

45.5 Form of nomination papers.

1. Nomination papers shall include a petition and an affidavit of candidacy. All nomination petitions shall be eight and one-half by eleven inches in size and shall be in substantially the form prescribed by the state commissioner of elections. They shall provide spaces for the following information:

a. A statement identifying the signers of the petition as eligible electors of the appropriate ward, city, county, school district or school district director district, or legislative district and of the state of Iowa.

b. The name of the candidate nominated by the petition.

c. A statement that the candidate is or will be a resident of the appropriate ward, city, county, school district, or legislative or other district as required by section 39.27.

d. The office sought by the candidate, including the district number, if any.

e. The name and date of the election for which the candidate is nominated.

2. Signatures on a petition page shall be counted only if the information required in subsection 1 is written or printed at the top of the page. Nomination papers on behalf of candidates for seats in the general assembly need only designate the number of the senatorial or representative district, as appropriate, and not the county or counties, in which the candidate and the petitioners reside. A signature line in a nomination petition shall not be counted if the line lacks the signature of the eligible elector and the signer's address and city. A signature line shall not be counted if the signer's address is obviously outside the boundaries of the appropriate ward, city, school district or school district director district, legislative district, or other district.

3. The pages of the petition shall be securely fastened together to form a single bundle. Nomination petitions that are not bound shall be returned without further examination. The state commissioner shall prescribe by rule the acceptable methods for binding nomination petitions.

4. The person examining the petition shall mark any deficiencies on the petition. Signed nomination petitions and the signed and notarized affidavit of candidacy shall not be altered to correct deficiencies noted during the examination. If the nomination petition lacks a sufficient number of acceptable signatures, the nomination papers shall be rejected and returned to the candidate.

5. The nomination papers shall be rejected if the affidavit lacks any of the following:

a. The candidate's name.

b. The name of the office sought, including the district, if any.

c. The signature of the candidate.

d. The signature of a notary public under chapter 9B or other officer empowered to witness oaths.

6. The candidate may replace a deficient affidavit with a corrected one only if the replacement is filed before the filing deadline. The candidate may resubmit a nomination petition that has been rejected by adding a sufficient number of pages or signatures to correct the deficiency. A nomination petition and affidavit filed to replace rejected nomination papers shall be filed together before the deadline for filing.

2002 Acts, ch 1134, §15, 115; 2003 Acts, ch 44, §23, 24; 2007 Acts, ch 59, §4, 19; 2012 Acts, ch 1050, §35, 60

Referred to in §376.4

[P] Oaths, see chapter 63A