

351—7.3 (68B) Procedure for determining persons required to file with the board—distribution of forms.

7.3(1) *Persons required by statute.* In order to determine which persons in the executive branch are required by Iowa Code section 68B.35(2) to file Form PFD, the board shall contact each agency on an annual basis and provide notification of the statutory requirement. This notification shall include the name and position title of each person in the agency who filed Form PFD the previous year. Each agency, in consultation with the board, shall then determine which persons are required to file Form PFD for the next filing period and shall provide the board with the appropriate names and position titles. The board shall have the final authority to determine whether a position requires that a Form PFD be filed.

7.3(2) *Boards, commissions, or authorities not named in statute.* Pursuant to Iowa Code section 68B.35(2) “e,” on an annual basis the board shall conduct a review to determine if a member of any other board, commission, or authority not specifically named in Iowa Code section 68B.35(2) “e” should file Form PFD. If the board determines that Form PFD should be filed, the board shall by rule require a Form PFD to be filed.

7.3(3) *Statewide candidates.* A person who is a candidate for statewide office shall electronically file Form PFD with the board by 11:59 p.m. on April 30 of the year the candidate appears on the ballot. If the due date falls on a weekend or holiday, the filing deadline shall be extended to the first working day following the deadline. Once nomination papers or an affidavit of candidacy is filed, the board shall notify the person of the requirement to file Form PFD. The notification shall be sent by first-class mail or E-mail and shall include information on how to file Form PFD electronically.

7.3(4) *Statewide candidates in a special election.* A candidate for statewide office in a special election shall electronically file Form PFD with the board within ten days after the certification of the candidate’s name as the nominee under Iowa Code section 43.88. Notification to a statewide candidate in a special election shall be sent by first-class mail or E-mail and shall include information on how to file Form PFD electronically.

7.3(5) *Distribution of link.* The board shall provide each agency with the link on the board’s Web site at www.iowa.gov/ethics where forms shall be filed electronically.

This rule is intended to implement Iowa Code sections 68B.32A(5) and 68B.35.