

CHAPTER 64**POLITICAL CAMPAIGN PRACTICES —
FALSE CALLER IDENTIFICATION***H.F. 776*

AN ACT prohibiting the use of false caller identification for campaign purposes and providing penalties.

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

Section 1. NEW SECTION. 68A.407 USE OF FALSE CALLER IDENTIFICATION FOR CAMPAIGN PURPOSES PROHIBITED.

1. A person shall not knowingly use or provide to another person either of the following:
 - a. False caller identification information with intent to defraud for purposes related to expressly advocating the nomination, election, or defeat of a clearly identified candidate or for the passage or defeat of a clearly identified ballot issue.
 - b. Caller identification information pertaining to an actual person without that person's consent and with intent to deceive the recipient of a call about the identity of the caller.
2. This section shall not apply to conduct that was lawfully authorized as investigative, protective, or intelligence activity of a law enforcement agency of the United States, a state, or a political subdivision of a state.
3. As used in this section:
 - a. "Caller identification information" means information regarding the origination of the telephone call, such as the name or the telephone number of the caller.
 - b. "Telephone call" means a call made using or received on a telecommunications service or voice over internet protocol service.
 - c. "Voice over internet protocol service" means a service to which all of the following apply:
 - (1) The service provides real-time two-way voice communications transmitted using internet protocol, or a successor protocol.
 - (2) The service is offered to the public, or such classes of users as to be effectively available to the public.
 - (3) The service has the capability to originate traffic to, or terminate traffic from, the public switched telephone network or a successor network.
4. The board shall adopt rules pursuant to chapter 17A to administer this section.
5. A person who violates this section is subject to sections 68A.701 and 68B.32D.

Approved April 15, 2009