

Advisory Opinion

IECDB AO 2012-6

August 23, 2012

Team Iowa PAC
Attention: Jill Latham
400 Locust Street, Suite 330
Des Moines, IA 50309

Ms. Latham:

Pursuant to Iowa Code section 68B.32A(12) and rule 351—1.2, the Iowa Ethics and Campaign Disclosure Board issues this opinion in response to your August 9, 2012 letter requesting the Board define a “partisan political committee organized to represent persons within the boundaries of a congressional district.” We note at the outset that 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.

QUESTION:

What is the definition of “partisan political committee organized to represent persons within the boundaries of a congressional district?”

OPINION:

Iowa Code section 68A.303 allows a candidate’s committee to transfer campaign funds to “national, state, or local political party central committees, or to partisan political committees organized to represent persons within the boundaries of a congressional district.” We believe a “partisan political committee organized to represent persons within the boundaries of a congressional district” must be expressly created by a political party in order to be eligible for the receipt of campaign funds from a candidate’s committee. For example, the Iowa Third Congressional District Democratic Central Committee, a federal PAC, would be eligible to receive campaign funds from a candidate’s committee. Similarly, we would allow a candidate’s committee to transfer campaign funds to a federal or state committee established as the Iowa Third Congressional District Republicans Committee.

BY DIRECTION AND VOTE OF THE BOARD

James Albert, Board Chair

John Walsh, Vice Chair

Saima Zafar

Carole Tillotson

Jonathan Roos

Mary Rueter

Submitted by Megan Tooker, Board Legal Counsel