

## **Advisory Opinion**

IECDB AO 2002-09

April 11, 2002

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 out-of-state lobbyists making campaign contributions during legislative session. 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.

OPINION:

Iowa Code section 56.15A in pertinent part states:

"A lobbyist...shall not contribute to, act as an agent or intermediary for contributions to, or arrange for the making of monetary or in-kind contributions to the campaign of an elected state official, member of the general assembly, or candidate for state office on any day during the regular legislative session and, in the case of the governor or a gubernatorial candidate, during the thirty days following the adjournment of a regular legislative session allowed for the signing of bills."

The issue has been raised concerning whether this statutory prohibition applies to individuals who are registered to lobby in other states or before the federal government but are not registered in Iowa. We believe the statute only prohibits individuals who are registered lobbyists in Iowa from making campaign contributions during the covered time period. Therefore, individuals who are not lobbyists in Iowa, but are registered to lobby in other states or before the federal government, are not subject to this prohibition.

BY DIRECTION AND VOTE OF THE BOARD

James Albert, Board Chair  
1st Vice-Chair Geraldine Leinen  
2nd Vice-Chair Gwen Boeke  
Mark McCormick  
Bernie McKinley  
Phyllis Peters

Submitted by: W. Charles Smithson, Board Legal Counsel