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SENATE FILE 250

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Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing voluntary expenditure and contribution limits
2 for political campaigns for candidates for the general
3 assembly, and applying penalties.

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

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SF 250
STATE GOVERNMENT

1 Section 1. NEW SECTION. 56.6A VOLUNTARY LIMITS ON
2 CONTRIBUTIONS AND EXPENDITURES.

3 1. A candidate for the general assembly may file a
4 declaration of limitation on expenditures pursuant to section
5 56.6B, certifying that the candidate and the candidate's
6 committee will not do any of the following:

7 a. Make expenditures during an election campaign cycle
8 exceeding the following amounts:

9 (1) Fifty thousand dollars for a candidate for the senate.

10 (2) Twenty-five thousand dollars for a candidate for the
11 house of representatives.

12 b. Accept direct contributions from a state, county, or
13 city statutory political committee or a national political
14 party.

15 2. A candidate who has filed a declaration of limitation
16 on expenditures pursuant to section 56.6B shall not be bound
17 by the declaration if any opposing candidate for the same
18 office has not filed a declaration of limitation on
19 expenditures pursuant to section 56.6B, or has filed a
20 declaration but has made expenditures exceeding the applicable
21 limit.

22 3. For the purposes of this section and sections 56.6B and
23 56.6C:

24 a. "Election campaign cycle" means the period of time
25 between any general or special election commencing on the day
26 following the previous election for that office, and
27 continuing through election day.

28 b. "Expenditures" shall include all amounts reported in
29 disclosure reports pursuant to section 56.6, subsection 3,
30 paragraph "g", as well as any amounts attributed to a
31 candidate pursuant to section 56.13.

32 Sec. 2. NEW SECTION. 56.6B DECLARATION OF LIMITATION ON
33 EXPENDITURES.

34 1. A declaration of limitation on expenditures shall meet
35 the requirements of section 56.6A, subsection 1, and shall

1 include the signature of the candidate.

2 2. A declaration of limitation on expenditures shall be
3 filed with the board no later than the date upon which the
4 candidate makes a filing pursuant to section 43.11, 44.1, or
5 45.4 to have the candidate's name placed on a ballot for
6 election to public office.

7 3. Once a declaration of limitation on expenditures has
8 been filed, a candidate's expenditures may be challenged
9 pursuant to the procedure in section 68B.32B. Notwithstanding
10 the requirements of that section, the board shall, within
11 twenty-four hours of the filing of a complaint, determine
12 whether there is probable cause to believe the existence of
13 facts that would establish an unreported expenditure, an
14 improperly reported expenditure, or aggregate expenditures
15 exceeding the applicable limit. The board shall proceed with
16 the remainder of the complaint procedure only upon a finding
17 of probable cause.

18 4. a. A finding by the board that a candidate has
19 exceeded the applicable expenditure limit shall not subject
20 the candidate to any criminal penalty under this chapter, but
21 shall release the candidate's opponent from any obligation to
22 comply with that candidate's own declaration of limitation of
23 expenditures.

24 b. A finding by the board that the candidate has not
25 reported or has improperly reported an expenditure shall
26 result in appropriate adjustment of the candidate's reported
27 expenditures, and may subject the candidate to penalties
28 pursuant to section 56.16.

29 EXPLANATION

30 This bill creates new Code section 56.6A to provide for
31 voluntary expenditure limits in political campaigns by
32 candidates for the general assembly. The bill also creates
33 new Code section 56.6B to provide that expenditures may be
34 challenged pursuant to the procedure in Code section 68B.32B
35 by filing complaints with the Iowa ethics and campaign

1 disclosure board. A complaint challenging an expenditure must
2 be assessed by the board within 24 hours of the filing of the
3 complaint for probable cause that the expenditure was
4 unreported, improperly reported, or caused the candidate to
5 exceed the applicable limit. A finding that a candidate has
6 exceeded an applicable limit will release the candidate's
7 opponent from an obligation to comply with that candidate's
8 own declaration of limitation on expenditures. A finding of a
9 failure to report or of an improper report may subject the
10 candidate to criminal penalties under Code section 56.16.

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