

62.5 Statement of intent to contest.

1. Within twenty days after the board of supervisors declares a winner from the canvass of an election, the contestant shall file with the commissioner a written statement of intention to contest the election. If a recount is held for the office in question, and the recount board finds that the winner was someone other than the person declared at the original canvass of votes, a contest may be filed within twenty days after the board of supervisors declares a winner from the recount of votes.

2. The contestant's statement shall include the following:

a. The name of the contestant and that the contestant is qualified to hold such office.

b. The name of the incumbent.

c. The office contested.

d. The date of the election.

e. The particular causes of the contest pursuant to section 57.1, subsection 2. If a cause of the contest is an allegation that illegal votes were received or that legal votes were rejected, a statement shall be included setting forth the names of the persons who are alleged to have voted illegally or whose votes were rejected and the precinct where they voted or offered to vote.

f. The affidavit of the contestant, or some elector of the county, affirming the causes set forth are true.

[C51, § 345; R60, § 575; C73, § 697; C97, § 1203; C24, 27, 31, 35, 39, § **1024**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 62.5]

2002 Acts, ch 1134, §75, 114, 115

Section history from prior version of section 62.5 retained and included with section history for new section 62.5, due to content of section text; see 2002 Acts, ch 1134, §75, 114, 115