

Red Tape Review Rule Report

(Due: September 1, 2025)

Department Name:	Iowa Ethics and Campaign Disclosure Board	Date:	April 2, 2025	Total Rule Count:	Start: 218 End: 200
IAC #:	351—4.1 through 351—4.62	Chapter/ SubChapter / Rule(s):	Chapter 351 Subchapter 4	Iowa Code Section Authorizing Rule:	68B.32A
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Subchapter 4 is intended to provide clarity on campaign finance disclosure procedures.

Is the benefit being achieved? Please provide evidence.

The benefit is being achieved by the rules offered for re-promulgation, as they have been cited by the Board and used for administrative guidance on many occasions.

What are the costs incurred by the public to comply with the rule?

The public may incur minimal costs to comply with any of the rules in Subchapter 4 when they are candidates for public office or chairs of other committees. Elimination of a few rules requiring physical copies of requests, etc., will be a cost savings to the public.

What are the costs to the agency or any other agency to implement/enforce the rule?

All costs to implement Subchapter 4 are in the normal course of agency business.

Do the costs justify the benefits achieved? Please explain.

The costs justify the intended benefit of transparency provided by the agency.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

Aside from the elimination of obsolete, outdated, inconsistent, redundant, or unnecessary language (as noted below), the rules as offered for re-promulgation are the least restrictive way to offer guidance.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

1. References to Forms had not been updated to reflect current titles (including independent expenditure forms, etc.).
2. Website address had not been updated in all references.
3. Rules did not provide a blanket statement on filing electronically, as our electronic filing system is now updated to house all campaign reports. Rules for re-promulgation strike this language in multiple rules and add it as one uniform rule.
4. 4.1(1)(a): changes are grammatical and further clarifying to match language in Code (i.e. “state central committee” addition
5. 4.1(1)(b): eliminates unnecessary “categories” to clarify “financial activity”
6. 4.1(1)(c): eliminates unnecessary reference
7. 4.1(1)(d): eliminates outdated and unnecessary reference
8. 4.1(2): eliminates website address to curb future needs to amend rules if the address changes
9. 4.1(3): eliminates repetitive language from 4.1(1)
10. 4.1(4): eliminates duplicate definitions
11. 4.1(5): eliminates duplicate definition
12. 4.2(1): insert “committee” for clarification on whose name
13. 4.2(2): eliminates unnecessary language
14. 4.2(3): eliminates old date reference and duplicative language on amendment statements from other rules
15. 4.3(1): changes made for organization purposes, also eliminates designation between kinds of ballot issues, as all must comply
16. 4.3(2): changes to reflect current practice of nonpartisan offices and eliminates unnecessary language about establishment of a candidate’s committee
17. 4.4(1): changes to reflect current forms
18. 4.4(3): updated language noting our electronic filing system, though hosted on our website, is not actually our website
19. 4.5(4): eliminate reference to a Code Supplement
20. 4.6(1): eliminates unnecessary clarifiers
21. 4.6(2): changes to reflect current practice with regard to running for a new office
22. 4.7: changes to update form names, eliminate unnecessary references, and unnecessary qualifying language
23. 4.8: updates to current practice regarding storage of reports.
24. 4.9 (1-12): eliminates qualifying clauses that are unnecessary and updates rule references
25. 4.9(13): eliminates unnecessary reference
26. 4.9(15): updates form names and eliminates unnecessary reference
27. 4.11(1): eliminates unnecessary reference, eliminates restrictive term
28. 4.11(2): changes to reflect ease of reading
29. 4.11(3): changes to reflect ease of reading
30. 4.12: eliminates Supplement reference
31. 4.13(1): created for organization and citation purposes; changes eliminate unnecessary language
32. 4.13(2): changes for organization purposes
33. 4.13(3): eliminates unnecessary qualifying adjective
34. 4.13(4): updates form names and eliminates duplicative restrictive term from Iowa Code
35. 4.14(1): update verb tense
36. 4.14(2): rephrase
37. 4.14(3): eliminates duplicative language from another rule
38. 4.14(4): updates to current practice regarding the web reporting system

39. 4.14(6-7): created for ease of organization and citation
40. 4.14(8): updates reference and current practice
41. 4.14(11): eliminates unnecessary terms
42. 4.15(1): rephrase
43. 4.15(4): inserts language on unitemized contributions where it makes more sense
44. 4.15(5): updates regarding check numbers to include more committees
45. 4.15(6): changes reflect current practice, as committees use debit cards; eliminates reference
46. 4.15(7): eliminates reference
47. 4.16(1): updates rule reference; rephrases sentence on Schedule F
48. 4.16(2): rephrase instruction on dates, eliminate unnecessary language on indebtedness in the reporting period, updates current practice with regard to report schedules
49. 4.16(3): eliminates duplicative language about debt obligations
50. 4.16(4): eliminates duplicative list and instead includes reference to previous rule where list is located
51. 4.17(1): rephrase
52. 4.17(2): rephrases date requirements, eliminates duplicative language on fair market value from another rule
53. 4.17(4): updates rule reference
54. 4.17(5): inserts language referencing previous list of acceptable general terms; updates list of technology to reflect current campaign practices
55. 4.17(6): rephrase
56. 4.17(8): updates rule reference and inserts clarifying language to reference in-kind, rather than monetary, contributions
57. 4.18(1): eliminates unnecessary language
58. 4.18(4): rephrase, eliminate reference, eliminate unnecessary language
59. 4.18(5): eliminate unnecessary language
60. 4.18(6): update rule reference
61. 4.19(1): created for ease of citation, eliminate unnecessary words, add clarifying language on furtherance of the contract
62. 4.19(2): created for ease of citation and organization
63. 4.20(1): update schedule reference, eliminate definition, rephrase
64. 4.20(2): added definition for organization
65. 4.20(3): update schedule reference, rephrase
66. 4.21: update form reference, eliminate restrictive term, eliminate duplicative language and citations
67. 4.22(1): eliminate unnecessary words
68. 4.22(2): eliminate unnecessary words, change reference from code section to Iowa law generally
69. 4.23: eliminate unnecessary words
70. 4.24(1): created for ease of reference and organization, eliminate unnecessary words
71. 4.24(3)(b): edited for clarification, eliminate unnecessary words
72. 4.24(3)(c): edited for clarification, eliminate unnecessary words
73. 4.24(3)(d): edited for clarification, eliminate unnecessary words
74. 4.24(3)(e): edited for clarification, eliminate unnecessary words
75. 4.24(3)(f): edited for clarification, eliminate unnecessary words
76. 4.24(3)(g): edited for clarification, eliminate unnecessary words
77. former 4.24(3): eliminated for duplication
78. 4.24(4): eliminated unnecessary terms, rephrase
79. 4.24(5): eliminate unnecessary words
80. 4.25(1): add clarifying language from 68A.301

81. 4.25(1)(a-bb): updates to lists based on updates in technology, common campaign tactics, ease of reading; eliminated unnecessary terms
82. 4.25(2)(a-f): updates to lists based on ease of reading, eliminated terms as contradictory
83. 4.25(3)(a-d): updates to lists based on ease of reading, eliminated terms as unnecessary
84. 4.27(1): created for ease of citation, updated form names
85. former 4.27(1): eliminated as duplicative
86. 4.27(2-4): updated form names, added (3) and (4) language for ease of reading, eliminate (3) and (4)
87. 4.27(5): update language to eliminate words, update rule reference
88. 4.28(1): created for ease of reference, eliminate unnecessary reference
89. former 4.28(1): eliminated as repetitive
90. 4.28(3): eliminate unnecessary words
91. 4.30(1): eliminated sentence as repetitive from other rules
92. 4.20(2): rephrase for clarification, eliminate unnecessary reference
93. 4.30(4): eliminate references, eliminate unnecessary terms
94. 4.31(1): created for ease of citation
95. 4.31(3): update rule reference
96. 4.32(1): created for ease of citation, updated references
97. 4.32(3): updated reference
98. 4.32(3)(a-h): update to current Board practice, add clarifying term to (f)
99. former 4.32(3): eliminate as duplicative after creation of electronic filing rule
100. 4.32(4): eliminate unnecessary terms
101. 4.32(5): update rule reference
102. 4.33: change verb tense
103. 4.24: eliminate recitation of Iowa Code, update to current Board practice
104. 4.35: eliminate introductory language as unnecessary
105. 4.35(1)(b): eliminate language as unnecessary
106. 4.35(2): created for ease of citation
107. former 4.35(2): eliminate as duplicative after creation of electronic filing rule
108. 4.35(3): rephrase
109. 4.35(4): eliminate reference to Supplement, change restrictive clause
110. 4.35(5): rephrase
111. 4.36: eliminate unnecessary terms, rephrase
112. 4.37(2)(a-g): reorganized for ease of citation, eliminate unnecessary terms
113. 4.37(3): clean up for rule reference and grammar
114. 4.38(1): created for ease of citation, eliminate unnecessary definition from Iowa Code
115. 4.38(4): rephrase for clarity
116. former 4.38(5): eliminated as redundant
117. 4.39: eliminate unnecessary introductory language
118. 4.39(1)(a-e) and 4.39(2)(a)(1-6): reorganized for citation and ease of reading, eliminated unnecessary terms
119. 4.39(3): update language to "homepage" and "notepad"
120. 4.40: eliminate unnecessary reference, update to include common practice of paid subscriptions for news
121. former 4.41(3): eliminated as unnecessary
122. 4.44: eliminated unnecessary introductory language
123. 4.44(2)(b): eliminate outdated equipment
124. 4.45: eliminate Iowa Code reference as duplicative

125. 4.47: eliminate unnecessary introductory language
126. former 4.47(2): eliminate as duplicative, add sentence regarding corporate facilities to new 4.47(2)
127. 4.47(5): update title of rule, repeat reimbursement language from other rule
128. 4.47(6): eliminate parenthetical references
129. 4.48(1): created for ease of citation, rephrase to shorten, provide clarity
130. 4.48(2): eliminate clause as unnecessary
131. former 4.48(2): eliminate as duplicative
132. 4.51(1): created for ease of citation
133. 4.52(3): eliminate clause as unnecessary
134. 4.52(g): created for ease of citation
135. former 4.53(1): eliminate repeat definition
136. former 4.53(3): eliminate as repetitive
137. 4.54(1): created for ease of citation, eliminate repetitive sentence
138. former 4.55(2): eliminate rule as duplicative after creation of electronic filing rule
139. 4.55(3): rephrase
140. former 4.58: eliminate as repetitive
141. 4.59(1): eliminate unnecessary terms
142. 4.59(2-3): update fines for inflation
143. 4.59(4): eliminate unnecessary clauses
144. 4.59(5): eliminate unnecessary clauses
145. 4.59(6): eliminate outdated references, unnecessary terms
146. 4.59(7): update form names
147. 4.59(8): update to match current law
148. 4.60: update terms, eliminate unnecessary clauses
149. 4.61(2): eliminate unnecessary references
150. 4.62(1): rephrased for clarification
151. 4.63(1-2): created as a default for all forms requiring electronic filing, updated to current Board practice and the current state of the electronic filing system

RULES PROPOSED FOR REPEAL (list rule number[s]):

4.1(5), 4.1(6), 4.8(3), 4.8(4), 4.24(3), 4.25(1)(e), 4.27(3), 4.27(4), 4.28(1), 4.32(3), 4.35(2), 4.38(5), 4.41(3), 4.47(2), 4.48(2), 4.53(3), 4.55(2), 4.58.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

Attached with suggested changes.

***For rules being re-promulgated with changes, you may attach a document with suggested changes.**

METRICS

Total number of rules repealed:	18
Proposed word count reduction after repeal and/or re-promulgation	-3,878
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	29 (shall) 6 (must) 3 (prohibit) 12 (require) TOTAL: 50

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Statutory changes recommended by the Board include updating the filing deadline to midnight to reflect online filing. This language is included in pending legislation, HF 544.

**CHAPTER 4
CAMPAIGN DISCLOSURE PROCEDURES**

**DIVISION I
ORGANIZATIONAL REQUIREMENTS**

351—4.1(68A,68B) Requirement to file statement of organization (DR-1)—persons subject to requirements; financial thresholds; where to file; when due.

4.1(1) Persons subject to requirement. Every committee shall file a statement of organization (Form DR-1) within ten days from the date of its organization. ~~The forms shall be filed in electronic format.~~

a. “Committee” defined. “Committee” includes the following:

(1) A “candidate’s committee” that is the committee, even if the committee consists only of the candidate, designated by a candidate for a state or local office to receive contributions, make expenditures, or incur debts in excess of \$1,000.

(2) A “political committee” (PAC) ~~that~~ is a committee ~~that~~ exceeding the \$1,000 organizational threshold to expressly advocate the nomination, election, or defeat of candidates or to expressly advocate the passage or defeat of a ballot issue. The board shall automatically classify as a political committee any political organization that loses its status as a political party because it fails to meet the requirements of Iowa Code section 43.2 ~~and. The board shall automatically classify as a political committee any county central committee that operated under the former political party.~~

(3) A “state statutory political committee” (~~state central committee or~~ state party), “county statutory political party” (county central committee), or “city statutory political committee” (city central committee).

(4) A person ~~or entity that registers that wishes to register a committee~~ for purposes of using the short form “paid for by” attribution statement ~~shall file Form DR-SFA pursuant to rule 351—4.11(68A).~~

b. When organization occurs; financial thresholds. At the latest, organization ~~occurs is construed to have occurred~~ as of the date ~~that~~ the committee first exceeded \$1,000 of financial activity (~~aggregate of monetary and in-kind activity~~) in a calendar year ~~in any of the following categories: contributions received (aggregate of monetary and in-kind contributions); expenditures made; or indebtedness incurred.~~

c. Permanent organizations temporarily engaging in political activity. ~~The requirement to file the statement of organization applies to an entity that comes under the definition of a “political committee” (PAC) in Iowa Code section 68A.102(18) by~~

~~receiving contributions, making expenditures, or incurring debts in excess of \$1,000 in any one calendar year for the purpose of expressly advocating the election or defeat of a candidate for public office, or for the purpose of expressly advocating the passage or defeat of a ballot issue.~~ A permanent organization that makes a one-time contribution in excess of \$1,000 may in lieu of filing a statement of organization follow the procedure in rule ~~351—4.35(68A)~~. A permanent organization that makes loans to a candidate or committee or that is owed debts from a candidate or committee is not deemed to be engaging in political activity requiring registration.

d. *Independent expenditure committee.* ~~A person that is required to file campaign disclosure reports pursuant to 2009 Iowa Code Supplement section 68A.404(3) “a” as amended by 2010 Iowa Acts, Senate File 2354, section 3, due to the filing of an independent expenditure statement (Form Ind Exp O) shall be referred to as an “independent expenditure committee.”~~ An independent expenditure committee, or a sole individual making an independent expenditure by filing either Form IE-O or Form IE-I, is not required to file a statement of organization.

4.1(2) Place of filing. Statements of organization shall be filed through the board’s electronic filing system which can be accessed through the board’s website at ethics.iowa.gov.

4.1(3) Time of filing. ~~A statement of organization shall be filed with the board within ten days after the financial filing threshold in subrule 4.1(1) has been exceeded.~~ A committee shall file the statement with the board on or before 4:30 p.m. on the due date. If ~~the tenth day the due date~~ falls on a Saturday, Sunday, or holiday on which the board office is closed, the filing deadline is extended to the next working day when the board office is open.

4.1(4) Candidate defined. For purposes of the board’s jurisdiction, Iowa Code chapters 68A and 68B and the rules of the board, “candidate” means an individual who takes affirmative action to seek nomination or election to a state or local public office. For purposes of Iowa Code chapter 68A and any rules of the board on campaigning for public office, “candidate” includes any judge or judicial employee who is required by law to stand for retention. “Takes affirmative action” includes making a public announcement of intention to seek nomination or election, making any expenditure or accepting any contribution for nomination or election, distributing petitions for signatures for nomination, filing nomination papers or an affidavit of candidacy, or being nominated by any convention process set out by law.

4.1(5) Ballot issue defined. “Ballot issue” means a question that has been approved by a political subdivision or the general assembly to be placed before the voters or is otherwise required by law to be placed before the voters. “Ballot issue” does not include the nomination, election, or defeat of a candidate.

4.1(6) Electronic format or electronic filing defined. “Electronic format” or “electronic filing” means the board’s electronic filing system for submitting a statement of organization via the board’s website at ethics.iowa.gov.

This rule is intended to implement Iowa Code sections 68A.201 and 68A.401.

351—4.2(68A,68B) Information required: committee name.

4.2(1) Committee’s full name required. The statement of organization shall include the full name of the committee. A committee using an abbreviation or acronym as part of the committee name shall provide with the statement of organization a written explanation of the full word or words that are abbreviated or that form the acronym.

4.2(2) Duplication of name prohibited. The committee name shall not duplicate the name of another committee organized under Iowa Code chapter 68A. ~~The board shall determine whether two committee names are in duplication in violation of Iowa Code section 68A.201(2) “a.”~~ A committee duplicating the name of another organized committee shall choose a new committee name upon notification from the board. A candidate who files an amended statement of organization to reflect a change in office sought shall not be required to change the name of the candidate’s committee unless the committee’s name duplicates the name of another organized committee. A committee shall not duplicate the name of a dissolved committee for a period of ten years after the dissolved committee is ~~certified as being~~ dissolved, except when the candidate for both committees is the same individual.

4.2(3) Candidate’s surname required in committee name. A candidate filing a statement of organization ~~on or after July 1, 1995~~, shall include the candidate’s surname within the committee name. ~~This requirement also applies to a new candidate’s committee organized by a candidate who has a preexisting candidate’s committee but who organizes a new candidate’s committee or files an amended statement of organization.~~

This rule is intended to implement Iowa Code section 68A.201.

351—4.3(68A,68B) Information required: committee purpose; party affiliation.

4.3(1) Committee purpose. An organized campaign committee shall identify the purpose of the committee on the statement of organization. The purpose shall be indicated in part by designating the committee as one of the following types of committees:

a. Type 1—A candidate’s committee for a statewide or legislative candidate or a judge standing for retention. This type of committee is referred to as a state candidate’s committee.

~~b. Type 2—~~A political committee that expressly advocates for or against candidates at the state level.~~—This type of committee is referred to as a statewide PAC.~~

~~c. Type 3—~~A state statutory political committee.~~—This type of committee is referred to as a state central committee or state party.~~

~~d. Type 4—~~A county statutory political committee.~~—This type of committee is referred to as a county central committee.~~

~~e. Type 5—~~A candidate's committee for a candidate seeking county office.~~—This type of committee is referred to as a county candidate's committee.~~

~~f. Type 6—~~A candidate's committee for a candidate seeking city office.~~—This type of committee is referred to as a city candidate's committee.~~

~~g. Type 7—~~A candidate's committee for a candidate seeking school board or other political subdivision office except for a county or city office. This type of committee is referred to as a school board or other political subdivision candidate's committee.

~~h. Type 8—~~A political committee that expressly advocates for or against candidates for county office.~~—This type of committee is referred to as a county PAC.~~

~~i. Type 9—~~A political committee that expressly advocates for or against candidates for city office.~~—This type of committee is referred to as a city PAC.~~

~~j. Type 10—~~A political committee that expressly advocates for or against candidates for school board or other political subdivision except for county or city candidates. This type of committee is referred to as a school board or other political subdivision PAC.

~~k. Type 11—~~A political committee that expressly advocates for the passage or defeat of a ballot issue, franchise election, or referendum.~~—conducted for a county, city, school, or other political subdivision ballot question. This type of committee is referred to as a ballot issue committee. This type of committee also includes a political committee that expressly advocates for or against a statewide ballot issue (constitutional amendment) or a political committee that expressly advocates for or against ballot issue questions in multiple cities or counties.~~

4.3(2) Party affiliation. ~~A candidate's committee is deemed to be established to expressly advocate the election of a candidate for public office.~~ Each candidate's committee shall designate the political affiliation of the candidate unless the candidate is running for nonpartisan office. ~~Any other committee, except a candidate's committee,~~ shall designate that it is either established to expressly advocate the election or defeat of candidates or the passage or defeat of a ballot issue.

This rule is intended to implement Iowa Code section 68A.201.

351—4.4(68A,68B) Information required: officers; committee information; signatures.

4.4(1) Committee officers. The committee shall disclose on the statement of organization the name, mailing address, telephone number, ~~and office~~ of each ~~committee officer~~ ~~whom~~ the committee is required ~~by statute~~ to appoint. Each candidate's committee shall appoint a treasurer who shall be an Iowa resident and at least 18 years of age. Every other committee shall appoint a separate treasurer and chairperson, each of whom shall be at least 18 years of age. The committee may appoint other officers not required by statute without restriction on residency or age, and the committee is not required to disclose these officers. Except for a candidate's committee, every committee shall either have an Iowa resident as treasurer or shall maintain all of the committee's funds in bank accounts in a financial institution in Iowa.

4.4(2) Committee address and telephone number. The address and telephone number of the candidate as indicated on the statement of organization shall be the official address and telephone number to be used for communication from the board to the candidate's committee. The address and telephone number of the committee chairperson as indicated on the statement of organization shall be the official address and telephone number to be used for communication from the board to every other committee except for a candidate's committee. If an electronic mail address has been provided on the statement of organization, communication from the board to a committee shall be sent by electronic mail.

4.4(3) Signatures. A statement of organization filed electronically using the board's electronic filing system website is deemed signed when filed.

This rule is intended to implement Iowa Code section 68A.201.

351—4.5(68A,68B) Segregation and timely deposit of funds; information required: identification of financial institution, account name; notice to treasurer.

4.5(1) Segregation and deposit of funds. All committee funds shall be maintained in a financial institution and shall be segregated from any other funds held by a candidate, officer, member, or associate of the committee. The committee treasurer shall deposit all contributions within seven days of receipt by the treasurer in an account maintained by the committee.

4.5(2) Exceptions from segregation of committee funds. A candidate's committee that receives contributions only from the

candidate is not required to maintain a separate account. A permanent organization temporarily engaging in activity that qualifies it as a political committee that uses existing general operating funds and does not solicit or receive funds from other sources for campaign purposes is not required to maintain a separate account.

4.5(3) Identification of financial institution and account. The committee shall disclose on the committee's statement of organization the name and mailing address of all financial institutions in which committee funds are maintained. The committee shall also disclose the name and type of all accounts in which committee funds are maintained, and the name of any such account shall be the same as the committee name on the statement of organization.

4.5(4) Notice to treasurer. Any person who receives contributions for a committee shall render the contributions to the treasurer within 15 days of receipt and provide the committee treasurer with the reporting information required by Iowa Code ~~Supplement~~ section 68A.203(2).

This rule is intended to implement Iowa Code sections 68A.201 and 68A.203.

351—4.6(68A,68B) Amendments to statement of organization; requirement for new statement of organization for new office sought.

4.6(1) Amendment within 30 days. If there is a change in any of the information disclosed on a statement of organization, the committee shall file ~~with the board~~ an amended statement within 30 days of the change. ~~An amended statement shall be filed with the board in a format as required by Iowa Code section 68A.401 and this chapter.~~

4.6(2) New office sought. A candidate who filed a statement of organization for one office but ~~eventually then~~ seeks another office ~~must dissolve their original committee and file a new statement of organization. may file an amended statement of organization to reflect the change in office sought in lieu of dissolving the old committee and organizing a new committee.~~ A candidate filing ~~an amended a new~~ statement of organization ~~for a new office pursuant to this rule~~ shall continue to file the required campaign reports regardless of whether the \$1,000 financial filing threshold for the new office has been exceeded. ~~A candidate who has filed a statement of organization for one office and who then exceeds the financial activity threshold as set forth in Iowa Code section 68A.102(5) for a new office shall, within ten days of exceeding the threshold, file either an amended statement of organization disclosing information for the new office sought or organize and register a new committee.~~

This rule is intended to implement Iowa Code section 68A.201.

DIVISION II
REPORTING AND FINANCIAL TRANSACTION REQUIREMENTS

351—4.7(68A,68B) Disclosure reporting required; information on initial report; minimum filing if no activity.

4.7(1) Disclosure reporting required. Every committee that has filed a statement of organization under Iowa Code section 68A.201 and rule 351—4.1(68A,68B), has exceeded the financial activity threshold set out in Iowa Code section 68A.102(5) or (18) prior to the cutoff date for reporting campaign transactions, or has made an independent expenditure, shall file a campaign disclosure report pursuant to Iowa Code section 68A.402. Form ~~IE-O Ind-Exp-O~~ shall serve as a campaign disclosure report for an independent expenditure committee. Form ~~IE-I Ind-Exp-I~~ shall serve as a campaign disclosure report for a sole individual making an independent expenditure.

4.7(2) Information on initial report. The first disclosure report filed by a committee shall include the ~~relevant~~ financial information covering the period from the beginning of the committee's financial activity through the end of the current reporting period.

4.7(3) Funds available from prior committee. If funds are available to a candidate's committee from a prior candidacy of that candidate, or to a ballot issue committee from a prior effort on a ballot issue, and the prior candidacy or effort had not exceeded the financial reporting threshold, the carryover balance shall be disclosed by the new committee. The disclosure shall be made on Schedule A - Contributions and shall include the amount of the carryover, the date of the prior election, and the name and address of any source that made contributions to the candidacy or ballot effort that totaled more than \$1,000 during the preceding three calendar years.

4.7(4) Funds available from preballot issue activity. Funds that are raised for an activity that is not included in the definition of a ballot issue ~~in Iowa Code section 68A.102(1)~~ and that are made available to a subsequent ballot issue committee shall be disclosed by the committee. The disclosure shall be made on Schedule A - Contributions and shall include the amount of the carryover balance, the date of the preballot issue activity, and the name and address of any source that made contributions to the activity that totaled more than \$1,000 during the previous three calendar years.

4.7(5) No financial activity during reporting period. A committee that did not have any financial activity during the ~~relevant~~ reporting period for which a disclosure report is due shall be required to file only Form DR-2. However, if the committee had previously disclosed debts or loans, those obligations shall again be disclosed on either Schedule D - Incurred Indebtedness or

Schedule F - Loans Received and Repaid, as appropriate, and the schedule or schedules shall be included with Form DR-2. A candidate's committee that has reportable campaign property under Iowa Code ~~Supplement~~ section 68A.304 shall disclose the property on Schedule H - Campaign Property and the schedule shall be included with Form DR-2.

This rule is intended to implement Iowa Code section 68A.402.

351—4.8(68A,68B) Disclosure reporting required—where reports filed.

4.8(1) Place of filing. Disclosure reports shall be filed through the board's ~~electronic filing system, website at ethics.iowa.gov.~~

4.8(2) Reports made available. The board shall ~~make available post on its web site at ethics.iowa.gov~~ all statements and reports ~~in an electronic format, filed under Iowa Code chapter 68A.~~

~~—4.8(3) Records retention. The board shall maintain and retain all statements and reports filed under Iowa Code chapter 68A under the applicable provisions of Iowa Code chapter 305.~~

~~—4.8(4) Electronic format or electronic filing defined. "Electronic format" or "electronic filing" means the board's electronic filing system for submitting campaign disclosure reports via the board's website at ethics.iowa.gov.~~

This rule is intended to implement Iowa Code sections 68A.401 and 68A.402.

351—4.9(68A) Campaign disclosure report due dates.

4.9(1) Statewide office, general assembly, judge standing for retention. A candidate's committee ~~of a candidate~~ for statewide office or the general assembly or a judge standing for retention shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
May 19	January 1 through May 14
July 19	May 15 or Wednesday preceding primary election* through July 14
October 19	July 15 through October 14
January 19 (next calendar year)	October 15 or Wednesday preceding general election* through December 31 of election year

b. Supplementary report.

<u>Report due</u>	<u>Covering period</u>
Friday preceding primary election*	May 15 through Tuesday preceding primary election*
Friday preceding general election*	October 15 through Tuesday preceding general election*

*If supplementary report required. See ~~subrule~~ 351–4.9(2).

c. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

d. Special election.

<u>Report due</u>	<u>Covering period</u>
Five days preceding the election*	Date of initial activity through tenth day prior to <u>ten days before</u> the special election

*This report is in addition to the election year reports required under ~~paragraph rule 351–4.9(1)(a).~~ "a."

4.9(2) Statewide office or general assembly—supplementary reports. In addition to reports required under ~~subrule~~ 351–4.9(1), a supplementary report is required if contributions received during the period beginning on the date of initial financial activity, or the day after the period covered by the last report, as applicable, through the Tuesday preceding the primary or general election

equal or exceed the following thresholds:

<u>Office sought</u>	<u>Contribution threshold</u>
Governor	\$10,000 or more
Other statewide office	\$5,000 or more
General assembly	\$1,000 or more

4.9(3) County candidate. A candidate's committee ~~of a candidate~~ for county office shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
May 19	January 1 through May 14
July 19	May 15 through July 14
October 19	July 15 through October 14
January 19 (next calendar year)	October 15 through December 31 of election year

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

c. Special election.

<u>Report due</u>	<u>Covering period</u>
Five days preceding the election*	Date of initial activity through tenth day prior to <u>ten days before</u> the special election

*This report is in addition to the election year reports required under ~~paragraph rule 351~~ 4.9(3)(a). ~~"a."~~

4.9(4) City candidate. A candidate's committee ~~of a candidate~~ for city office shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
Five days before primary election	Date of initial activity through ten days before primary election
Five days before general election	Nine days before primary election through ten days before general election
Five days before runoff election*	Nine days before the general election through ten days before the runoff election
January 19 (next calendar year)	Cutoff date from previously filed report through December 31

*If a runoff election is held.

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

c. Special election.

Report dueCovering period

Five days preceding the election*

Date of initial activity through ~~tenth day prior to~~ ten days before the special election*This report is in addition to the election year reports required under ~~paragraph rule 351–4.9(4)(a). “a.”~~

4.9(5) School board or other political subdivision. A candidate’s committee ~~of a candidate~~ for school board or other political subdivision office, except for county office or city office, shall file campaign disclosure reports as follows:

a. Election year.

Report dueCovering period

Five days before election

Date of initial activity through ten days before election

January 19 (next calendar year)

Nine days before election through December 31

b. Nonelection year.

Report dueCovering period

January 19 (next calendar year)

January 1 through December 31 of nonelection year

c. Special election.

Report dueCovering period

Five days preceding the election*

Date of initial activity through ~~tenth day prior to~~ ten days before the special election*This report is in addition to the election year reports required under ~~paragraph rule 351–4.9(4)(a). “a.”~~

4.9(6) State statutory political committee (state political party). ~~A committee defined in Iowa Code section 68A.102(21) as~~ a state statutory political committee shall file campaign disclosure reports as follows:

a. Election year.

Report dueCovering period

May 19

January 1 through May 14

July 19

May 15 through July 14

October 19

July 15 through October 14

January 19 (next calendar year)

October 15 through December 31 of election year

b. Nonelection year.

Report dueCovering period

January 19 (next calendar year)

January 1 through December 31 of nonelection year

4.9(7) County statutory political committee (county central committee). ~~A committee defined as a~~ county statutory political committee ~~in Iowa Code section 68A.102(12)~~ shall file campaign disclosure reports as follows:

a. Election year.

Report dueCovering period

May 19

January 1 through May 14

July 19	May 15 through July 14
October 19	July 15 through October 14
January 19 (next calendar year)	October 15 through December 31 of election year

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

4.9(8) State political committee (state PAC). A ~~PACpolitical-committee~~ expressly advocating the nomination, election, or defeat of candidates for statewide office or the general assembly or a judge standing for retention shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
May 19	January 1 through May 14
July 19	May 15 through July 14
October 19	July 15 through October 14
January 19 (next calendar year)	October 15 through December 31 of election year

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
July 19	January 1 through June 30
January 19 (next calendar year)	July 1 through December 31

4.9(9) County political committee (county PAC). A ~~PACpolitical-committee~~ expressly advocating the nomination, election, or defeat of candidates for county office shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
May 19	January 1 through May 14
July 19	May 15 through July 14
October 19	July 15 through October 14
January 19 (next calendar year)	October 15 through December 31 of election year

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

4.9(10) City political committee (city PAC). A ~~PACpolitical-committee~~ expressly advocating the nomination, election, or defeat of candidates for city office shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
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Five days before primary election	Date of initial activity through ten days before primary election
Five days before general election	Nine days before primary election through ten days before general election
Five days before runoff election*	Nine days before the general election through ten days before runoff election
January 19 (next calendar year)	Cutoff date from previously filed report through December 31

*If a runoff election is held.

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

4.9(11) School board or other political subdivision political committee (school board or other local PAC). A ~~PAC~~~~political committee~~ expressly advocating the nomination, election, or defeat of candidates for school board or other political subdivision office, except for county office or city office, shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
Five days before election	Date of initial activity through ten days before election
January 19 (next calendar year)	Nine days before election through December 31

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

4.9(12) Statewide or local ballot issue committee (ballot issue PAC). A ~~PAC~~~~committee~~ expressly advocating the passage or defeat of a statewide or local ballot issue shall file campaign disclosure reports as follows:

a. Election year.

<u>Report due</u>	<u>Covering period</u>
Five days before election	Date of initial activity or previous report through ten days before election
May 19	Date of initial activity or previous report through May 14
July 19	Date of initial activity or previous report through July 14
October 19	Date of initial activity or previous report through October 14
January 19 (next calendar year)	Cutoff date from previously filed report through December 31

b. Nonelection year.

<u>Report due</u>	<u>Covering period</u>
January 19 (next calendar year)	January 1 through December 31 of nonelection year

4.9(13) Permanent organizations. A permanent organization temporarily engaging in political activity ~~as described in Iowa Code section 68A.102(18)~~ shall organize a political committee and shall keep the funds relating to that political activity segregated from its operating funds. The committee shall file reports on the applicable due dates as required by this rule. The reports shall identify the source of the original funds used for a contribution made to a candidate or a candidate's committee. When the permanent organization ceases to be involved in the political activity, the permanent organization shall dissolve the political committee. "Permanent organization" means an organization that is continuing, stable, and enduring, and was originally organized

for purposes other than engaging in election activities.

4.9(14) Election year defined. “Election year” means a year in which the name of the candidate or ballot issue appears on a ballot to be voted on by the electors of the state of Iowa. For state and county statutory political committees, “election year” means a year in which primary and general elections are held.

4.9(15) Independent expenditure reporting. An independent expenditure committee that is required to file campaign disclosure reports ~~pursuant to Iowa Code section 68A.404(3)~~ shall file an initial report at the same time as the committee files its original independent expenditure statement. Form ~~IE-O-Ind-Exp-O~~ shall serve as a campaign disclosure report for an independent expenditure committee. Form ~~IE-I-Ind-Exp-I~~ shall serve as a campaign disclosure report for ~~an~~ sole individual making an independent expenditure.

This rule is intended to implement Iowa Code section 68A.402.

351—4.10(68A) Time of filing. A report must be filed with the board on or before 4:30 p.m. on the due date. If the due date falls on a Saturday, Sunday, or holiday on which the board office is closed, the due date is extended to the first working day when the board office is open.

This rule is intended to implement Iowa Code sections 68A.401(1) and 68A.402.

351—4.11(68A) Voluntary registration—Form DR-SFA.

4.11(1) ~~Persons +~~ Voluntarily registering a committee. A ~~committee person~~ that has not exceeded the \$1,000 financial filing threshold may file Form DR-SFA for purposes of using the short form “paid for by” attribution statement ~~under Iowa Code section 68A.405 and rule 351—4.38(68A). A person using the short form “paid for by” attribution statement shall file Form DR-SFA with the board~~ prior to distributing the ~~published political~~ material containing the short form “paid for by” attribution statement.

4.11(2) ~~\$1,000 +~~ Threshold later exceeded. A person filing Form DR-SFA shall not be required to file a statement of organization or be required to file disclosure reports unless the \$1,000 threshold is later exceeded. A ~~committee person that later exceeds the \$1,000 threshold and~~ that fails to timely file a statement of organization or to timely file disclosure reports ~~after exceeding the \$1,000 threshold~~ may be subject to ~~the appropriate~~ board sanctions ~~as set out by statute and board rule~~.

4.11(3) Subsequent elections. A person that filed Form DR-SFA for one election and then becomes involved in a subsequent election and wants to voluntarily register a committee shall file ~~either a new Form DR-SFA or file an~~ amended Form DR-SFA, which provides information concerning the new election.

This rule is intended to implement Iowa Code sections 68A.201 and 68A.405.

351—4.12(68A,68B) ~~Exception~~ Exemption from reporting requirement—reports due within five days of one another. When two disclosure reports are due from the same committee within five days of each other, the activity may be combined into one report. A committee choosing this option shall file a report on or before the second due date that covers the extended reporting period.

This rule is intended to implement Iowa Code ~~Supplement~~ section 68A.402.

351—4.13(68A,68B) Report forms—summary page (DR-2) and supporting schedules.

4.13(1) Additional information. The board may require committees to submit relevant information not specifically delineated in Iowa Code chapter 68A ~~on their disclosure report~~ where the disclosure report form asks for information. ~~All information shall be pertinent to the duties of the board.~~

4.13(2) ~~Official +~~ Reporting forms. The disclosure reports shall be submitted using the forms provided in the board’s electronic filing system, ~~via the board’s website at~~ ethics.iowa.gov. The ~~standard forms for campaign disclosure reports~~ ~~are~~ include:

- a. DR-2 — Disclosure Summary Page
- b. Schedule A — Monetary Receipts
- c. Schedule B — Monetary Expenditures
- d. Schedule C — (Reserved)
- e. Schedule D — Incurred Indebtedness
- f. Schedule E — In-kind Contributions
- g. Schedule F — Loans Received and Repaid
- h. Schedule G — Consultant Activity
- i. Schedule H — Campaign Property

4.13(3) Special information required for city, school, or local ballot issue elections. Committees expressly advocating the

election or defeat of a candidate for city or school public office, or expressly advocating the passage or defeat of a local ballot issue, shall indicate in the designated spaces on the report summary page the date that the election is to be held, the period covered by the disclosure report, and the ~~control~~ county responsible for conducting the election.

4.13(43) Independent expenditure disclosures. ~~A person making an independent expenditure shall disclose campaign transaction information as required by Iowa Code section 68A.404(3). Form IE-O Ind-Exp-O shall serve as a campaign disclosure report for an independent expenditure committee. Form IE-I Ind-Exp-I shall serve as a campaign disclosure report for an sole individual making an independent expenditure.~~

This rule is intended to implement Iowa Code sections 68A.402A and 68A.404.

351—4.14(68A,68B) Schedule A - Monetary Receipts.

4.14(1) Reporting of all monetary receipts; chronological listing. The committee shall report the amounts of all monetary receipts which are accepted by the committee during the reporting period. If a contribution is returned to a contributor prior to the end of the reporting period and is not deposited into the committee's bank account, the contribution is deemed to have been rejected and shall not be reported. A contribution which is physically received and either deposited into the committee's account or not returned by the end of the reporting period is deemed to have been accepted. The schedule entries shall be listed in chronological order by the date on which the contribution ~~was~~ received.

4.14(2) Date of contribution—date received. The schedule shall include the month, day, and year complete date (month/day/year) that the contribution was physically received by a person on behalf of the committee. If the contribution is by check, the date of the contribution to be reported is the date the check is physically received by a person on behalf of the committee, even if this date is different from the date shown on the check. For contributions received by mail, the date of the contribution to be reported shall be the date that the recipient physically opens the envelope.

4.14(3) Name and address of contributor; joint accounts. The schedule shall include the name and address of each person who has made one or more contributions of money to the committee if the aggregate amount of contributions (either monetary or in-kind) received from that person in the calendar year exceeds \$25, except that the itemization threshold is \$200 for a state statutory political committee and \$50 for a county statutory political committee. In the case of a contribution by check, the contributor name on the disclosure report shall be the name shown as the account name on the account, except that if the check is on a joint account, the contribution shall be presumed to be from the person who signs the check. ~~If the committee chooses to itemize contributions that are less than the required itemization threshold, it may do so, but shall either do so for all contributions or none of the contributions under the threshold.~~

4.14(4) Unitemized contributions ~~and~~through freewill donations. If the committee does not choose to itemize all contributions under the ~~itemization~~ threshold ~~provided in Iowa Code section 68A.402A, (\$25 for most committees, see Iowa Code section 68A.402A(1)“b”),~~ it shall aggregate these contributions, ~~and~~ report the aggregate amount as “unitemized contributions,” ~~and affirm that all aggregated contributions do not individually exceed the threshold. No date received is required to be provided for miscellaneous unitemized contributions. Unitemized contributions may be solicited and received through a freewill donation such as a “fish bowl” or “pass the hat” collection if the collection is in compliance with rule 351—4.30(68A,68B). Unitemized contributions collected through freewill donations (the net amount of the collection after the itemization of those persons whose contributions of more than \$25 in the freewill collection resulted in exceeding the annual itemization threshold) shall be reported by showing the net amount as “unitemized contributions—pass the hat (or can collection or fish bowl, for example) collection.”~~ The “date received” to be reported for a freewill donation is the date a representative of the committee takes possession of the proceeds of the collection.

4.14(5) Relationship to candidate. In the case of contributions to candidates' committees, the schedule shall include information indicating whether the contributor is related to the candidate within the third degree of consanguinity or affinity.

4.14(6) Relationship to candidate—definitions. For purposes of this rule:

- a. “Consanguinity” means a relative through descent from common ancestors ~~(by blood)~~.
- b. “Affinity” means a relative through a current marriage. A husband has the same relation, by affinity, to his wife's blood relatives as she has to them by consanguinity and vice versa.
- c. “Degree of kinship” is determined by counting upward from one of the persons in question to the nearest common ancestor, and then down to the other person, calling it one degree for each generation in the ascending as well as the descending line.

4.14(7) Relationship to candidate—example. Under this rule, a woman's sister is related to her by consanguinity in the second degree. The sister is thus related to the woman's husband by affinity in the second degree. Other examples of relationships within the third degree between a contributor and a candidate would be the following: children and stepchildren (first degree); siblings and half-siblings (second degree); grandparents (second degree); grandchildren (second degree); aunts and uncles (third degree); nieces and nephews (third degree); great-grandparents (third degree) and great-grandchildren (third degree), all irrespective of

whether the blood relationship is to the candidate or to the candidate's spouse.

4.14(86) ID number and check number. If a contribution to a statewide or general assembly candidate or a judge standing for retention is from a statewide political committee (state PAC) or a state party committee, the candidate receiving the contribution shall include on the candidate's disclosure report the board-assigned identification number of the contributing committee and the check number by which the contribution was made. ~~A list of ID numbers may be obtained from the board and is also available on the board's website at ethics.iowa.gov.~~

4.14(97) Fund-raiser income. Contributions arising from the sale of goods or services at a fund-raising event shall be designated by marking the indicated space on the schedule.

4.14(108) Interest and other monetary receipts other than contributions. If the monetary receipt is not a "contribution," the name and address of the source of the funds shall be identified in the space provided for the name and address of "contributor," with a notation as to the purpose of the payment, such as "bank interest."

4.14(119) Reverse entries—refunds. If a committee determines to decline or otherwise return a contribution after it has been received, accepted, and deposited, the committee may issue a refund to the contributor, which shall be reported on Schedule A as a reverse entry, reducing the monetary receipts.

This rule is intended to implement Iowa Code Supplement section 68A.402.

351—4.15(68A,68B) Schedule B - Monetary Expenditures.

4.15(1) Date expended. The committee shall report the amounts of all itemized expenditures (expenditures of \$5 or more) made by the committee for the reporting period chronologically by the date expended. The date of the expenditure is the date the check is issued. The ~~month, day, and year of the expenditure~~~~complete date (month/day/year)~~ shall be provided.

4.15(2) Name and address of recipient. The schedule shall include the name and address of each person to whom disbursements, other than loan repayments, were made during the reporting period. (Loan repayments shall be reported on Schedule F.)

4.15(3) Purpose of expenditure. The schedule shall include a description of the purpose of each disbursement. The description shall be a clear and concise statement that specifically describes the transaction which has occurred. The following general terms are examples of descriptions which are not acceptable: "expenses," "reimbursement," "candidate expense," "services," "supplies," and "miscellaneous expense." The following are examples of acceptable descriptions: "printing—candidate yard signs," "printing—PAC membership solicitation letter," "mailing—candidate brochures," "reimbursement for candidate lodging to attend campaign event," or "mileage reimbursement—150 miles @ 25¢ per mile." A combined description is not acceptable unless sufficient information is provided so that the cost of separate purposes can be discerned, for example, "printing and mailing of 1,000 brochures."

4.15(4) Miscellaneous (unitemized) expenses. Notwithstanding the other provisions of this rule, disbursements of less than \$5 may be shown as "miscellaneous ~~disbursements or~~ expenses" for the period so long as the aggregate miscellaneous disbursements to any one person during a calendar year do not exceed \$100. If a committee chooses to itemize expenditures that are less than the required itemization threshold, it may do so, but shall either do so for all expenditures or none of the expenditures under the threshold.

4.15(5) Candidate ID number and committee check number~~—transactions between committees registered with the board.~~ If a contribution is made by one Iowa-registered committee to another ~~by a statewide political committee (state PAC) or a state party committee to a statewide or general assembly candidate or a judge standing for retention~~, the committee making the contribution shall include on the committee's disclosure report the board-assigned identification number of the recipient candidate's committee and the check number by which the contribution was made. ~~A list of candidate ID numbers may be obtained from the board and is also available on the board's website at ethics.iowa.gov.~~

4.15(6) Check transactions required. All disbursements, including all expenditures and any other withdrawals from committee funds, shall be by check or debit card. ~~For the purposes of this rule, disbursements made by debit card shall qualify as.~~ Cash withdrawals and "petty cash" accounts are not permitted. Committees' activities which necessitate cash drawers or other cash transactions shall be conducted and reported as provided by rule 351—4.36(68A,68B).

4.15(7) Reverse entries—refunds. If a committee receives a refund of all or part of a disbursement previously made, the committee shall report the refund on Schedule B as a reverse entry, reducing the monetary expenditures. The purpose should include an explanation as to why the refund was made.

4.15(8) Interest paid; bank charges. Although repayments of loan principal are reported on Schedule F (see rule 351—4.18(68A,68B)), interest payments on loans shall be reported on Schedule B. Bank service charges and fees (e.g., monthly service fees, costs for check printing, returned check charges) shall also be reported and identified on Schedule B.

This rule is intended to implement Iowa Code section 68A.402.

351—4.16(68A,68B) Schedule D - Incurred Indebtedness.

4.16(1) Reporting of debts and obligations other than monetary loans. The committee shall report all debts and obligations owed by the committee which are in excess of the thresholds in ~~subrule 351–4.14(3)~~. This applies to any unpaid debt or obligations incurred by the committee for the purchase of a good or service, either as a debt or obligation owed to the immediate provider of the good or service, or as a debt or obligation owed to an individual who initially personally paid for the good or service on behalf of the committee with the expectation of ultimately receiving reimbursement from the committee. ~~This does not include monetary loans, which shall be reported on Schedule F. However, monetary loans to the committee (which are deposited directly into the committee's account) shall be reported on Schedule F, not on Schedule D.~~

4.16(2) Date incurred; balance owed. The committee shall report the amounts of all indebtedness owed by the committee at the end of the reporting period chronologically by the date incurred. The date the debt or obligation is incurred is the date on which the committee committed to obtaining the good or service underlying the obligation and shall be reported using the month, day, and year. This date may be earlier than the date the provider of the good or service issues a bill to the committee. For example, if the committee places a printing order, but the printer does not issue a bill until some time after the order is placed, the date which shall be reported as the date the debt was incurred is the date the order is placed, not the date the bill was issued. If the precise amount of the final bill is not known by the time the report is due, the committee shall provide its best estimate as to what the obligation will be, with an indication “(e)” that the amount reported is an estimate. ~~The complete date (month/day/year) shall be provided.~~ Debts and obligations incurred and reported in a prior reporting period but which remain unpaid as of the end of the current reporting period shall be included, showing the remaining balance on the obligation, ~~as well as any new obligations incurred in the current reporting period~~. Payments of all or part of a previously reported obligation shall be reported ~~as expenditures~~ on Schedule BD.

4.16(3) Name and address of person to whom the debt or obligation is owed. The schedule shall contain the name and address of each person to whom an obligation is owed, ~~including both those obligations which were incurred during the reporting period and those outstanding obligations which are being carried forward from prior reports~~. If the obligation is owed to an individual who initially personally paid for the good or service on behalf of the committee with the expectation of ultimately receiving reimbursement from the committee, the original nature of the obligation shall be provided; the name and address of the original provider of the good or service shall also be provided, unless the nature of the obligation indicates that the obligation is for the anticipated reimbursement for mileage or postage stamps.

4.16(4) Nature of obligation. The schedule shall include a description of the nature of each obligation. The description shall be a clear and concise statement that specifically describes the transaction which has occurred. Examples of general terms which are not acceptable are included in rule 351–4.15(3). ~~The following general terms are examples of descriptions which are not acceptable: “expenses,” “reimbursement,” “candidate expense,” “services,” “supplies,” and “miscellaneous expense.” The following are examples of acceptable descriptions: “printing candidate yard signs,” “printing PAC membership solicitation letter,” “mailing candidate brochures,” “anticipated reimbursement for candidate lodging to attend campaign event,” or “anticipated mileage reimbursement 150 miles @ 25¢ per mile.” A combined description is not acceptable unless sufficient information is provided so that the cost of separate purposes can be discerned, for example, “printing and mailing of 1,000 brochures.”~~

This rule is intended to implement Iowa Code section 68A.402.

351—4.17(68A,68B) Schedule E - In-kind Contributions.

4.17(1) Reporting of all in-kind contributions; chronological listing. The committee shall report the amounts of all in-kind contributions which are accepted by the committee during the reporting period. ~~The schedule entries shall be listed in chronological order by the date on which the contribution is received.~~

4.17(2) Date of contribution—date received. The schedule shall include the month, day, and year ~~complete date (month/day/year)~~ on which the in-kind contribution was provided to the committee. ~~The actual or fair market value of the in-kind contribution shall be reported regardless of whether or not the person providing the in-kind contribution has been billed for the costs.~~

4.17(3) Name and address of contributor. The schedule shall include the name and address of each person who has made one or more in-kind contributions to the committee if the aggregate amount of contributions (either monetary or in-kind) received from that person in the calendar year exceeds \$25, except that the itemization threshold is \$200 for a state statutory political committee and \$50 for a county statutory political committee.

4.17(4) Relationship to candidate. In the case of in-kind contributions to candidates' committees, the schedule shall include information indicating whether the contributor is related to the candidate within the third degree of consanguinity or affinity; as defined in ~~subrule 351–4.14(5)~~.

4.17(5) Description of in-kind contribution; loaned equipment as in-kind contribution.

a. The schedule shall include a description of the good or service contributed to the committee in kind. The description shall be a clear and concise statement that specifically describes the transaction which has occurred. Examples of general terms which are not acceptable are included in rule 351—4.15(3).

b. A committee's use of equipment owned by another organization, committee, or individual is reportable as an in-kind contribution. Equipment includes, but is not limited to, ~~typewriters, calculators, computers,~~ copy machines, office ~~space, furniture, computers~~ and printers.

4.17(6) Fair market value. The committee shall ~~report provide either~~ the actual value of the good or service rendered. However, if the actual value is unknown, the committee may use the estimated (if known) or estimated fair market value of the good or service received.

4.17(7) Fund-raiser item. Goods or services contributed in kind for sale at a fund-raising event shall be designated by marking the indicated space on the schedule.

4.17(8) Unitemized in-kind contributions. Notwithstanding the other provisions of this rule, in-kind contributions with a fair market value less than the itemization threshold noted in ~~subrule~~ 351—4.17(3) may be reported as "unitemized in-kind contributions."

This rule is intended to implement Iowa Code section 68A.402.

351—4.18(68A,68B) Schedule F - Loans Received and Repaid.

4.18(1) Reporting of monetary loans (not debts and obligations for goods and services). The committee shall report all loan activity made to or repaid by the committee during the reporting period. This applies to any loan of money which is deposited into the committee's accounts. However, other debts and obligations owed for the provision of goods or services to the committee (which are not monetary advances ~~deposited into the committee's account~~) shall be reported on Schedule D, ~~not on Schedule F.~~

4.18(2) Report of lump sum of unpaid loans carried over from last report. The schedule shall contain a beginning entry of the total unpaid loans as of the last report. Loans received and itemized on prior reports should not be re-itemized on the current report, except as necessary to indicate repayment activity.

4.18(3) Date received. The schedule shall include the complete date (month/day/year) the loan was physically received by a person on behalf of the committee. If the loan was by check, the date of the loan to be reported is the date the check is physically received by a person on behalf of the committee, even if this date is different from the date shown on the check.

4.18(4) Date paid. Full or partial loan repayments made by the committee ~~The schedule shall be reported using the month, day, and year. include the complete date (month/day/year) a full or partial loan repayment is made by the committee.~~ The date of the repayment is the date the check is issued. Full or partial loan repayments shall be shown on this schedule and should not be reported on Schedule B. However, loan interest payments shall be reported on Schedule B (see rule 351—4.15(68A,68B)) and not on Schedule F. Loans which ~~may be and~~ are forgiven in full or in part are considered in-kind contributions and shall be itemized on Schedule E, with a cross-reference entry in the space provided on Schedule F.

4.18(5) Name and address of lender. The schedule shall include the name and address of each person who has made one or more loans of money to the committee during the reporting period, or to whom the committee makes a loan repayment during the reporting period. ~~If the person who made the loan to the committee is not the original source of the money, w~~When the original source of the money is a third party (such as a bank which loans money to an individual who loans it to the committee) or if a third party has personally paid and assumed a loan from the original lender (such as an individual who pays off the loan to the bank with the expectation of receiving the loan repayment from the committee), the report shall also identify the name and address of the third party.

4.18(6) Relationship to candidate. In the case of monetary loans to candidates' committees, the schedule shall include information indicating whether the lender is related to the candidate within the third degree of consanguinity or affinity, as defined in ~~subrule~~ 351—4.14(5).

This rule is intended to implement Iowa Code section 68A.402.

351—4.19(68A) Schedule G - Breakdown of Monetary Expenditures by Consultants.

4.19(1) Reporting consultant expenditures. A committee that enters into a contract with a consultant for future or continuing performance shall be required to report expenditures made to the consultant and the nature of the performance of the consultant that is expected to be received by the committee. A committee is required to report in Part 1 of Schedule G any contracts with consultants that it has negotiated, the complete name and address of the consultant, the period of time during which the contract is in effect, and estimates of performance to be derived from the contract. Expenditures made to the consultant during a reporting period shall be reported with all other expenditures on Schedule B, and debts incurred with the consultant during the reporting

period shall be reported with all other debts on Schedule D. Additionally, a detailed breakdown of the expenditures made by the consultant in furtherance of the contract with the committee shall be reported by the committee in Part 2 of Schedule G and shall include the date ~~of the expenditure~~, ~~the purpose of the expenditure~~, and ~~the~~ amount of the expenditure. The description of the purpose of the expenditure shall be consistent with the provisions of ~~subrule~~ 351—4.15(3).

4.19(2) Definitions. For purposes of this rule:

a. “Contract” means an oral or written agreement between two parties for the supply or delivery of specific services in the course of the campaign.

b. “Performance” means the execution or fulfillment of the contractual agreement.

c. “Nature of performance” means a clear description of the specific services received or benefit derived as the result of a contract with a consultant.

d. “Estimate of performance” means a clear description of the services the committee reasonably expects to receive or the benefit the committee reasonably expects to derive during the period of the contract.

This rule is intended to implement Iowa Code sections 68A.102(9) and 68A.402A.

351—4.20(68A,68B) Schedule H - Campaign Property.

4.20(1) Ongoing inventory. Equipment, supplies, or other materials purchased with campaign funds or received in kind are campaign property. Campaign property, other than consumable campaign property, with a value of \$500 or more when acquired by the committee shall be listed on the inventory section of Schedule H~~the schedule~~. The property shall be listed on each report until it is disposed of by the committee or its residual value falls below \$100, so long as the property is listed with a value of less than \$100 on the report immediately following its depreciation below that threshold, and the property is listed once as having a residual value of less than \$100. “Consumable campaign property” means stationery, yard signs, and other campaign materials that have been permanently imprinted to be specific to a candidate or election. For property purchased by the committee, ~~the date purchased shall be the earlier of the date the committee attained physical possession of the property or the date the committee issued payment for the property.~~ For in-kind contributions, the date received shall be the date on which the committee attained physical possession of the property. The committee shall provide the month, day, and year of the purchase or attainment of physical possession, complete date (month/day/year). The schedules shall include the purchase price of property purchased by the committee and the actual or estimated fair market value of property received as an in-kind contribution, as well as the actual or estimated current fair market value of the property at the end of the current reporting period.

4.20(2) Definition of consumable campaign property. “Consumable campaign property” means stationery, yard signs, and other campaign materials that have been permanently imprinted to be specific to a candidate or election. For consumable campaign property purchased by the committee, the date purchased shall be the earlier of the date the committee attained physical possession of the property or the date the committee issued payment for the property.

4.20(3) Sales or transfers of campaign property. ~~The schedule~~Schedule H shall include information regarding the sale or transfer of campaign property, other than consumable campaign property, which occurred during the current reporting period. The information shall include the month, day, and year complete date~~of the transaction (month/day/year)~~, the name and address of the purchaser or donee, and a description of the property. If the property is sold, the information shall include the sales price received; if the property is donated, the information shall include the fair market value of the property at the time of the transfer.

This rule is intended to implement Iowa Code sections 68A.304 and 68A.402.

[ARC 5525C, IAB 3/24/21, effective 4/28/21]

351—4.21(68A) Filing of reconciled bank statement. A candidate, a committee, an independent expenditure committee, or a sole individual filing Form IE-I or IE-O~~Ind Exp I~~ shall may be required to submit a copy of a ~~campaign~~ bank statement including a reconciliation to justify outstanding checks and other discrepancies between the ending balance on the bank statement and the ending balance on a ~~campaign~~ statement or report when requested to do so by the board. ~~A committee that files a final campaign statement or report for purposes of dissolving shall comply with the requirements of subrule 4.55(5) concerning the filing of a final bank statement.~~ The board may impose sanctions ~~as provided in Iowa Code chapter 68B and rule 351—9.4(68B)~~ against a person for failing to file a requested reconciled bank statement.

This rule is intended to implement Iowa Code sections 68A.402A and 68B.32A(4).

351—4.22(68A,68B) Verification of reports; incomplete reports.

4.22(1) ~~The b~~Board staff will review and ~~desk~~ audit each disclosure report. The board may contact other parties to verify the accuracy and completeness of the reports. The board may contact a representative of the committee and ~~may contact~~ other parties to determine the authenticity of information provided on about~~about~~ filed reports.

4.22(2) If, upon review, board staff determines that a ~~committee's~~ report is incomplete because required information has been

omitted or has been incorrectly reported, ~~the~~ staff shall communicate the deficiencies ~~to the committee~~. A failure to satisfactorily respond to or to remedy the error or omission may be grounds for a violation of Iowa Code section 68A.402 as a failure to file a report which conforms to the requirements of Iowa law that provision.

This rule is intended to implement Iowa Code sections 68A.402 and 68B.32A.

351—4.23(68A,68B) Amendment—statements, disclosure reports and notices. A committee may amend a previously filed statement of organization, disclosure report, or notice of dissolution. To amend a previously filed statement, report, or notice, the committee shall file an amended document on the approved form and shall designate on the form in the space provided, if applicable, that the document being filed is an amendment to a previously filed statement, report, or notice. The term “amended document” as used in this rule shall mean a document on forms issued by the board which includes only the information which is being added, deleted, or changed ~~from a previously filed statement of organization or notice of dissolution~~.

This rule is intended to implement Iowa Code section 68A.402.

351—4.24(68A) Reporting of state party building fund transactions.

4.24(1) Reporting requirements. Pursuant to Federal Election Commission Advisory Opinion 2004-28, the board will permit a state statutory political committee (state party committee) to receive contributions from corporations, insurance companies, and financial institutions when those contributions are placed in the state party building fund account and, the contributions are used to pay for costs associated with the building, and all transactions involving the fund are disclosed pursuant to this rule.

4.24(2) Period covered. A state party building fund report shall cover the time period from January 1 through December 31 of the previous year.

4.24(3) Information to be disclosed. The following information shall be disclosed on a state party building fund report:

- a. The name and address of the state party committee.
- b. The name and address of each person or entity making who makes a contribution in excess of \$200, or contributions in the aggregate that exceed \$200, during the period covered, ~~to the state party building fund~~. If no contributions were received ~~for the fund~~, the report shall disclose \$0.00 as contributions received.
- c. The month, day, year, date and the amount of the contribution. If aggregate contributions from one person or entity are received that exceed \$200, the amount to be disclosed shall be the total amount received from that person or entity for the period covered, and the date ~~to be disclosed~~ shall be the date of the last contribution.
- d. The total amount of all contributions of \$200 or less received during the period covered. ~~This total amount shall~~ may be disclosed as being received from “unitemized” with the date of the contribution being the last day of the reporting period. If a fund chooses to itemize contributions that are less than the required itemization threshold, it may do so, but shall either do so for all contributions or none of the contributions under the threshold.
- e. The name and mailing address of each person or entity to whom an expenditure that exceeds \$200 is made, or expenditures in the aggregate that exceed \$200 during the period covered, ~~from the state party building fund~~. If no expenditures were made from the fund, the report shall disclose \$0.00 as expenditures made.
- f. The month, day, and year, date and the amount of the expenditure. If aggregate expenditures that exceed \$200 are made to one person or entity, the amount ~~to be disclosed~~ shall be the total amount made to that person for the period covered and the date ~~to be disclosed~~ shall be the date of the last expenditure.
- g. The total amount of all expenditures of \$200 or less made during the period covered. ~~This total amount shall~~ may be disclosed as being expended to “unitemized” with the date of the expenditure being the last day of the reporting period. If the fund chooses to itemize expenditures that are less than the required itemization threshold, it may do so, but shall either do so for all expenditures or none of the expenditures under the threshold.

h. The signature and date of the individual filing the state party building fund report.

4.24(3) Place of filing. ~~A state party building fund report shall be filed with the board at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319; by fax at (515)281-4073; or as an email attachment.~~

4.24(4) Time of filing. A state party building fund report shall be filed ~~on or before~~ no later than January 31 of each year. ~~If mailed, the report must bear a United States Postal Service postmark dated on or before the due date. A faxed or emailed report must be submitted on or before 11:59 p.m. on the due date.~~ If January 31 falls on a Saturday, Sunday, weekend or holiday on which the board office is closed, the due date shall be extended to the next working day when the board office is open.

4.24(5) Failure to file. If the board determines ~~that~~ a state party committee has failed to timely file a state party building fund report, the state party committee is subject to ~~the possible imposition of~~ board sanctions.

This rule is intended to implement Iowa Code sections 68A.402A(1) “k” and 68A.503.

351—4.25(68A,68B) Legitimate expenditures of campaign funds.

4.25(1) Expenses which may be paid from campaign funds for campaign purposes include, but are not limited to, the following items, so long as the items are for the sole purpose of promoting or enhancing the candidacy of the candidate:

- a. Electronic media advertising, such as radio, ~~cable television and commercial~~ television, and internet.
- b. ~~Printed Published~~ advertising, such as newspaper, magazine, newsletter, and shopper advertising.
- c. Printed promotional materials, such as brochures, ~~leaflets~~, flyers, invitations, stationery, envelopes, reply cards, return envelopes, campaign business cards, direct mailings, ~~postcards and "cowboy" political cards~~, buttons, stickers, bumper stickers, pencils, pens, balloons, notepads, magnets, key chains, and articles of clothing that include political advertising.
- d. Political Campaign signs, such as yard signs, car signs, ~~portable outdoor advertising, stationary outdoor advertising~~ and billboards.
- e. ~~Political advertising specialty items, such as campaign buttons, campaign stickers, bumper stickers, campaign pins, pencils, pens, matchbooks, balloons, scratch pads, calendars, magnets, key chains, and articles of clothing that are political advertising.~~
- ef. Travel and lodging expenses of ~~the~~ campaign workers for campaign purposes and political party activities. Travel and lodging expenses for a candidate to attend a national political party convention are also permitted.
- fg. Contributions to political party committees.
- gh. The purchase of tickets to a meal for the candidate and one guest. However, the purchase or rental of clothing to attend an event is not a permissible campaign expenditure, so long as the attendance at the meal by the candidate and guest is for the sole purpose of enhancing the candidacy of any person.
- hi. General campaign expenditures, such as printing, mailing, copy machine charges, office supplies, ~~campaign~~ photographs, gambling permits, fund-raiser prizes, ~~postage stamps, postage meter costs, bulk mail permits~~, telephone, internet, and installation and service, facsimile charges, and computer services. ~~However, the purchase or rental of formal wear to attend a political event is not a permissible general campaign expenditure.~~
- ij. Purchase or lease of campaign equipment, such as copy machines, telephones, ~~facsimile machines~~, computer hardware, software, and printers.
- jk. Purchase or lease of campaign office space, parking lots or storage space and ~~the~~ payment for campaign office utilities and maintenance.
- kl. Payment of salaries, fringe benefits, bonuses, and payroll taxes of paid campaign staff. ~~As provided in Iowa Code section 68A.302(2) "k,"~~ ~~Family members who perform actual work or services for a campaign and are not the candidate, candidate's spouse, or candidate's dependent children may be compensated for such work or services.~~
- lm. Payment for check printing and financial institution banking service charges. Banking service charges include, but are not limited to, the costs of maintaining a committee bank account.
- mn. Lease or rental of a campaign vehicle, provided that a detailed trip log which provides dates, miles driven, destination, and purpose is maintained, ~~and that n~~Non-campaign miles shall be ~~are~~ reimbursed to the committee at an amount not to exceed the current rate of reimbursement allowed under the standard mileage rate for computations of business expenses pursuant to the Internal Revenue Code. ~~However, t~~The purchase of a campaign vehicle is prohibited.
- no. Reimbursement to candidates and campaign workers for mileage driven for campaign purposes in a personal vehicle, provided that a detailed trip log which provides dates, miles driven, destination and purpose is maintained, ~~and that~~ ~~R~~Reimbursement shall be ~~is~~ paid at an amount not to exceed the current rate of reimbursement allowed under the standard mileage rate for computations of business expenses pursuant to the Internal Revenue Code.
- op. Payment for food expenses and supplies for campaign-related activities, such as the purchase of food, beverages, and table service for fund-raising events or campaign volunteers. However, except as provided in paragraph "h," the purchase of tickets for meals or fund-raising events for other candidates is prohibited, and the purchase of groceries for the candidate or candidate's family is also prohibited. Payment for meals for the candidate ~~(other than those involving tickets for fund-raiser events as addressed in paragraph "h")~~ is permitted as an allowable expenditure for campaign purposes if the meal was associated with campaign-related activities.
- pq. Payment of civil penalties and hearing costs assessed by the board.
- qr. Payment for the services of attorneys, accountants, consultants, or other professional persons when those services relate to campaign activities.
- rs. Subscriptions to newspapers and periodicals that circulate within the area represented by the office that a candidate is seeking or holds; that contain information of a general nature about the state or political subdivision of Iowa, or ~~Subscriptions~~ that contain information useful to all candidates, such as those to national news outlets ~~The Wall Street Journal and Roll Call, are also permissible. Candidates who are unsure whether a subscription is permissible shall seek guidance from the board prior to~~

~~paying for the subscription with campaign funds.~~

~~sf.~~ Membership in service organizations, including a local chamber of commerce, ~~that the candidate joins solely for the purpose of enhancing the candidate's candidacy.~~

~~th.~~ Repayment of ~~campaign~~ loans made to the committee. Candidates who make loans to their own committees shall not charge interest on the loans.

~~u.~~ Purchase of reports of other candidates and political committees so long as the reports' contents are not used for solicitation or commercial purposes.

~~vv.~~ Donations to charitable organizations unless the candidate or the candidate's spouse, child, stepchild, brother, brother-in-law, stepbrother, sister, sister-in-law, stepsister, parent, parent-in-law, or stepparent is employed by the charitable organization and will receive a direct financial benefit from ~~the a~~ donation.

~~w.~~ Contributions to federal, state, county, and city political party committees.

~~xy.~~ Refunds to contributors when a contribution has been accepted in error, or when a committee chooses to dispose of leftover funds by refunding them in prorated shares to ~~the original~~ contributors.

~~yz.~~ Payment for items with a purchase price not to exceed \$250 per person that are presented to committee workers in recognition of services to the committee.

~~zaa.~~ Expenses incurred with respect to an election recount as provided in Iowa Code section 50.48.

~~abb.~~ The sharing of information in any format, such as ~~computer databases containing~~ yard sign locations, email lists, or lists of registered voters, with another candidate's committee.

4.25(2) Expenses which may be paid from campaign funds for educational and other expenses associated with the duties of office include, but are not limited to, the following items:

a. Purchase or lease of office supplies and equipment, such as paper, copy machines, telephones, facsimile machines, computer hardware, software, and printers.

b. Travel, lodging, and registration expenses associated with attendance at an educational conference of a state, national, or regional organization whose memberships and officers are primarily composed of state or local government officials or employees. ~~However, meal expenses are not allowable as expenses associated with the duties of office under any circumstances.~~

c. Meals and other expenses incurred in connection with attending a local meeting to which the officeholder is invited and attends due to the officeholder's official position as an elected official.

d. Purchases of small, incidental items such as pencils, pens, rulers, and bookmarks provided to members of the public touring the offices of the state or a political subdivision. ~~However, s~~Such items, if intended for distribution on public property distributed on public property, shall not expressly advocate the election or defeat of a candidate or the adoption or defeat of a ballot issue as prohibited in Iowa Code section 68A.505. For example, a bookmark bearing the state seal could be distributed on public property, while a bookmark that identified the donor as a candidate for office could not ~~be distributed on public property.~~

e. Gifts purchased for foreign dignitaries when the officeholder is part of an official trip out of the country, such as a trade mission or exchange program.

f. Printing of additional stationery and supplies above the standard allotment of the state or political subdivision.

4.25(3) Expenses which may be paid from campaign funds for constituency services include, but are not limited to, the following items:

a. Mailings and newsletters sent to constituents, including holiday and other greeting cards.

b. Polls and surveys conducted to determine constituent opinions.

c. Travel expenses incurred in communicating with members of an elected official's constituency, provided that a detailed trip log ~~with which provides~~ dates, miles driven, destination, and purpose is maintained, ~~and that~~ Mileage reimbursement shall be ~~is~~ paid at an amount not to exceed the current rate of reimbursement allowed under the standard ~~mileage~~ rate for computations of business expenses pursuant to the Internal Revenue Code. However, meal expenses are not allowable as expenses associated with constituency services under any circumstances.

~~d. Holiday and other greeting cards sent to constituents.~~

This rule is intended to implement Iowa Code sections 68A.301, 68A.302, and 68A.303.

351—4.26(68A) Transfers between candidates.

4.26(1) *Transfer of assets between different candidates.* A candidate's committee may transfer an asset to a candidate's committee established by a different candidate so long as the recipient committee pays the transferring committee the fair market value of the asset and the transaction is properly disclosed on each committee's disclosure report.

4.26(2) *Transfer of assets for same candidate.* A candidate's committee may transfer funds, assets, loans, and debts to a committee established for a different office when the same candidate established both committees. A candidate seeking to transfer

funds, assets, loans, or debts under this ~~sub~~rule shall file either an amended statement of organization disclosing information for the new office sought or register a new committee regardless of whether the \$1,000 financial filing threshold for the new office will be exceeded.

This rule is intended to implement Iowa Code section 68A.303.

351—4.27(68A) ~~Independent expenditure requirements. Filing of independent expenditure statement. Pursuant to Iowa Code section 68A.404, a~~

~~4.27(1) Filing of independent expenditure statement.~~ Any person except a candidate, a committee filing a statement of organization, a federal committee, or an out-of-state committee that makes one or more independent expenditures in excess of \$1,000 in the aggregate shall file Form ~~IE-O Ind-Exp-O~~. A sole individual making one or more independent expenditures in excess of \$1,000 in the aggregate shall file Form ~~IE-I Ind-Exp-I~~. A committee that has registered by filing a statement of organization shall disclose an independent expenditure on the appropriate campaign disclosure report.

~~4.27(1) Independent expenditure defined. “Independent expenditure” means an expenditure defined in Iowa Code section 68A.404(1).~~

~~4.27(2) Independent expenditure reporting.~~ When applicable under Iowa Code section 68A.404 and this rule, Form ~~IE-O Ind-Exp-O~~ shall be filed by a person and Form ~~IE-I Ind-Exp-I~~ shall be filed by a sole individual. ~~Both forms shall be filed electronically within 48 hours of making the independent expenditure exceeding \$1,000 in the aggregate or within 48 hours of disseminating the communication, whichever is earlier. An independent expenditure is deemed made at the time the cost is incurred regardless of whether or not the costs have been billed. Both forms shall be in a format that will enable a person or sole individual making an independent expenditure to comply with all of the reporting requirements in Iowa Code section 68A.404.~~

~~4.27(3) Place of filing.~~ Form ~~Ind-Exp-O~~ and Form ~~Ind-Exp-I~~ shall be filed with the board electronically via the board’s website at ethics.iowa.gov.

~~4.27(4) Time of filing.~~ Form ~~Ind-Exp-O~~ or Form ~~Ind-Exp-I~~ shall be filed within 48 hours of the person’s or sole individual’s making an independent expenditure exceeding \$1,000 in the aggregate or within 48 hours of disseminating the communication to its intended audience, whichever is earlier. An independent expenditure is deemed made at the time that the cost is incurred regardless of whether or not the costs for the independent expenditure have been billed.

~~4.27(5) Failure to file.~~ ~~Failure~~The failure to timely file either independent expenditure formForm ~~Ind-Exp-O~~ or Form ~~Ind-Exp-I~~ shall be subject to the imposition of civil penalties pursuant to 351—subrule 4.59(7).

~~4.27(6) Attribution statement applicable.~~ Any person that makes an independent expenditure in any amount shall comply with the appropriate “paid for by” attribution statement requirements pursuant to Iowa Code section 68A.405 and rule 351—4.38(68A).

This rule is intended to implement Iowa Code section 68A.404.

351—4.28(68A) ~~Prohibition on e~~Contributions and independent expenditures by foreign nationals.

~~4.28(1) Prohibition.~~ A foreign national shall not, directly or indirectly, make a contribution to a candidate or to a campaign committee organized under Iowa Code chapter 68A. ~~Pursuant to Iowa Code section 68A.404(2) “e,” f~~Foreign nationals are also prohibited from making independent expenditures in relation to any state or local election in Iowa.

~~4.28(1) Foreign national defined. “Foreign national” means a person as defined in Iowa Code section 68A.404(2) “c.”~~

~~4.28(2) Acceptance of campaign contributions and donations from foreign nationals.~~ No person shall knowingly accept or receive a campaign contribution from a foreign national. No person shall knowingly accept a monetary donation from a foreign national for purposes of making an independent expenditure.

~~4.28(3) Participation by foreign nationals in decisions involving election-related activity.~~ A foreign national shall not, directly or indirectly, participate in the decision-making process of any person with regard to such person’s ~~election~~campaign-related activities, including. ~~Decisions including election-related activities include decisions involving the making of contributions, donations, or expenditures in connection with elections for state or local office, ballot issues, or decisions involving the administration of a committee.~~

This rule is intended to implement Iowa Code section 68A.404(2) “c.”

351—4.29(68A,68B) Contributions by minors. Persons under 18 years of age may make contributions to a candidate or political committee if all of the following conditions exist:

1. The decision to contribute is made knowingly and voluntarily by the minor;
2. The funds, goods, or services contributed are owned or controlled exclusively by the minor, such as income earned by the minor, the proceeds of a trust for which the minor is the beneficiary, or a savings account opened and maintained exclusively in the minor’s name; and

3. The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another person.

This rule is intended to implement Iowa Code section 68A.404.

[ARC 5525C, IAB 3/24/21, effective 4/28/21]

351—4.30(68A,68B) Funds from unknown source prohibited; subsequent identification of source; notice to contributors.

4.30(1) *Anonymous contributions in excess of \$25 prohibited.* No person shall make a contribution in excess of \$25 to a committee without providing the person's name and address to the committee. ~~The committee shall not maintain in any campaign account funds in excess of \$25 that cannot be accounted for and reconciled with the committee's disclosure reports.~~

4.30(2) *Escheat to the state.* Any contribution in excess of \$25 from an unknown source or campaign funds in excess of \$25 that cannot be accounted for and reconciled shall escheat to the state of Iowa ~~as required by Iowa Code section 68A.501~~. A committee required to escheat shall ~~do so escheat such funds~~ by depositing the funds into the committee's campaign account and issuing a committee check to ~~"State of Iowa" the general fund~~ in the same amount. The committee check shall be sent to the board office ~~at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319, for processing and transfer transmittal~~ to the office of treasurer of state, who shall deposit the check into the general fund.

4.30(3) *Subsequent identification of source.* A committee discovering the source of any funds that have been escheated to the state may make an application to the board for a return of the funds if the following requirements are met:

- a. The committee has not dissolved;
- b. Documentation of the name and address of the source is provided;
- c. The amount requested to be returned is in excess of \$100; and
- d. The application is made within 90 days of the date of the deposit in the general fund of the state of Iowa.

4.30(4) *Notice at fund-raising event.* ~~Pursuant to Iowa Code section 68A.501, a~~ person requested to make a contribution at a fund-raising event shall be advised that it is illegal to make a contribution in excess of \$25 unless the person making the contribution also provides the person's name and address. Notice ~~of the requirement to provide a person's name and address for a contribution in excess of \$25~~ may be made orally or in a written statement that is displayed at the fund-raising event.

This rule is intended to implement Iowa Code section 68A.501.

351—4.31(68A) Information required for contributions from a trust, a trust to avoid a contribution in the name of another person.

4.31(1) *Prohibition on contributions in the name of another.* A contribution to a committee by a trustee solely in the name of the trust constitutes a contribution in the name of another person ~~as prohibited by~~ Iowa Code section 68A.502 unless the recipient committee publicly discloses the contribution as provided in this rule.

4.31(2) *Living or revocable trust.* If the contribution involves a trust identified as a revocable trust or a living trust that does not file a separate trust tax return and whose federal tax ID number is the same as the social security number of the grantor who creates the trust and who is also a trustee, the contribution shall be reported by the recipient committee as being made by the "(name) revocable (or living) trust."

4.31(3) *Other trusts.* For a contribution involving a trust that does not qualify under ~~subrule 351-4.31(2)~~, the recipient committee shall identify the trust, the trustee, and the trustor.

4.31(4) *Registering a committee.* A trust, except for a living or revocable trust, that raises or spends more than \$1,000 for campaign activities shall register a political committee (PAC) and shall file disclosure reports. A trust, except for a living or revocable trust, that makes a one-time contribution in excess of \$1,000 may file Form DR-OTC in lieu of filing a statement of organization and filing disclosure reports.

This rule is intended to implement Iowa Code Supplement sections 68A.402(6) and 68A.502.

[ARC 5525C, IAB 3/24/21, effective 4/28/21]

351—4.32(68A) Contributions from political committees not organized in Iowa.

4.32(1) *Definition.* Iowa committees may receive contributions from committees organized outside Iowa, ~~and committees outside Iowa may contribute to Iowa committees~~ provided the out-of-state committee complies with either ~~subrule 351-4.32(2)~~ or ~~subrule 351-4.32(3)~~. For purposes of this rule, "out-of-state committee" means a committee that is registered with the campaign enforcement agency of another state or is registered with the Federal Election Commission. For purposes of this rule, "contribution" does not include an item purchased at fair market value from an Iowa committee.

4.32(2) *Regular filings.* Out-of-state committees may choose to comply with the regular disclosure filing requirements in Iowa Code Supplement sections 68A.201 and 68A.402 by filing a statement of organization and periodic disclosure reports.

4.32(3) *Verified statement of registration.* In lieu of regular filings referenced in rule 351-4.32(1) ~~filing a statement of~~

~~organization and regular disclosure reports as required by Iowa Code chapter 68A,~~ the out-of-state committee shall file with the board a verified statement registration form (VSR) for each contribution in excess of \$50. The VSR shall contain the following information:

- a. The complete name, mailing address, email address, and telephone number of the out-of-state committee;
- b. The state or federal agency with which the out-of-state committee is registered;
- c. All parent entities or other affiliates or sponsors of the out-of-state committee;
- d. The purpose of the out-of-state committee;
- e. The name, mailing address, email address, and telephone number of an Iowa resident authorized to receive service on behalf of the out-of-state committee;
- f. The name and mailing address of the Iowa recipient committee;
- g. The date and amount of the contribution, including description if the contribution is in-kind; and
- h. An attested statement that the jurisdiction with which the out-of-state committee is registered has reporting requirements substantially similar to those of Iowa Code chapter 68A. The statement shall include confirmation that the contribution is made from an account that does not accept contributions prohibited by Iowa Code section 68A.503 unless the contribution from the out-of-state committee is made to an Iowa ballot issue committee.

~~4.32(3) Where filed. Every VSR filed for a contribution in excess of \$50 shall be filed electronically using the board's website at ethics.iowa.gov.~~

~~4.32(4) When filed. The VSR shall be filed with the board on or before the fifteenth day after the date of the contribution. For purposes of this subrule, "date of the contribution" means the day, month, and year the contribution check is dated. If the board deems it necessary, a copy of any contribution check may be required to be filed with the board. When a copy of a check is required to be filed with the board, the copy shall be filed~~ within ten days after notice by the board.

4.32(5) Enhanced filing. An out-of-state committee determining that the jurisdiction under which the committee is registered does not have reporting requirements substantially similar to those of Iowa Code chapter 68A may choose to comply by enhancing the committee's filing in the other jurisdiction. The enhanced filing shall meet the reporting requirements of Iowa Code chapter 68A for the reporting period during which contributions to Iowa committees are made. The report shall cover a period of at least one month. An out-of-state committee choosing this option shall comply with the VSR procedures in ~~subrule 351—4.32(2)~~ and affirm that the report has been enhanced to satisfy the Iowa reporting requirements.

This rule is intended to implement Iowa Code section 68A.201A.

351—4.33(68A) Reporting of earmarked contributions. A political committee or a political party committee is permitted to receive a contribution that is earmarked to be donated to another committee. A political committee or political party committee receiving and transferring an earmarked contribution is required to list on its disclosure report the name of the contributor and the name of the candidate or committee for which the contribution ~~is was~~ earmarked. The political committee or political party committee shall notify the recipient committee in writing of the name of the individual contributor and the name of the committee that originally received the contribution. The committee ultimately receiving the earmarked contribution shall disclose on its disclosure report both the name of the individual contributor and the name of the committee that originally received and then transferred the earmarked contribution. A ballot issue committee is not permitted to transfer earmarked contributions except to another ballot issue committee.

This rule is intended to implement Iowa Code section 68A.402.

351—4.34(68A) Copies of reports filed by 527 Committees. ~~Iowa Code section 68A.401A requires the board to adopt a procedure for 527 Committees that file reports with the Internal Revenue Service and engage in issue advocacy in Iowa to file copies of those reports with the board. If a 527 Committee notifies the board that it is filing reports with the Internal Revenue Service, the 527 Committee will be deemed in compliance with Iowa Code section 68A.401A. The board will then share establish on its Web site a link on its website to the reports filed with the Internal Revenue Service, or the board will otherwise post on its Web site the Internal Revenue Service reports on its website, filed with the Internal Revenue Service.~~

This rule is intended to implement Iowa Code section 68A.401A.

351—4.35(68A) Permanent organizations forming temporary political committees; one-time contributor filing Form DR-OTC. ~~Pursuant to Iowa Code section 68A.402(9), a permanent organization temporarily engaging in activity that exceeds the \$1,000 financial filing threshold described in rule 351—4.1(68A,68B) is required to organize and register a political committee (PAC), file disclosure reports, and, upon completion of activity, file a notice of dissolution. A permanent organization that is temporarily a political committee shall comply with all of the campaign laws in Iowa Code chapter 68A and this chapter. A~~

~~permanent organization that makes loans to a candidate or committee or that is owed debts from a candidate or committee is not deemed to be engaging in political activity requiring registration.~~

4.35(1) Form DR-OTC. A permanent organization that makes a one-time contribution in excess of \$1,000 to a committee may, in lieu of filing a statement of organization, disclosure reports, and a notice of dissolution, file Form DR-OTC. The following information shall be disclosed on Form DR-OTC:

- a. The name and address of the organization making the contribution.
- b. The name and address of a contact person for the organization ~~making the contribution.~~
- c. The name and address of the campaign committee receiving the contribution. If the contribution is to a candidate or a candidate's committee, the source of the original funds used to make the contribution shall be disclosed.
- d. The date and amount of the contribution. If the contribution is an in-kind contribution, a description of the provided goods or services must be included.
- e. The date of election and the county in which the recipient committee is located if the committee is a county or local committee.
- f. The date and signature of the person filing Form DR-OTC. A Form DR-OTC that is filed electronically using the board's Web site is deemed signed when filed.

4.35(2) Multiple contributions. A permanent organization that makes more than one contribution in a calendar year is not eligible to file Form DR-OTC and is required to file a statement of organization, ~~file and~~ disclosure reports if the contributions cross the financial threshold requiring committee registration, ~~and file a notice of dissolution.~~

~~**4.35(2) Place of filing.** Form DR-OTC shall be filed electronically using the board's website at ethics.iowa.gov.~~

4.35(3) Time of filing. Form DR-OTC shall be filed with the board on or before 11:59 p.m. on the within tenth days after the one-time contribution in excess of \$1,000 is made. ~~The form must be submitted on or before 11:59 p.m. of the tenth day after the organization of the committee is required.~~ If the tenth day falls on a day Saturday, Sunday, or holiday in on which the board office is closed, the filing deadline is extended to the next working day when the board office is open.

4.35(4) Failure to register. If the board discovers that a permanent organization has become subject to the provisions of Iowa Code ~~Supplement~~ chapter 68A but did not timely file a statement of organization or file Form DR-OTC, as applicable, the permanent organization may be ~~is~~ subject to ~~the possible imposition of~~ board sanctions.

4.35(5) Partial refund of contribution. A committee that receives a contribution from a permanent organization that causes the organization to become subject to the provisions of Iowa Code chapter 68A may refund all or part of a contribution to the organization so as to reduce the contribution to \$1,000 or less and eliminate ~~remove~~ the organization's filing obligations.

This rule is intended to implement Iowa Code sections 68A.102(18) and 68A.402.

351—4.36(68A) Cash transactions. All disbursements, including all expenditures and any other withdrawals from committee funds, shall be by check, debit card, or credit card. Cash withdrawals and "petty cash" accounts are not permitted. If a ~~committee~~ fundraising activity necessitates a cash drawer ~~for making change or other cash transactions~~, the committee may issue a check payable to the committee treasurer or chairperson registered with the board or the candidate, ~~in the case of a candidate's committee, or payable to the committee treasurer or the committee chairperson, in the case of a political committee.~~ The purpose of the expenditure shall be reported on Schedule B as "cash advance for (describe activity, e.g., concession stand cash drawer)." Upon completion of the fundraising activity, the committee shall redeposit the same amount as that which was advanced into the committee account. The redeposit shall be reported as a reverse entry on Schedule B as a "redeposit of cash advance for (describe activity)." The proceeds of the fundraising activity (excluding the cash advance) shall be reported on Schedule A. ~~Contributions Received.~~

This rule is intended to implement Iowa Code sections 68A.203 and 68A.402A.

351—4.37(68A,68B) Record keeping.

4.37(1) Copies of reports. A committee shall preserve a copy of every report it files for at least three years following the filing of the report.

4.37(2) Supporting documentation.

a. The documentation which supports a committee's disclosure report shall be preserved by the committee for at least five years after the due date of the report ~~that covers the activity documented in the records~~; however, a committee is not required to preserve these records for more than three years from the certified date of dissolution of the committee. At a minimum, the supporting documentation shall consist of all of the following:

~~a.—b.~~ A ledger or similar record-keeping device which details all contributions received by the committee. This record shall include the name and address of each person making a contribution in excess of \$25; with the corresponding date and amount of

the contribution. In lieu of or in addition to a ledger, the committee may record contributions received through a receipt book or other method of individually documenting the contributions, such as by making and keeping copies of the contribution checks.

~~b- c.~~ The check register for the committee's account(s).

~~e- d.~~ Bank statements for the committee's account(s).

~~d- e.~~ Copies of canceled or duplicate checks for committee expenditures, if available.

~~e- f.~~ Copies of bills or receipts for committee expenditures.

~~f- g.~~ For committees which pay reimbursement for committee-related mileage, copies of vehicle mileage logs, including travel dates, distance driven, and travel purpose (description of event or activity). For a candidate's committee which leases a vehicle, the mileage log shall detail all mileage driven on the vehicle, including non-committee-related mileage.

4.37(3) Records forwarded. An officer of a committee who is replaced by another officer shall forward within seven days any committee records to the subsequently appointed or elected committee officer. The board may grant an extension of time for good cause. ~~The f~~ Failure to forward records pursuant to this ~~sub~~rule may subject the former officer to board sanctions.

This rule is intended to implement Iowa Code sections 68A.203, 68A.302, 68A.402, 68A.403 and 68B.32A.

DIVISION III
POLITICAL MATERIAL—ATTRIBUTION STATEMENTS

351—4.38(68A) Political attribution statement;—contents.

4.38(1) Required content. Published material that expressly advocates for or against a clearly identified candidate or ballot issue shall contain a statement identifying the person paying for the published material. This statement is referred to as the "attribution statement." ~~The term "published material" means any newspaper, magazine, shopper, outdoor advertising facility, poster, direct mailing, brochure, Internet website, television, video, or motion picture advertising, campaign sign larger than 32 square feet, or any other form of printed political advertising.~~

4.38(2) Registered committee. If the person paying for the published material is a committee that has filed a statement of organization, the words "paid for by" and the name of the committee shall appear on the material. An "independent expenditure committee" is not a "registered committee."

4.38(3) Individual, married couple, or unregistered candidate's committee. If the person paying for the published material is an individual, the words "paid for by" and the name and address of the individual shall appear on the material. Published material that is jointly paid for by a married couple shall include the words "paid for by" and the name and address of one member of the married couple. For purposes of this ~~sub~~rule, "individual" includes a candidate who has not filed a statement of organization to register a committee.

4.38(4) Multiple individuals. If more than one individual paid for the published material, the words "paid for by," ~~and the names of the individuals, and either the addresses of the individuals shall be included, or a statement that the addresses of the individuals are on file with the Iowa ethics and campaign disclosure board shall appear on the material. The addresses shall be provided to the board and made available for public inspection.~~

4.38(5) Organization or unregistered political committee. If the person paying for the published material is an organization, the words "paid for by," the name and address of the organization, and the name of one officer of the organization shall appear on the material. For purposes of this ~~sub~~rule, "organization" includes an organization advocating the passage or defeat of a ballot issue but that has not filed a statement of organization to register a political committee.

~~—4.38(5) Pooled efforts. If the published material is paid for by more than one person, the words "paid for by" and the identification of the persons as set out in this rule shall appear on the material.~~

4.38(6) Corporations. If the person paying for the published material is a corporation, the words "paid for by," the name and address of the corporation, and the name and title of the corporation's chief executive officer shall appear on the material.

4.38(7) Independent expenditures. A person, including a sole individual, making an independent expenditure shall provide the attribution statement according to the appropriate category under this rule. The attribution statement shall also include a statement that the published material was not authorized by any candidate, candidate's committee, or ballot issue committee.

This rule is intended to implement Iowa Code section 68A.405.

351—4.39(68A) Specific items exempted from or subject to attribution statement requirement; multiple pages. ~~Iowa Code section 68A.405 and rule 351—4.38(68A) require the placement of a "paid for by" attribution statement on published material that expressly advocates for or against a clearly identified candidate or ballot issue, with certain exceptions.~~

4.39(1) Items exempted from requirement. The requirement to place a "paid for by" attribution statement does not apply to the following:

- a. Editorials or news articles of a media organization that are not ~~paid political~~ advertisements.
- b. Small items upon which the inclusion of the attribution statement would be impracticable, such as ~~campaign signs 32 square feet or smaller that have been placed or posted on real property~~, bumper stickers, pins, buttons, pens, pencils, emery boards, matchbooks and, except as set out in ~~subrule 351–4.39(2)~~, ~~other~~ items that are smaller than 2 inches by 4 inches. ~~For purposes of this rule, 32 square feet is the total dimension of the campaign sign regardless of whether or not both sides of the sign are used for campaign advertising.~~
- c. T-shirts, caps, and other articles of clothing that expressly advocate for or against a candidate or ballot issue.
- d. Radio advertisements, live telephone calls, or auto-generated telephone messages.
- e. Published material placed by an individual who acts independently and spends \$100 or less of the individual's own resources to expressly advocate the passage or defeat of a ballot issue.

4.39(2) Items subject to requirement. The requirement to place a “paid for by” attribution statement applies to the following:

a. Published material. ~~The term “published material” means any newspaper, magazine, shopper, outdoor advertising facility, poster, direct mailing, brochure, website, campaign sign, television, video, or motion picture advertising, such as campaign signs larger than 32 square feet that have been placed or posted on real property, billboards, posters, portable sign carriers, and signs affixed or painted to the side or top of a building or vehicle. A campaign sign placed on a building or vehicle shall contain the appropriate attribution statement regardless of the size of the sign. “Published material” includes all of the following:~~

~~1. b. ———Published material Advertising in a newspaper, magazine, shopper, or other periodical. An attribution statement shall be included~~ regardless of the size of the material.

~~2. e. ———Mailings and handouts.~~ Direct mailings, flyers, brochures, postcards, or any other form of published material ~~that is physically distributed~~ that is larger than 2 inches by 4 inches and not otherwise ~~exempt set out in this rule shall include an attribution statement. 351–4.39(68A).~~

~~3. d. ———Campaign websites.~~ A blog that is not owned or controlled by a candidate or committee is not required to include an attribution statement disclosing who paid for the costs of the blog, ~~but~~ Aa political advertisement on a blog is required to include the appropriate attribution statement disclosing who paid for the advertisement.

~~4. ———Campaign signs. Campaign signs smaller than 32 square feet on one side shall be exempt from the attribution statement requirement. However, a campaign sign placed on a building or vehicle shall contain the appropriate attribution statement regardless of the size of the sign.~~

~~5. e. ———Television, video, and motion picture advertising.~~ The attribution statement shall be displayed on the advertisement in a clearly readable manner for at least four seconds.

~~6. ———Printed or electronic general public political advertising. For purposes of this rule, “printed or electronic general public political advertising” means a communication that is distributed by a candidate, candidate’s committee, PAC, state or county statutory political committee, or a person making an independent expenditure that (1) includes express advocacy, (2) is distributed to 100 or more individuals, and (3) costs more than \$1,000 in the aggregate~~

4.39(3) Multiple pages. If the published material consists of more than one page, the “paid for by” attribution statement need only appear on one page of the material. For a campaign website, the attribution statement need only appear on the ~~homepage~~ home page of the site. A ~~notes~~ scratch-pad need only include the attribution statement on the pad and not on each individual page of the pad.

This rule is intended to implement Iowa Code section 68A.405.

351–4.40(68A,68B) Newspaper or magazine. ~~For the purposes of these rules and Iowa Code section 68A.405, “a~~ Newspaper or magazine” means a regularly scheduled publication of news, articles of opinion, and features available to the general public, including by paid subscription, which does not require membership in or employment by a specific organization.

This rule is intended to implement Iowa Code section 68A.405.

351–4.41(68A,68B) Apparent violations; remedial action.

4.41(1) Administrative resolution. In an effort to informally resolve apparent violations of the requirement to place a “paid for by” attribution statement, the board may order administrative resolution of the matter. The board may direct the person responsible for placing the original published political material that did not include the attribution statement to place a correction notice in a local newspaper that reaches the same or substantially the same portion of the public that received the original published political material. A person may also resolve a violation of the “paid for by” attribution statement by resending corrected published political material to the same portion of the public that received the original published political material and by filing a copy of the corrected material with the board.

4.41(2) Form of correction notice. The correction notice shall be in substantially the following form: “On (date) (describe the

type of published political material) was distributed that did not state who paid for it. The (describe the type of published political material) was paid for by (insert name).”

~~4.41(3) Board notice. The board shall notify the person who paid for the original published political material of the requirements of this rule.~~

4.41(4) Refusal to place correction notice. The board may initiate a contested case proceeding and impose discipline against any person who refuses to place a correction notice under this rule.

This rule is intended to implement Iowa Code sections 68A.405 and 68B.32A(8).

351—4.42 and 4.43 Reserved.

DIVISION IV
CORPORATE POLITICAL ACTIVITY

351—4.44(68A,68B) Prohibited corporate activity. ~~As provided in Iowa Code section 68A.503, a financial institution, insurance company, or corporation is prohibited from using its resources to make monetary or in-kind campaign contributions to a candidate, candidate’s committee, political committee that expressly advocates for or against a candidate, or a political party committee. For purposes of this chapter, “corporate entity” shall include financial institutions, insurance companies, and corporations.~~

4.44(1) The prohibition on corporate political activity does not apply to any of the following:

- a. An LLC, LLP, or any other organization that does not file articles of incorporation and is not owned in whole or in part by a corporation.
- b. Monetary or in-kind campaign contributions to a ballot issue committee.
- c. Independent expenditure communications.
- d. A campaign committee using a corporate entity computer to generate and file a campaign disclosure statement or report.

4.44(2) For purposes of this rule, prohibited corporate activity shall include, but not be limited to, the following:

- a. The physical placement of campaign materials on corporate property except as permitted under Iowa Code sections 68A.406 and 68A.503.
- b. The use of motor vehicles, telephone equipment, ~~long-distance lines~~, computers, ~~typewriters~~, office space, duplicating equipment and supplies, stationery, envelopes, labels, postage, postage meters or other communication systems of corporate entities.
- c. The use of corporate entity facilities, premises, recreational facilities, and housing that are not ordinarily available to the general public.
- d. The furnishing of beverages and other refreshments that cost in excess of \$50 and that are not ordinarily available to the general public.
- e. ~~The e~~Contributing ~~of~~ money of the corporate entity.
- f. Any other transaction conducted between a corporate entity and a candidate, candidate’s committee, political committee that expressly advocates for or against candidates, or a political party committee. Such transaction is presumed to be a corporate contribution unless it is sufficiently demonstrated to the board that the transaction should not be considered a prohibited contribution under Iowa Code section 68A.503.

This rule is intended to implement Iowa Code section 68A.503.

351—4.45(68A,68B) Corporate-sponsored political committee. These rules do not prevent a corporate entity from soliciting eligible members to join or contribute to its own corporate-sponsored ~~political committee (PAC), so long as the corporate entity adheres to the provisions of Iowa Code section 68A.503.~~

This rule is intended to implement Iowa Code section 68A.503.

351—4.46 Reserved.

351—4.47(68A,68B) Permitted corporate activity—reimbursement required. Notwithstanding rule 351—4.44(2), the following are permissible political activities by corporations. The prohibitions against certain transactions between corporate entities and candidates or committees expressly advocating the election or defeat of candidates contained in Iowa Code section 68A.503 and in rule 351—4.44(68A,68B) are not construed to prohibit activity that occurs consistent with this rule.

4.47(1) Purchase or rental of office facility. A candidate’s committee or any other committee that expressly advocates the election or defeat of a candidate may purchase or rent property belonging to a corporate entity, so long as the purchase or rental

is at fair market value. For the purpose of this ~~subrule~~, “fair market value” means the amount that a member of the general public would expect to pay to purchase or rent a similar property within the community in which the property is located.

~~4.47(2) Use of corporate facilities to produce or mail materials. Any person who uses the facilities of a corporate entity to produce or mail materials in connection with a candidate election is required to reimburse the corporate entity within a commercially reasonable time for the normal and usual charge for producing or mailing such materials in the commercial market. For example, if it would otherwise cost 10 cents per page to have a brochure copied at a commercial printer, the corporate entity must be reimbursed at 10 cents per page even if the overhead and operating cost is only 5 cents per page. Likewise, the corporate entity must be reimbursed at the first class mail rate even if the direct cost to the corporate entity is less through the use of its bulk mail permit. This subrule does not affect the ability of a commercial vendor to charge an amount for postage which is less than for first class mail where the reduced or bulk mail charge is available to all similarly situated customers without respect to the political identity of the customer.~~

4.47(23) Use or rental of corporate facilities by other persons. Persons other than stockholders, administrative officers, or employees of a corporate entity who make any use of corporate facilities, such as using telephones, ~~facsimile machines, typewriters or~~ computers, printers and copy machines, or ~~borrowing~~ office furniture for activity in connection with a candidate election, are required to reimburse the corporate entity within a commercially reasonable time in the amount of the normal and usual rental charge. ~~If one or more telephones of a corporate entity are used as a telephone bank, a rebuttable presumption is established that \$3 per telephone per hour, plus any actual long distance charges, is acceptable as a normal and usual rental charge. This rule includes the use of corporate equipment to produce and mail published materials.~~

4.47(34) Use of airplanes and other means of transportation.

a. Air travel. A candidate, candidate’s agent, or person traveling on behalf of a candidate who uses noncommercial air transportation made available by a corporate entity shall, in advance, reimburse the corporate entity as follows:

- (1) Where the destination is served by regularly scheduled commercial service, the coach class airfare (without discounts).
- (2) Where the destination is not served by a regularly scheduled commercial service, the usual charter rate.

b. Other transportation. A candidate, candidate’s agent, or person traveling on behalf of a candidate who uses other means of transportation made available by a corporate entity shall, within a commercially reasonable time, reimburse the corporate entity at the normal and usual rental charge.

4.47(45) Equal access not required. For the purpose of this rule, it is not necessary that the corporate entity be in the business of selling or renting the property, good, or service to the general public; further, it is not necessary that the corporate entity provide access to the same property, good, or service to other candidates or committees.

4.47(56) Reimbursement to a corporate entity~~Commercially reasonable time.~~ The reimbursement shall be for the actual costs of the corporate resource or be for the same amount charged to a person using the corporate resource for any other purpose. For the purpose of this rule, a rebuttable presumption is established that reimbursement to the corporate entity within ten business days is ~~acceptable as~~ within a commercially reasonable time.

4.47(67) Loans and debts. A financial institution may make a loan to a candidate or candidate’s committee so long as the loan is repaid and all proper public disclosure of the transaction is made pursuant to rule 351—4.18(68A,68B). A candidate or candidate’s committee may owe a debt to an insurance company, financial institution, or corporation so long as the debt is repaid and all proper public disclosure of the transaction is made pursuant to rule 351—4.16(68A,68B). The repayment of a loan or debt under this ~~subrule~~ shall be made prior to the dissolution of the committee pursuant to rule 351—4.57(68A,68B).

This rule is intended to implement Iowa Code section 68A.503.

351—4.48(68A) Sham newspapers subject to campaign laws.

4.48(1) Media exception inapplicable. The owner, publisher, or editor of a sham newspaper is not entitled to the exceptions for media organizations provided in Iowa Code chapter 68A, who is using the sham newspaper to promote in any way the candidacy of any person for public office must comply with the requirements of Iowa Code chapter 68A.

4.48(21) Factors. In determining whether or not a publication is entitled to the press exception ~~or is a sham newspaper that triggers the campaign laws~~, the board will consider the following factors:

- a.* Whether the publication is published and made available on a regular schedule or interval;
- b.* The proximity to the election in which the candidates and public affairs are discussed;
- c.* Whether the publication contains news items and articles of opinion of a general character separate from discussions concerning candidates and public affairs;
- d.* How widely the publication is circulated or is otherwise made available to the public in comparison to a targeted audience for potential campaign purposes;
- e.* Whether the publication discusses all candidates for a particular election or otherwise gives all candidates equal space;

and

f. Whether the publication expressly advocates for the candidacy of any person.

~~4.48(2) Definitions. For purposes of this rule, the following definitions apply:~~

~~“Express advocacy” means “express advocacy” as defined in Iowa Code section 68A.102(14) and rule 351—4.53(68A).~~

~~“Media organization” means “media organization” as defined in rule 351—4.51(68A).~~

~~“Sham newspaper” means “sham newspaper” as defined in Iowa Code section 68A.503(5) “b.”~~

This rule is intended to implement Iowa Code section 68A.503(5) “b.”

351—4.49(68A,68B) Individual property. These rules do not apply to the personal or real property of corporate officers or of individuals employed or associated with a corporate entity and shall not abridge the free speech rights and privileges of individuals.

This rule is intended to implement Iowa Code section 68A.503.

351—4.50 Reserved.

351—4.51(68A) Candidate debate—media organization; debate structure; debate funding; contribution reporting inapplicable.

~~4.51(1) Exception to corporate contribution ban. The Iowa Code section 68A.503 prohibits corporations from making contributions to state or local candidates in Iowa. This prohibition on corporate campaign contributions~~ does not apply to incorporated media organizations that host candidate debates as described in this rule.

~~4.51(2)~~ **4.51(21) Media organization defined.** “Media organization” means a broadcaster, cable television operator, television programmer, television producer, bona fide newspaper, magazine, or any other periodical publication. The media organization shall not be owned or controlled by a political party, political committee, or candidate.

~~4.51(3)~~ **4.51(32) Debate structure.** The structure of the debate shall be left to the discretion of the media organization provided that at least two or more candidates for the particular office are invited to participate. The debate shall not be structured to promote or advance one candidate over another. In choosing which candidates to invite to a debate, the media organization shall use good faith editorial judgment that is reasonable and viewpoint-neutral.

~~4.51(4)~~ **4.51(43) Funding debates.** A media organization may use its own funds and may accept funds donated by corporations to defray costs incurred in staging a candidate debate under this rule.

~~4.51(5)~~ **4.51(54) Contribution reporting inapplicable.** The costs of a debate under this rule are not a reportable monetary or in-kind contribution s. under Iowa Code section 68A.402.

This rule is intended to implement Iowa Code sections 68A.402 and 68A.503.

351—4.52(68A,68B) Corporate involvement with political committee funds.

4.52(1) Corporate payroll deductions. For purposes of ~~interpretation of~~ Iowa Code section 68A.503, the administrative functions performed by a corporation (profit or nonprofit corporation including, but not limited to, a bank, savings and loan institution, credit union, or insurance company) to make payroll deductions for an employee organization’s political committee and to transmit the deductions in lump sum to the treasurer of the political committee shall not be a prohibited corporate activity, so long as the corporate entity is serving only as a conduit for the contributions.

4.52(2) Electronic transfer of deposits. A corporation, financial institution, or insurance company may receive and deposit checks that include both dues and PAC contributions. Contributions for the PAC shall be transferred as soon as possible into the PAC checking account and all disclosure, record-keeping, and record-retention requirements ~~of Iowa Code chapter 68A~~ shall be followed.

4.52(3) Allowable costs of administration. For the purposes of interpreting Iowa Code section 68A.503(3), ~~which permits an entity otherwise forbidden from contributing to a candidate or a candidate’s committee for “financing the administration of a political committee sponsored by that entity,”~~ the following are considered to be allowable costs of administration:

- a. Full or partial compensation for political committee staff, which may include both wages and benefits.
- b. Expenses of transportation and travel incurred by political committee staff; however, this does not include expenses of transportation or travel if provided by a political committee or a staff member to a candidate, nor does this include expenses of meals or events held on behalf of a candidate.
- c. Printing and office supplies related to routine office administration so long as the printing and supplies are not used to expressly advocate for or against any candidate.
- d. Postage and stationery, including that necessary for mailing contributions to specific candidates. Postage and stationery necessary for distributing political material expressly advocating a specific candidate to persons other than ~~the~~ committee

membership are not permitted.

e. Expenses of maintaining committee records and preparing financial disclosure reports, including costs associated with services provided by an accountant or other professional.

f. Promotional materials, such as stickers, pens, and coffee cups, so long as the items promote the political committee itself, but not a specific candidate.

g. An item which is excluded by this ~~sub~~rule from being an allowable cost of administration may still be provided by the committee, so long as that cost is paid for from contributions or other sources of funds other than the parent entity.

This rule is intended to implement Iowa Code section 68A.503.

DIVISION V
INDEPENDENT EXPENDITURES AND IN-KIND CONTRIBUTIONS

351—4.53(68A,68B) Express advocacy; in-kind contributions; independent expenditures— definitions. For the purposes of Iowa Code chapter 68A, the following definitions apply.

~~4.53(1) Express advocacy. “Express advocacy” means any communication as defined in Iowa Code section 68A.102(14). “Express advocacy” includes a communication that uses any word, term, phrase, or symbol that exhorts an individual to vote for or against a clearly identified candidate or for the passage or defeat of a clearly identified ballot issue.~~

4.53(12) In-kind contribution. “In-kind contribution” means the provision of any good or service to a committee without charge or at a charge that is less than the usual and normal charge for such good or service. If a good or service is provided at less than the usual and normal charge, the amount of the in-kind contribution is the difference between the usual and normal charge for the good or service at the time of the contribution and the amount charged to the committee. An in-kind contribution also includes any expenditure that meets the definition of a coordinated expenditure in ~~sub~~rule 351—4.53(4).

~~4.53(3) Independent expenditure. “Independent expenditure” means “independent expenditure” as defined in Iowa Code section 68A.404(1).~~

4.53(24) Coordinated expenditure.

a. “Coordinated expenditure” means an expenditure made with the knowledge and approval of a candidate, candidate’s committee, political party committee, or political committee. “Coordinated expenditure” also means that there has been arrangement, coordination, or direction by the candidate, candidate’s committee, political party committee, or political committee, or an agent or officer of the candidate’s committee or a ballot issue committee prior to the procurement or purchase of the good or service, or the publication, distribution, display, or broadcast of an express advocacy communication.

b. An expenditure will be presumed to be coordinated when it is:

(1) Based on information provided to the expending person by the candidate, the candidate’s committee, or the ballot issue committee with a view toward having an expenditure made; or

(2) Made by or through any person who is or has been authorized to raise or expend funds; who is or has been an officer of the candidate’s committee or the ballot issue committee; or who is or has been receiving any form of compensation or reimbursement from the candidate, the candidate’s committee, or the ballot issue committee.

c. Pursuant to Iowa Code section 68A.404(7), a person making an independent expenditure shall not engage or retain an advertising firm or consultant that has also been engaged or retained within the prior six months by the candidate, candidate’s committee, or ballot issue PAC that is benefited by the independent expenditure. “Engage or retain” shall not include the purchase of goods or products from an advertising firm or consultant when the advertising firm or consultant does not provide guidance, assistance, or advice to the person making the purchase concerning the good or product.

This rule is intended to implement Iowa Code section 68A.404.

DIVISION VI
COMMITTEE DISSOLUTION

351—4.54(68A) Committee dissolution; disposition of property; resolution of loans or debts.

4.54(1) Conditions to dissolve. A committee shall not dissolve until all loans and debts are paid, forgiven, or transferred, and the remaining funds in the committee’s campaign account are distributed according to Iowa Code sections 68A.302 and 68A.303 and rule 351—4.25(68A,68B). ~~In the case of a candidate’s committee, the disposition of all campaign property with a residual value of \$100 or more must be accomplished before dissolution.~~

4.54(21) Manner of disposition—candidates’ committees. ~~In the case of a candidate’s committee, all A candidate’s committee shall dispose of~~ campaign property with a residual value of \$100 or more ~~shall be disposed of~~ through a sale of the property at fair market value, with proceeds treated as any other campaign funds, or through donation of the property as set out in Iowa Code

section 68A.303(1). The candidate's committee shall disclose on the committee's campaign report the manner of disposition.

4.54(32) Resolution of loans and debts. The loans and debts of a committee may be transferred, assumed, or forgiven except that a loan or debt owed to a financial institution, insurance company, or corporation may not be forgiven unless the committee is a ballot issue committee. The committee shall disclose on the committee's campaign report the transfer, assumption, or forgiveness of a loan or debt on the appropriate reporting schedules.

4.54(43) Settlement of disputed loans and debts. A dispute concerning a loan or debt may be resolved for less than the original amount if the committee discloses on the committee's campaign report the resolution of the dispute. If the dispute is between a candidate's committee and a financial institution, insurance company, or corporation, the candidate's committee shall submit a written statement to the board describing the loan or debt, the controversy, and the steps taken to settle or collect the loan or debt. The board will review the statement and determine whether to permit the candidate's committee to report the loan or debt as discharged.

4.54(54) Unavailable creditor. If the committee cannot locate a person to whom it owes a loan or debt, the committee shall provide the board with a written statement describing the steps the committee has taken to locate the creditor and ~~shall~~ request direction from the board as to what additional steps, if any, should be taken. If a candidate's committee owes a loan or debt to a financial institution, insurance company, or corporation, resolution of the matter shall include payment to a charitable organization or the general fund of the state of Iowa.

This rule is intended to implement Iowa Code section 68A.402B.

351—4.55(68A) Statement of dissolution; final report; final bank statement.

4.55(1) Statement of dissolution. A statement of dissolution (Form DR-3) shall be filed after the committee terminates its activity, disposes of its funds and assets, and has discharged all of its loans and debts.

~~—4.55(2) Place of filing. Statements of dissolution shall be filed through the board's website at ethics.iowa.gov.~~

4.55(23) Time of filing. A committee seeking to dissolve ~~dissolution~~ shall file a statement of dissolution within 30 days of terminating activity, disposing of funds and assets, and discharging all loans and debts. A statement must be submitted at or before 11:59 p.m. on the required due date. If the due date falls on a Saturday, Sunday, or holiday on which the board office is closed, the due date is extended to the next working day.

4.55(34) Final report. The committee shall file a final report disclosing the committee's closing transactions. Once the board staff reviews the report and determines that the committee has complied with all of the requirements of Iowa Code chapter 68A, the committee is no longer required to file campaign reports. The committee shall be required to resolve all inconsistencies with Iowa Code chapter 68A before dissolving.~~If the board staff determines that the committee has not complied with all of the requirements of Iowa Code chapter 68A, the committee, prior to being dissolved, shall resolve all issues.~~

4.55(45) Final bank statement. A copy of the committee's final bank statement showing the committee's closing transactions and a zero balance shall be attached to or submitted with the committee's final report. A committee participating in an election at the county, city, school, or other political subdivision level, an independent expenditure committee, or a sole individual making an independent expenditure is not required to file a final bank statement unless requested to do so by the board. A committee seeking a waiver from the requirements of this ~~sub~~rule may do so in accordance with 351—Chapter 15.

This rule is intended to implement Iowa Code section 68A.402B.

351—4.56 through 4.58 Reserved.

DIVISION VII CIVIL PENALTIES FOR LATE REPORTS

~~**351—4.58(68B) Late-filed campaign disclosure reports.** A campaign disclosure report is deemed filed late if it is not received by the board on or before the date and time the report is mandated to be filed pursuant to statute or board rule.~~

~~This rule is intended to implement Iowa Code section 68B.32A(8).~~

351—4.59(68B) Routine civil penalty assessment for late-filed disclosure reports.

4.59(1) Administrative resolution. In administrative resolution of violations for late-filed disclosure reports, the board shall assess and collect monetary penalties ~~for all late-filed disclosure reports~~. The board shall notify any person assessed a penalty of the amount of the assessment and the person's ability to request a waiver under rule 351—4.60(68B). A person ~~using the board's electronic filing system~~ shall not be assessed a civil penalty if the board's electronic filing system is not properly functioning and causes the person to be unable to timely file the report.

4.59(2) County and local committee assessments. County, county statutory, city, school, other political subdivision, and local

ballot issue committees shall be assessed civil penalties for late-filed reports in accordance with the following schedule:

Date report received	First-time delinquency	Repeat delinquency by same committee in 12-month period
1 to 14 consecutive days delinquent	\$20	\$50 <u>100</u>
15 to 30 consecutive days delinquent	\$50	\$100 <u>200</u>
31 to 45 consecutive days delinquent	\$100	\$200 <u>400</u>

4.59(3) State committee assessments. Statewide, general assembly, state statutory, ~~and~~ state political committees, and a judge standing for retention shall be assessed civil penalties for late-filed reports, except for supplementary and special election reports, in accordance with the following schedule:

Date report received	First-time delinquency	Repeat delinquency by same committee in 12-month period
1 to 14 consecutive days delinquent	\$50	\$100 <u>200</u>
15 to 30 consecutive days delinquent	\$100	\$200 <u>400</u>
31 to 45 consecutive days delinquent	\$200	\$300 <u>600</u>

4.59(4) Supplementary report assessments. General assembly candidates' committees required to file supplementary disclosure reports shall be assessed a \$200 civil penalty for filing a supplementary report ~~one or more days~~-late. Statewide committees required to file supplementary disclosure reports shall be assessed a \$400 civil penalty for filing a supplementary report ~~one or more days~~-late.

4.59(5) Special election assessments. The committees of general assembly candidates to fill vacancies in special elections shall be assessed a \$100 civil penalty for filing a special election report ~~one or more days~~-late. The committees of statewide candidates to fill vacancies in special elections shall be assessed a \$200 civil penalty for filing a special election report ~~one or more days~~-late.

4.59(6) Verified statement of registration assessments. An out-of-state committee that chooses to file a verified statement of registration (VSR) ~~as provided in Iowa Code Supplement section 28.201 and rule 351—4.32~~, but fails to ~~do so~~ file the VSR on or before the fifteenth day after the date of the contribution, shall be assessed a \$25 civil penalty per late-filed VSR. However, if there is a repeat delinquency by the committee in a 12-month period, the penalty shall be \$50. For purposes of this ~~sub~~rule, "date of the contribution" means the day, month, and year the contribution check is dated.

4.59(7) Independent expenditure assessment. An individual who is delinquent in timely filing Form ~~IE-I Ind-Exp-I~~ shall be assessed a \$25 civil penalty. If there is a repeat delinquency by the individual in timely filing Form ~~IE-I Ind-Exp-I~~ within a 12-month period, the penalty shall be \$50. A person that is designated by the board as an independent expenditure committee that fails to timely file Form ~~IE-O Ind-Exp-O~~ shall be assessed a \$50 civil penalty. If there is a repeat delinquency by the person in timely filing Form ~~IE-O Ind-Exp-O~~ within a 12-month period, the penalty shall be \$100.

4.59(8) Form DR-OTC assessment. A permanent organization that has not previously made a contribution in excess of ~~\$1,000~~750 and that fails to file Form DR-OTC within ten days of notice to do so by the board shall be assessed a \$20 civil penalty. A permanent organization that has previously made a contribution in excess of ~~\$1,000~~750 and that fails to file Form DR-OTC within ten days of the date on which the contribution check is issued shall be assessed a \$20 civil penalty.

4.59(9) Additional sanctions. The issuance of a civil penalty under this rule does not prohibit the board from imposing additional sanctions pursuant to the process set out in Iowa Code chapter 68B and rule 351—9.4(~~68B~~) if the board determines that there was evidence of an intentional failure to timely file the report.

This rule is intended to implement Iowa Code section 68B.32A(8).

351—4.60(68B) Requests for waiver of penalties. If a person believes that there are mitigating circumstances that prevented the timely filing of a report, the person may ~~petition~~make a written request to the board for waiver of the penalty. ~~by filing a Petition for Waiver of Civil Penalty form.~~ A person seeking a waiver must submit the request to the board within 30 days of receiving a civil penalty assessment order. ~~Waivers may be granted only under exceptional or very unusual circumstances.~~ The board will review the ~~petition request~~ and may waive the penalty -issue a waiver or deny denial of the request. If a waiver is granted, the board will determine how much of the penalty is waived based on the circumstances. ~~If a denial or partial waiver is issued, the person shall promptly pay the assessed penalty or seek a contested case proceeding pursuant to rule 351—4.61(68B).~~

This rule is intended to implement Iowa Code section 68B.32A(8).

351—4.61(68B) Contested case challenge.

4.61(1) Request. If the person accepts administrative resolution of a matter through the payment of ~~an the~~ assessed penalty, the matter shall be closed. If the person chooses to contest the board's decision to deny the request or grant a partial waiver of an assessed penalty, the person shall make a written request for a contested case proceeding within 30 days of being notified of the board's decision.

4.61(2) Procedure. Upon timely receipt of a request for a contested case proceeding, the board shall provide for the issuance of a statement of charges and notice of hearing. ~~The hearing shall be conducted in accordance with the provisions of Iowa Code section 68B.32C and the board's rules.~~ The burden shall be on the board's legal counsel to prove that a violation occurred.

4.61(3) Failure to request hearing. Failure to request a contested case proceeding to appeal the board's decision on a waiver request is failure to exhaust administrative remedies for purposes of seeking judicial review in accordance with Iowa Code chapter 17A and Iowa Code section 68B.33.

This rule is intended to implement Iowa Code section 68B.32A(8).

351—4.62(68B) Payment of penalty.

4.62(1) Where payment made. Checks ~~or money orders~~ shall be made payable ~~and forwarded to~~ "State of Iowa" and sent to the Board's office for transfer to the office of the treasurer of the state, who shall deposit the check into the general fund. ~~Iowa Ethics and Campaign Disclosure Board, 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319. Such funds shall be deposited in the general fund of the state of Iowa.~~

4.62(2) Who may make payment. Payment may be made ~~at the person's discretion, including~~ from funds of a committee or from personal funds of an officer or candidate of a committee.

This rule is intended to implement Iowa Code section 68B.32A(8).

351—4.63(68A, 68B) Electronic filings.

4.63(1) Reports filed electronically. For purposes of the board's jurisdiction, all reports will be filed electronically using the designated electronic filing system.

4.63(2) Accommodations. Those who require assistance completing their electronic filings may contact the board's office.