

Dissolving Committee

Revised 08/05

Advisory Opinion 2005-09

Subject: Procedure for the Dissolution of Campaign Committee

TO ALL INTERESTED PERSONS:

Pursuant to Iowa Code section 68B.32A(11) and rule 351—1.2, the Iowa Ethics and Campaign Disclosure Board issues this opinion on the procedure for dissolving a campaign committee. The Board's jurisdiction is limited to the application of Iowa Code chapters 68A and 68B, Iowa Code section 8.7, and rules in Iowa Administrative Code chapter 351. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.

OPINION:

In order to remove confusion surrounding the procedure for the dissolution (closing) of a campaign committee, the Board issues this opinion.

A committee will not be deemed dissolved and will continue to be responsible for filing campaign reports until all of these steps have been completed.

Committees Involved in State Elections:

1. Resolve all outstanding loans, debts, and obligations.
2. Dispose of all campaign property valued over \$100.
3. Spend all remaining campaign funds.
4. File a final campaign report disclosing the final committee transactions.
5. File a final campaign account bank statement disclosing the final committee transactions.
6. File a Statement of Dissolution (Form DR-3) within 30 days of closing the committee.

A committee that dissolves will still be responsible for addressing any disclosure issues that are raised after the Board's staff audits the committee's campaign reports.

Committees Involved in County, City, School, or Other Political Subdivision Elections:

1. Resolve all outstanding loans, debts, and obligations.
2. Dispose of all campaign property valued over \$100.
3. Spend all remaining campaign funds.
4. File a final campaign report disclosing the final committee transactions.
5. File a Statement of Dissolution (Form DR-3) within 30 days of closing the committee.

A committee that dissolves will still be responsible for addressing any disclosure issues that are raised after the Board's staff audits the committee's campaign reports. In addition, a committee involved in a county, city, school, or other political subdivision election is required to file a final committee bank statement if requested to do so by the Board.¹

In closing, as a campaign committee is not deemed dissolved and will continue to have filing responsibilities under the law until all required steps are undertaken, the Board encourages all committees to review the requirements for committee dissolution in Iowa Code section 68A.402B and the Board's rules in 351—4.54 and 351—4.55.

FOR MORE INFORMATION CONTACT THE BOARD:

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¹ See Board rule 351—5.55(5)