

A BILL

FOR AN ACT TO AMEND THE LAW AS IT APPEARS IN SECTION ELEVEN HUNDRED SIX (1106), TO REPEAL THE LAW AS IT APPEARS IN SECTIONS ELEVEN HUNDRED NINE (1109), ELEVEN HUNDRED NINETEEN (1119), ELEVEN HUNDRED TWENTY (1120) AND ELEVEN HUNDRED TWENTY-ONE (1121), OF THE SUPPLEMENT TO THE CODE OF 1907, AND TO ENACT SUBSTITUTES THEREFOR; ALL RELATING TO THE FORM, MARKING, COUNTING AND VALIDITY OF THE BALLOT USED IN THE GENERAL ELECTIONS IN THE STATE.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. Section One Thousand One Hundred Six (1106) of the Supplement to the Code of 1907, is hereby amended by inserting in the thirty-second (32) line of said section a circle in front of each of the words, "Republican," "Democratic," "Prohibition," "Union Labor," which said thirty-second line of said section shall then read as follows:

O Republican: O Democratic: O Prohibition: O Union Labor.

SEC. 2. Section one thousand one hundred nine (1109) of the Supplement to the Code of 1907 is hereby repealed and the following enacted in lieu thereof:

Method of Printing. The ballot shall be on plain white paper, through which the printing or writing cannot be read. The party name or title shall be printed in capital letters, not less than one-fourth of an inch in height, and the circle in front of the party names or titles shall be one-half of an inch in diameter. The names of candidates shall be printed in capital letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which the name of a candidate is printed, a square shall be printed, the sides of which shall not be less than one-fourth of an inch in length. On the back or outside of the ballot, so as to appear when folded, shall be printed the words 'Official Ballot,' followed by the designation of the polling place for which the ballot is prepared, the date of the election, and a fac-simile of the signature of the Auditor or other officer who has caused the ballot to be printed."

SEC. 3. Section one thousand one hundred nineteen (1119) of the Supplement to the Code of 1907 is hereby repealed and the following enacted in lieu thereof:

Marking the Ballot. On receipt of a ballot the voter shall forthwith, and without leaving

4 the polling place, retire to one of the booths provided to prepare his ballot. He may prepare
5 his ballot by making a cross in the circle at the head of the ticket he desires to vote, and if he
6 desires to vote for any candidate on any other ticket on the ballot he must make a cross in
7 the square at the left of the candidate's name for whom he desires to vote; and in case a
8 voter does not wish to vote a party ticket he need not make a cross in the circle at the head of
9 the ticket, but may make a cross in the square at the left of the names of the candidates for
10 whom he desires to vote. The voter may also insert in writing, in the proper place, the name
11 of any person for whom he desires to vote. The making of a cross in any square opposite a
12 blank without writing a name therein shall not affect the validity of his vote."

SEC. 4. Section one thousand one hundred twenty (1120) of the Supplement to the Code of
2 1907 is hereby repealed and the following enacted in lieu thereof:

3 "*How counted.* Ballots marked with a cross in the circle at the head of one ticket shall be
4 counted for all candidates on the ticket over which the cross is placed, and those candidates
5 whose names are written in on that or any other ticket on the ballot, unless there should be a
6 cross in the square at the left of the name of one or more candidates on some other ticket on
7 the ballot. The ballot shall then be counted for the candidates before whose names a cross has
8 been placed and whose names are written in, and for all other candidates on the ticket over
9 which a cross in the circle has been placed, except for the candidate for that office before whose
10 name he has placed a cross or whose name has been written in on some other ticket. The mak-
11 ing of a cross in front of a name of any candidate on the ticket which has also been marked in
12 the circle shall be considered as surplusage and shall not in any way affect the validity of the
13 ballot. When only one candidate for any office is to be elected, if the voter marks in squares
14 opposite the names of more than one candidate therefor or writes in the names of more than
15 one candidate on the blanks therefor, such vote shall not be counted for such office. When two
16 or more officers of the same kind are to be elected, if more squares opposite the names for
17 candidates for such office are marked or more names are written in on the proper blanks than
18 there are officers to be elected to such office, the ballot shall not be counted for any such candi-
19 dates. If for any reason it is impossible to determine the voter's choice for any office to be
20 filled, his ballot shall not be counted for such office. Any ballot marked by the voter in any
21 other manner than as authorized in this chapter, and so that such mark may be used for the
22 purpose of identifying such ballot, shall be rejected."

SEC. 5. Section one thousand one hundred twenty-one (1121) of the Supplement to the
2 Code of 1907 is hereby repealed and the following enacted in lieu thereof:

3 "*Spoiled ballots.* Any voter who shall spoil his ballot may, on returning same to the judges
4 receive another in place thereof, but no voter shall receive more than three ballots, including
5 the one first delivered to him."