

MAR 9 2005  
Place On Calendar

HOUSE FILE 647  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 61)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to electronic filing of campaign finance  
2 organizational statements, dissolution reports, and disclosure  
3 reports by candidates for statewide office or for the general  
4 assembly, establishing a filing deadline for all statements  
5 and reports, providing a penalty, and providing applicability  
6 dates.

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

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HF 647

1 Section 1. Section 68A.401, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. All statements and reports required to be filed under  
4 this chapter shall be filed with the board and received no  
5 later than the specified due date. The board shall provide  
6 copies of all statements and reports filed under this chapter  
7 for a county, city, school, or other political subdivision to  
8 the commissioner responsible under section 47.2.

9 Sec. 2. Section 68A.401, subsection 1, Code 2005, is  
10 amended by adding the following new paragraphs:

11 NEW PARAGRAPH. a. A candidate's committee of a candidate  
12 for statewide office or the general assembly shall file all  
13 statements and reports in an electronic format, by five p.m.  
14 of the day the filing is due and according to rules adopted by  
15 the board. Any other candidate or political committee may  
16 submit the statements and reports in an electronic format as  
17 prescribed by rule.

18 NEW PARAGRAPH. b. All information submitted to the board  
19 in an electronic format by twelve noon shall be accessible to  
20 the public on the internet on the day the information is  
21 filed. However, information that is filed on a Saturday,  
22 Sunday, or after twelve noon on Friday shall be made available  
23 on the internet by five p.m. on the following business day.

24 NEW PARAGRAPH. c. If the board determines that a  
25 violation of this subsection has occurred, the board may  
26 impose any of the remedies or penalties provided for under  
27 section 68B.32D, except that the board shall not refer any  
28 complaint or supporting information of a violation of this  
29 section to the attorney general or any county attorney for  
30 prosecution.

31 Sec. 3. Section 68A.403, subsection 1, Code 2005, is  
32 amended to read as follows:

33 1. A Unless filed in an electronic format in accordance  
34 with section 68A.401, subsection 1, a report or statement  
35 required to be filed under this chapter shall be signed by the

1 person filing the report.

2 Sec. 4. APPLICABILITY. The requirements of section  
3 68A.401, subsection 1, paragraphs "a", "b", and "c", apply to  
4 committees that file a statement of organization on or after  
5 January 1, 2007, and all committees regardless of when they  
6 filed their statement of organization, on January 1, 2009.

7 EXPLANATION

8 This bill institutes mandatory electronic filing of  
9 campaign finance statements of organization, dissolution  
10 reports, and disclosure reports by all candidates for  
11 statewide office and for the general assembly. The required  
12 electronic filing shall be made by 5:00 p.m. on the day the  
13 filing is due; information filed by 12 noon shall be made  
14 available to the public via the internet on the same day,  
15 unless filed on a Saturday, Sunday, or after 12 noon on a  
16 Friday in which case the information shall be made available  
17 by 5:00 p.m. on the following business day.

18 Any other candidate or committee may submit its campaign  
19 finance statements of organization, dissolution reports, and  
20 disclosure reports in an electronic format.

21 The bill requires that all reports and statements required  
22 to be filed under Code chapter 68A must be received by the  
23 ethics and campaign disclosure board no later than the  
24 specified due date.

25 Penalties for the violation of these provisions are set out  
26 in Code section 68B.32D, ranging from a public reprimand to a  
27 \$2,000 fine.

28 The election filing portions of the bill apply January 1,  
29 2007, to newly formed committees of a candidate for statewide  
30 office or for the general assembly and apply to all such  
31 committees on January 1, 2009.

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HOUSE FILE 647

H-1243

1 Amend House File 647 as follows:  
2 1. Page 1, by striking lines 1 through 8, and  
3 inserting the following:  
4 "Section 1. Section 68A.401, subsection 1, Code  
5 2005, is amended as follows:  
6 1. All statements and reports required to be filed  
7 under this chapter shall be filed with the board as  
8 provided in section 68A.402, subsection 1. The board  
9 shall provide copies of all statements and reports  
10 filed under this chapter for a county, city, school,  
11 or other political subdivision to the commissioner  
12 responsible under section 47.2."  
13 2. Page 1, by inserting after line 30, the  
14 following:  
15 "Sec. \_\_\_\_ . Section 64A.402, subsection 1, Code  
16 2005, is amended to read as follows:  
17 1. FILING METHODS. Each committee shall file with  
18 the board reports disclosing information required  
19 under this section on forms prescribed by rule.  
20 Reports shall be filed on or before the required due  
21 dates by using any of the following methods: mail  
22 bearing a United States postal service postmark, hand-  
23 delivery, facsimile transmission, or electronic filing  
24 as prescribed by rule. To be considered timely filed,  
25 a statement or report under this chapter filed by mail  
26 by a candidate or candidate's committee for statewide  
27 office or the general assembly shall be postmarked  
28 with a United States postal service postmark on or  
29 before the third day prior to the due date that the  
30 statement or report is required to be filed."  
31 3. By renumbering as necessary.

By RAECKER of Polk

H-1243 FILED MARCH 30, 2005

HOUSE FILE 647

H-1267

1 Amend the amendment, H-1243, to House File 647 as  
2 follows:  
3 1. Page 1, line 29, by striking the word "third"  
4 and inserting the following: "second".

By RAECKER of Polk

H-1267 FILED MARCH 31, 2005

ADOPTED

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HOUSE FILE 647  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 61)

(As Amended and Passed by the House March 31, 2005)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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1 An Act relating to electronic filing of campaign finance  
2 organizational statements, dissolution reports, and disclosure  
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House Amendments \_\_\_\_\_

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2 amended as follows:

3 1. All statements and reports required to be filed under  
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5 section 68A.402, subsection 1. The board shall provide copies  
6 of all statements and reports filed under this chapter for a  
7 county, city, school, or other political subdivision to the  
8 commissioner responsible under section 47.2.

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14 of the day the filing is due and according to rules adopted by  
15 the board. Any other candidate or political committee may  
16 submit the statements and reports in an electronic format as  
17 prescribed by rule.

18 NEW PARAGRAPH. b. All information submitted to the board  
19 in an electronic format by twelve noon shall be accessible to  
20 the public on the internet on the day the information is  
21 filed. However, information that is filed on a Saturday,  
22 Sunday, or after twelve noon on Friday shall be made available  
23 on the internet by five p.m. on the following business day.

24 NEW PARAGRAPH. c. If the board determines that a  
25 violation of this subsection has occurred, the board may  
26 impose any of the remedies or penalties provided for under  
27 section 68B.32D, except that the board shall not refer any  
28 complaint or supporting information of a violation of this  
29 section to the attorney general or any county attorney for  
30 prosecution.

31 Sec. 3. Section 64A.402, subsection 1, Code 2005, is  
32 amended to read as follows:

33 1. FILING METHODS. Each committee shall file with the  
34 board reports disclosing information required under this  
35 section on forms prescribed by rule. Reports shall be filed

1 on or before the required due dates by using any of the  
2 following methods: mail bearing a United States postal  
3 service postmark, hand-delivery, facsimile transmission, or  
4 electronic filing as prescribed by rule. To be considered  
5 timely filed, a statement or report under this chapter filed  
6 by mail by a candidate or candidate's committee for statewide  
7 office or the general assembly shall be postmarked with a  
8 United States postal service postmark on or before the second  
9 day prior to the due date that the statement or report is  
10 required to be filed.

11 Sec. 4. Section 68A.403, subsection 1, Code 2005, is  
12 amended to read as follows:

13 1. A Unless filed in an electronic format in accordance  
14 with section 68A.401, subsection 1, a report or statement  
15 required to be filed under this chapter shall be signed by the  
16 person filing the report.

17 Sec. 5. APPLICABILITY. The requirements of section  
18 68A.401, subsection 1, paragraphs "a", "b", and "c", apply to  
19 committees that file a statement of organization on or after  
20 January 1, 2007, and all committees regardless of when they  
21 filed their statement of organization, on January 1, 2009.

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