

Questions and Answers Concerning Contributions to Iowa Committees From Federal and Out-of-State Committees

Revised 1/12

See Iowa Code section 68A.201(5) and Board rule 351-4.32 for more guidance

ARE IOWA COMMITTEES PERMITTED TO ACCEPT CONTRIBUTIONS FROM SOURCES OUTSIDE THE STATE?

Yes. Iowa committees may accept contributions from persons who live outside the state of Iowa. The name and address of the contributor needs to be reported. Iowa committees are permitted to accept contributions from political committees (PACs) and party committees that are organized in other jurisdictions if the non-Iowa committee has met the filing requirements of Iowa law. The fair market value purchase of an item from an Iowa committee does NOT constitute a reportable contribution (see IEADB Advisory Opinion 2008-05).

WHAT ARE THE FILING REQUIREMENTS FOR NON-IOWA COMMITTEES?

Before making a contribution to an Iowa committee, the out-of-state committee is required to meet one of the following criteria:

(1) Have registered with the Iowa Ethics and Campaign Disclosure Board by filing a Statement of Organization and full disclosure reports. The out-of-state committee must have all of its funds in a separate banking account in an Iowa financial institution or have named an Iowa resident as treasurer.

-OR-

(2) Be registered and filing full disclosure reports with the FEC or another state disclosure agency and file a Verified Statement Registration (VSR) with the Board. The other state must have reporting requirements that are substantially similar to Iowa's, especially with regard to prohibiting direct or indirect corporate contributions. If the committee is registered and reporting in another jurisdiction but the other state's laws are not substantially similar, contact the Board office for instructions. A 527 committee is not permitted to contribute to an Iowa committee.

WHAT INFORMATION IS DISCLOSED ON THE VSR?

1. The complete name, mailing address and telephone number of the non-Iowa committee.
2. The name, address and telephone number an Iowa resident who could accept legal service on behalf of the non-Iowa committee.

This does not have to be an employee or associate of the out-of-state committee, but simply an Iowan who agrees to accept this responsibility in the unlikely event of a legal problem. It can be someone with the recipient committee.

3. The name and address of any parent entity, affiliate or sponsor of the non-Iowa committee (such as the name of a corporation in the case of a corporate-sponsored PAC, or the name of a union when the committee is sponsored by a labor organization, etc.)
4. A statement about the purpose of the committee, and identification of the place where the committee is registered and files disclosure reports.
5. The name and complete mailing address of the Iowa committee to whom the contribution has been made, as well as the date and amount. The "date of the contribution" means the day, month and year the contribution check is dated. If the contribution is a donation of goods or services, rather than money, the in-kind contribution must be described.
6. An affirmation that the jurisdiction the out-of-state committee is registered in has reporting requirements that are substantially similar to those in Iowa, and that the contribution is being made from an account that does not accept corporate contributions.

HOW SOON AFTER ISSUANCE MUST A COMMITTEE'S CONTRIBUTION BE SENT TO THE IOWA COMMITTEE?

Iowa Code section 68A.203(2) and rule 351-4.32 require the contribution to be rendered to the Iowa committee's treasurer within 15 days of the date of the contribution.

HOW SOON AFTER ISSUANCE MUST A VSR BE SENT TO THE BOARD?

Iowa Code section 68A.203(2) and rule 351-4.32 require the VSR to be filed with the Iowa Ethics & Campaign Disclosure Board within 15 days of the date of the check.

CAN OUT-OF-STATE COMMITTEES CONTRIBUTE TO IOWA COMMITTEES DURING THE IOWA LEGISLATIVE SESSION?

Iowa Code 68A.504 prohibits a "political committee" (PAC) from making contributions to a statewide or general assembly candidate during the legislative session. This prohibition extends for an additional 30 days after session to the Governor and gubernatorial candidates.

EXCEPTIONS: An elected state official who is seeking federal office may accept such contribution into his or her federal campaign account.

A candidate for state office who has filed nomination papers for an office for which a special election is held during the regular legislative session may accept such contributions for a specified period of time. If an out-of-state committee intends to make such a contribution, it should contact the Board.

DISCLAIMER

This brochure is intended for general guidance and is not a restatement of the law or rules and is not legal advice. Please review Iowa Code chapter 68A and the Board's rules in chapter 351 of the Iowa Administrative Code or contact the Board when questions arise.

FOR MORE INFORMATION CONTACT THE BOARD:

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