

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

In re the Matter of: Victoria Sinclair, Complainant And Concerning: Greg Piklapp, in the Capacity as Chair of the Boone YES Committee, Respondent	FC 2022-02 Order Dismissing Complaint for Lack of Legal Sufficiency
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THIS MATTER comes before the Iowa Ethics and Campaign Disclosure Board this 26th day of May, 2022, to consider the dismissal of a formal complaint.

On March 4, 2022, Victoria Sinclair filed FC 2022-02 alleging that the Boone YES Committee, a political committee, violated Iowa Code chapter 68A from February 2022, to March 2022.

Complainant first alleges that Respondent violated Iowa Code section 68A.405 by including an inaccurate attribution statement on a campaign mailer. Second, that Respondent violated Iowa Code section 68A.201 by failing to timely file a Statement of Organization with the Board. Third, that Respondent violated Iowa Code section 68A.402 by failing to timely file a campaign disclosure report.

Iowa Code section 68A.405 requires that a “paid for by” attribution statement be included on published materials (including mailers) indicating who is responsible for the materials. The campaign mailer at issue included the attribution statement “Paid for by the Boone YES Committee.” At the time the mailer was sent on February 24, 2022, the Boone YES Committee was not registered with the Board and should have included the name and address of the individual responsible for the material.¹

In order to use an unregistered committee name on the mailer, Respondent was required to file Form DR-SFA before distributing the mailer on February 24, 2022.² However, Respondent quickly remedied the violation by filing Form DR-SFA on February 28, 2022. The quick remedy ensured the public was not substantially denied access to the information required to be disclosed in the attribution statement.

Iowa Code section 68A.201 requires that committees file a Statement of Organization within ten days of organization or ten days of exceeding \$1,000 in financial activity. Campaign disclosure reports show that Respondent crossed the \$1,000 threshold on February 21, 2022. A Statement of Organization was due no later than March 3, 2022. Respondent timely filed their Statement of Organization on March 1, 2022.

Complainant notes that Respondent’s Statement of Organization listed the same individual as chair and treasurer of the committee. Advisory Opinion 2003-01 clarifies

¹ Iowa Code section 68A.405(1)(e).

² Iowa Administrative Code rule 351-4.11.

that political committees, including Respondent, must have two separate people in the positions of chair and treasurer. Board staff contacted Respondent and was informed they were unable to find an additional person to serve as treasurer. Respondent also indicated that the committee would promptly be dissolved to remedy the issue. A Statement of Dissolution was filed on May 19, 2022.

Iowa Code section 68A.402 requires a political committee that has crossed the \$1,000 financial activity threshold to file a campaign disclosure report five days before an election. The report covers financial activity from the date of initial activity through ten days before the election.

Subsequent campaign disclosure reports confirm that Respondent did not cross the \$1,000 threshold before February 19, 2022, ten days before the March 1, 2022, election. Therefore, they were not required to file a report on February 24, 2022, five days before the election. Respondent's first required campaign disclosure report was due no later than 4:30 p.m. on May 19, 2022. Respondent timely filed their report at 10:00 a.m. on May 19, 2022.

In response to the late filing of Form DR-SFA, Respondent was admonished on May 20, 2022, to exercise care in the future to ensure full compliance. The Board determines FC 2022-02 does not state any further allegations which are legally sufficient.

IT IS SO ORDERED: FC 2022-03 is dismissed as legally insufficient pursuant to Iowa Code section 68B.32B and Iowa Administrative Code rule 351-9.1(2).

BY DIRECTION AND VOTE OF THE BOARD:



James Albert, Chair
Elaine Olson, Vice Chair
Jonathan Roos
Mary Rueter
Daniel Jessop
Leah Rodenberg

SUBMITTED BY:

Zachary S. Goodrich, Executive Director and Legal Counsel

CERTIFICATE OF MAILING

This document was sent by electronic mail on this 27th day of May, 2022, to:

Victoria Sinclair, Complainant
Greg Piklapp, Respondent