

Iowa Gift Law

- A public official, public employee, or candidate, or that person's immediate family member may **not**, *directly or indirectly*, receive any gift or series of gifts from a restricted donor. Iowa Code § 68B.22.
 - Public officials and employees include those at the state, county, city, and school level.
 - "Immediate family members" means the spouse and dependent children.
- Public officials and public employees should be extremely cautious and circumspect about accepting a gratuity or favor, especially from persons that have a substantial interest in the legislative, administrative, or political actions of the official or employee.



Restricted Donor

- “Restricted donor” means someone who is giving a gift and:
 - Does business or is seeking to do business with a government office
 - And is offering a gift to an employee of that office
 - Has a substantial financial interest in the performance or nonperformance of a public official’s duty
 - More so than the public generally or an industry generally
 - Has a matter pending before a regulatory agency
 - And is offering a gift to an employee with authority over that matter
 - Is a lobbyist
 - And is offering a gift to a public official in the lobbyist’s jurisdiction
- See Iowa Code § 68B.2(24).



A restricted donor gave me a gift! Now what?

- Is it worth \$3.00 or less?
 - Yes → No problem
 - \$3.01 value or more? → Problem, but can be avoided!
- A public employee may accept a nonmonetary gift, if it is donated within 30 days to a public body or an educational or charitable organization.
- What is a bona fide charitable organization?
 - It must be organized as a non-profit
 - Example: a 501(c)(3)



Gifts that are allowed

- Gifts worth \$3.00 or less
- Relevant informational materials
- Gifts from relatives (who are not agents of restricted donors)
- Items available to the general public
- Items available to all members of an organization which the donee is a dues-paying member of
- Food/lodging for participating in a panel or speaking engagement
- Plaques/recognition awards
- Items at conferences/seminars of organizations primarily for state or local government officials or employees
- Funeral flowers
- Wedding or anniversary gifts
- Food/lodging for trips to attract new business to the state
- Gifts from a foreign national as part of a ceremonial presentation/custom



See Iowa Code § 68B.22.

Honoraria

- “Honorarium” means anything of value that is accepted or given as consideration for an appearance, speech, or article.
- Not allowed!
- Exceptions (similar to gift rules)
 - Limited to cost of food/lodging to participate in a panel or speaking engagement
 - Nonmonetary and donated within 30 days to a public body or charity
 - The payment is related to private business expertise and not related to the public employee’s status as a public employee

