

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE
BOARD BILL)

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

A BILL FOR

1 An Act relating to express advocacy disseminated through mass
2 media for campaign finance disclosure purposes.

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

4 TLSB 1234XD 83

5 jr/rj/8

1 1 Section 1. Section 68A.102, subsection 14, Code 2009, is
1 2 amended by adding the following new paragraph:

1 3 **NEW PARAGRAPH.** c. A communication that does all of the
1 4 following:

1 5 (1) Is disseminated by radio, television, or print. For
1 6 purposes of this paragraph, "print" does not include an
1 7 individual's internet site unless the site is owned or
1 8 controlled by a political party, political committee, or
1 9 candidate.

1 10 (2) Refers to a clearly identified candidate for the
1 11 general assembly or statewide office.

1 12 (3) Is made within a period of twenty days before a
1 13 primary election, special election, or a general election in
1 14 which the clearly identified candidate is on the ballot.

1 15 (4) Costs seven hundred fifty dollars or more to produce
1 16 and distribute.

1 17 (5) Does not appear in a news story, commentary, or
1 18 editorial distributed through a media organization, unless
1 19 such organization is owned or controlled by a political party,
1 20 political committee, or candidate.

1 21 (6) Does not constitute a candidate debate or forum
1 22 conducted pursuant to rules adopted by the board, or that
1 23 solely promotes such a debate or forum and is made by or on

1 24 behalf of the person sponsoring the debate or forum.

1 25 Sec. 2. Section 68B.32A, subsection 1, Code 2009, is
1 26 amended to read as follows:

1 27 1. Adopt rules pursuant to chapter 17A as necessary to
1 28 interpret and carry out the purposes of this chapter, chapter
1 29 68A, and section 8.7, to implement any judicial rulings, and
1 30 to conduct hearings under sections 68B.32B and 68B.32C and
1 31 chapter 17A, ~~as necessary to carry out the purposes of this~~
1 32 ~~chapter, chapter 68A, and section 8.7.~~

1 33 EXPLANATION

1 34 Under current law, the term "express advocacy" is defined
1 35 as political speech made in the form of a contribution or
2 1 specifically advocates either the election or defeat of a
2 2 clearly identified candidate, or the passage or defeat of a
2 3 clearly identified ballot issue.

2 4 This bill adds a third type of express advocacy. This new
2 5 definition of express advocacy is met if all of the following
2 6 six specified criteria apply to the communication:

2 7 1. The communication is disseminated by radio, television,
2 8 or print.

2 9 2. The communication refers to a clearly identified
2 10 candidate for the general assembly or statewide office.

2 11 3. The communication is made within a period of 20 days
2 12 before a primary election, special election, or a general
2 13 election in which the clearly identified candidate is on the
2 14 ballot.

2 15 4. The communication costs \$750 or more to produce and
2 16 distribute.

2 17 5. The communication does not appear in a news story,
2 18 commentary, or editorial distributed through a media
2 19 organization, unless such organization is owned or controlled
2 20 by a political party, political committee, or candidate.

2 21 6. The communication does not constitute a candidate
2 22 debate or forum conducted pursuant to rules adopted by the
2 23 board, or that solely promotes such a debate or forum and is
2 24 made by or on behalf of the person sponsoring the debate or
2 25 forum.

2 26 The bill also adds some detail to the current rulemaking

2 27 authority of the ethics and campaign disclosure board.
2 28 LSB 1234XD 83
2 29 jr/rj/8