidates and political committees.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 56.2, subsection 4, Code 1993, is amended to read as follows:

4. "Candidate's committee" means the committee designated by the candidate for a state, county, city, or school office to receive contributions in excess of five hundred dollars in the aggregate, expend funds in excess of five hundred dollars in the aggregate, or incur indebtedness on behalf of the candidate in excess of five hundred dollars in the aggregate as follows:

a. For federal, state, or county office, in excess of two hundred fifty dollars in any calendar year on behalf of the candidate.

b. For city or school office, in excess of five hundred dollars in any calendar year on behalf of the candidate.

Sec. 2. Section 56.2, subsection 15, Code 1993, is amended to read as follows:

15. "Political committee" means a committee, but not a candidate's committee, which accepts contributions in excess of two hundred fifty dollars in the aggregate, makes expenditures in excess of two hundred fifty dollars in the aggregate, or incurs indebtedness in excess of two hundred fifty dollars in the aggregate of more than two hundred fifty dollars in any one calendar year for the purpose of supporting or opposing a candidate for public office or ballot issue, or an association, lodge, society, cooperative, union, fraternity, sorority, educational institution, civic organization, labor organization, religious organization, or professional organization which makes contributions in the aggregate of more than two hundred fifty dollars in any one calendar year for the purpose of supporting or opposing a candidate for public office or a ballot issue. "Political committee" also includes a committee which accepts contributions in excess of two hundred fifty dollars in the aggregate, makes expenditures in excess of two hundred fifty dollars in the aggregate, or incurs indebtedness in excess of two hundred fifty dollars in the aggregate of more than two hundred fifty dollars in a calendar year to cause the publication or broadcasting of material in which the public policy positions or voting record of an identifiable candidate is discussed and in which a reasonable person could find commentary favorable or unfavorable to those public policy positions or voting record.

Sec. 3. Section 56.2, Code 1993, is amended by adding the following new subsection:

**NEW SUBSECTION. 15A.** "Political purpose" or "political purposes" means the support or opposition of a candidate or ballot issue.

Sec. 4. Section 56.3, subsections 1, 2, and 4, Code 1993, are amended to read as follows:

1. Every committee shall appoint a treasurer who shall be an Iowa resident who has reached the age of majority. An expenditure shall not be made by the treasurer or treasurer's designee for or on behalf of a committee without the approval of the chairperson of the committee, or the candidate.

2. An individual who receives contributions for a committee without the prior authorization of the chairperson of the committee or the candidate shall be responsible for either rendering the contributions to the treasurer within fifteen days of the date of receipt of the contributions, or depositing the contributions in the account maintained by the committee within seven days of the date of receipt of the contributions. A person who receives contributions for a committee shall, not later than fifteen days from the date of receipt of the contributions or on demand of the treasurer, render to the treasurer the contributions and an account of the total of all contributions; including the name and address of each person making a contribution in excess of ten dollars, the amount of the contributions, and the date on which the

contributions were received. The treasurer shall deposit all contributions within seven days of receipt by the treasurer in an account maintained by the committee in a financial institution located in Iowa. All funds of a committee shall be segregated from any other funds held by officers, members, or associates of the committee or the committee's candidate. However, if a candidate's committee receives contributions only from the candidate, or if a permanent organization temporarily engages in activity which qualifies it as a political committee and all expenditures of the organization are made from existing general operating funds and funds are not solicited or received for this purpose from sources other than operating funds, then that committee is not required to maintain a separate account in a financial institution. The funds of a committee are not attachable for the personal debt of the committee's candidate or an officer, member, or associate of the committee.

4. The treasurer and candidate in the case of a candidate's committee, and the treasurer and chairperson in the case of a political committee, shall preserve all records required to be kept by this section for a period of one year three years from the date of the election in which the committee is involved, or the certified date of dissolution of the committee, whichever is applicable.

Sec. 5. Section 56.5, subsection 2, paragraphs c and f, and subsection 5, Code 1993, are amended to read as follows:

c. The name, address, office sought, and the party affiliation of all candidates whom the committee is supporting and, if the committee is supporting the entire ticket of any party, the name of the party. If, however, the committee is supporting several candidates who are not identified by name or are not of the same political affiliation, the committee may provide a statement of purpose in lieu of candidate names or political party affiliation.

f. A signed statement by the treasurer of the committee and the candidate, in the case of a candidate's committee, or by the treasurer of the committee and the chairperson, in the case of a political committee, which shall be in the following form:

"I am verify that they are aware that I am required of the requirement to file disclosure reports if the committee receives, the committee officers, the candidate, or both the committee officers and the candidate receive contributions in excess of five hundred dollars in the aggregate, makes make expenditures in excess of five hundred dollars in the aggregate, or incurs incur indebtedness in excess of two hundred fifty five hundred dollars in the aggregate in a calendar year for the purpose of supporting or opposing any candidate for public office or ballot issue." In the case of statements relating to ballot issues, a two hundred fifty dollar aggregate threshold level shall apply instead of the five hundred dollar threshold level.

5. A committee or organization not domiciled in Iowa which makes a contribution to a candidate's committee or political committee domiciled in Iowa shall disclose each contribution to the commission. A committee or organization not domiciled in Iowa which is not registered and filing full disclosure reports of all financial activities with the federal election commission or another state's disclosure commission shall register and file full disclosure reports with the commission pursuant to this chapter, shall appoint an eligible Iowa elector as committee or organization treasurer, and shall maintain an account in a financial institution located in Iowa. A committee which is currently filing a disclosure report in another jurisdiction shall either file a statement of organization under subsections 1 and 2 and file disclosure reports, the same as those required of Iowa-domiciled committees, under section 56.6, or shall file one copy of a verified statement with the commission and a second copy with the treasurer of the committee receiving the contribution. The form shall be completed and filed at the time the contribution is made. The verified statement shall be on forms prescribed by the commission. The form shall include the complete name, address, and telephone number of the contributing committee, the state or federal jurisdiction under which it is registered or operates, the identification of any parent entity or other affiliates or sponsors, its purpose, the name, and address, and signature of an Iowa resident authorized to receive service of original notice and the name and address of the receiving committee, the amount of the cash or in-kind contribution, and the date the contribution was made.

Sec. 6. Section 56.5A, Code 1993, is amended to read as follows:

**56.5A CANDIDATE'S COMMITTEE.**

Each candidate for federal, state, ~~or~~ county, city, or school office shall organize one, and only one, candidate's committee for a specific office sought when the candidate receives contributions in excess of five hundred dollars in the aggregate, makes expenditures in excess of five hundred dollars in the aggregate, or incurs indebtedness in excess of two hundred fifty dollars in the aggregate in a calendar year.

~~Each candidate for city or school office shall organize one, and only one, candidate's committee for a specific office sought when the candidate receives contributions, makes expenditures, or incurs indebtedness in excess of five hundred dollars in a calendar year.~~

Sec. 7. Section 56.10, subsection 1, Code 1993, is amended to read as follows:

1. Review the contents of all disclosure reports and other statements filed with the commission and promptly advise each committee of errors found. The commission may verify information contained in the reports with other parties to assure accurate disclosure. The commission may, upon its own motion, initiate action and conduct a hearing under section ~~56.11~~, ~~subsections 1 and 2~~ 56.30, subsection 7, and section 56.31. The commission may require the county commissioner to file summary reports with it periodically.

Sec. 8. Section 56.12A, Code 1993, is amended to read as follows:

**56.12A USE OF PUBLIC MONEYS FOR POLITICAL PURPOSES.**

The state and the governing body of a county, city, or other political subdivision of the state shall not expend or permit the expenditure of public moneys for political purposes, including supporting or opposing a ballot issue.

This section shall not be construed to limit the freedom of speech of the governing body of, ~~or the officials or employees of the state or of officials or employees of the a~~ governing body of, a county, city, or other political subdivision of the state. This section also shall not be construed to prohibit the state or a governing body of a political subdivision of the state from expressing an opinion on a ballot issue through the passage of a resolution or proclamation.

Sec. 9. Section 56.15, subsections 1 and 4, Code 1993, are amended to read as follows:

1. Except as provided in ~~subsection~~ subsections 3 and 4, it is unlawful for an insurance company, savings and loan association, bank, credit union, or corporation organized pursuant to the laws of this state or any other state, territory, or foreign country, whether for profit or not, or an officer, agent or representative acting for such insurance company, savings and loan association, bank, credit union, or corporation, to contribute any money, property, labor, or thing of value, directly or indirectly, to a committee, or for the purpose of influencing the vote of an elector, except that such resources may be so expended in connection with a utility franchise election held pursuant to section 364.2, subsection 4, or a ballot issue. All such expenditures are subject to the disclosure requirements of this chapter.

4. The restrictions imposed by this section relative to making, soliciting or receiving contributions shall not apply to a nonprofit corporation or organization which uses those contributions to encourage registration of voters and participation in the political process, or to publicize public issues, or both, but does not use any part of those contributions to endorse or oppose any candidate for public office ~~or~~. A nonprofit corporation or organization may use contributions solicited or received to support or oppose ballot issues but the expenditures shall be disclosed by the nonprofit corporation or organization in the manner provided for a permanent organization temporarily engaged in a political activity under section 56.6.

Sec. 10. Section 56.40, Code 1993, is amended to read as follows:

**56.40 CAMPAIGN FUNDS.**

As used in this division, "campaign funds" means contributions to a candidate or candidate's committee which are required by this chapter to be deposited in a separate campaign account. A candidate's committee shall not accept contributions from any other candidate's committee

including candidate's committees from other states or for federal office, unless the candidate for whom each committee is established is the same person. For purposes of this section, "contributions" does not mean travel costs incurred by a candidate in attending a campaign event of another candidate. This section shall not be construed to prohibit a candidate or candidate's committee from using campaign funds or accepting contributions for tickets to meals if the candidate attends solely for the purpose of enhancing the person's candidacy or the candidacy of another person.

Sec. 11. Section 56.41, subsection 1, Code 1993, is amended to read as follows:

1. A candidate and the candidate's committee shall use campaign funds only for campaign purposes, educational and other expenses associated with the duties of office, or constituency services, and shall not use campaign funds for personal expenses or personal benefit.

Sec. 12. Section 331.756, subsection 15, Code 1993, is amended to read as follows:

15. Review the report and recommendations order and supporting information of the campaign finance disclosure commission and proceed to institute the recommended actions or advise the commission that prosecution is not merited as provided in section ~~56.11, subsection 4~~ 56.34.

Sec. 13. Section 56.11, Code 1993, is repealed.

Approved May 19, 1993

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## CHAPTER 143

### ELECTION LAWS

*H.F. 652*

**AN ACT** relating to the office of secretary of state, the conduct of elections and voter registration in the state, and relating to corrective and technical changes to Iowa's election laws, providing an effective date, and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 9.4, subsection 2, Code 1993, is amended to read as follows:

2. For a copy of any law or record, upon the request of any ~~private person or corporation~~, a fee to be determined by the secretary of state ~~not to exceed ten cents per page by rule adopted pursuant to chapter 17A~~.

Sec. 2. Section 39.2, subsection 3, Code 1993, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 1:

**NEW UNNUMBERED PARAGRAPH.** If a special election to fill a vacancy is held in conjunction with a regularly scheduled election, the filing deadlines for the special election shall coincide with the filing deadlines for the regularly scheduled election. An election to fill a vacancy in a city office cannot be held in conjunction with a general election if the city election procedures provide for a primary election.

Sec. 3. Section 39.3, Code 1993, is amended by adding the following new subsection:

**NEW SUBSECTION. 8A.** "Public measure" means any question authorized or required by law to be submitted to the voters at an election.

Sec. 4. **NEW SECTION. 39.11 MORE THAN ONE OFFICE PROHIBITED.**

Statewide elected officials and members of the general assembly shall not hold more than one elective office at a time. All other elected officials shall not hold more than one elective