

Advisory Opinion

IECDB AO 2000-32

October 19, 2000

TO ALL INTERESTED PERSONS:

Pursuant to Iowa Code section 68B.32A(11), the Iowa Ethics and Campaign Disclosure Board takes the opportunity to issue its opinion on the issue of bumper stickers not being part of the campaign sign prohibitions in Iowa Code section 56.12A. We note at the outset that the Board's jurisdiction is limited to the application of Iowa Code chapters 56 and 68B and rules in Iowa Administrative Code chapter 351. Whether some other statutory system, common law theory or agency rule applies to this issue is not covered by this opinion.

OPINION:

In IECDB AO No. 2000-27, the Board opined that under Iowa Code section 56.12A (prohibition on use of public resources for a political purpose) vehicles with "campaign signs" could not be parked on any public parking lot longer than 24 consecutive hours. In IECDB AO No. 2000-28, the Board determined that under the same statute campaign signs could not be placed on a personal vehicle during any time period the vehicle was used for governmental business and the public official or employee sought reimbursement. The issue has now been raised whether or not "bumper stickers" were part of the prohibitions on "campaign signs" as discussed in those two opinions.

It is our opinion that for purposes of the two advisory opinions discussed above, that "campaign signs" do not include "bumper stickers". Therefore, the prohibitions discussed in those two opinions do not apply to "bumper stickers" placed on the front or back bumper of the vehicle.

BY DIRECTION AND VOTE OF THE BOARD

Bernard McKinley, Board Chair

1st Vice-Chair Geraldine Leinen

2nd Vice-Chair James Albert

Gwen Boeke

Mark McCormick

Phyllis Peters

-Submitted by: W. Charles Smithson, Board Legal Counsel