

Advisory Opinion
IECDB AO 2000-01

April 20, 2000

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 individuals wearing law enforcement uniforms while campaigning. 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. Whether some other statutory system, common law theory or agency rule applies to this issue is not covered by this opinion.

OPINION:

Iowa Code section 56.12A in pertinent part states:

"The state and the governing body of a county, city, or other political subdivision of the state shall not expend or permit the expenditure of public moneys for political purposes, including expressly advocating the passage or defeat of a ballot issue...."

While some law enforcement uniforms are initially purchased by the governmental unit, the Board does not believe there is a continuing transactional cost that would trigger the prohibition. Therefore, this section does not prohibit individuals from campaigning for office or for the passage/defeat of ballot issues while wearing law enforcement uniforms. The Board notes that this includes both photographs and "live" campaigning.

BY DIRECTION AND VOTE OF THE BOARD

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

-Submitted by: W. Charles Smithson, Board Legal Counsel