

53.2 Application for ballot.

1. *a.* Any registered voter, under the circumstances specified in [section 53.1](#), may on any day, except election day, and not more than one hundred twenty days prior to the date of the election, apply in person for an absentee ballot at the commissioner's office or at any location designated by the commissioner. However, for those elections in which the commissioner directs the polls be opened at noon pursuant to [section 49.73](#), a voter may apply in person for an absentee ballot at the commissioner's office from 8:00 a.m. until 11:00 a.m. on election day.

b. A registered voter may make written application to the commissioner for an absentee ballot. A written application for an absentee ballot must be received by the commissioner no later than 5:00 p.m. on the same day as the voter registration deadline provided in [section 48A.9](#) for the election for which the ballot is requested, except when the absentee ballot is requested and voted at the commissioner's office pursuant to [section 53.10](#). A written application for an absentee ballot delivered to the commissioner and received by the commissioner more than one hundred twenty days prior to the date of the election shall be returned to the voter with a notification of the date when the applications will be accepted.

2. *a.* The state commissioner shall prescribe a form for absentee ballot applications. However, if a registered voter submits an application on a sheet of paper no smaller than three by five inches in size that includes all of the information required in [this section](#), the prescribed form is not required.

b. Absentee ballot applications may include instructions to send the application directly to the county commissioner of elections. However, no absentee ballot application shall be preaddressed or printed with instructions to send the applications to anyone other than the appropriate commissioner.

c. No absentee ballot application shall be preaddressed or printed with instructions to send the ballot to anyone other than the voter.

3. [This section](#) does not require that a written communication mailed to the commissioner's office to request an absentee ballot, or any other document be notarized as a prerequisite to receiving or marking an absentee ballot or returning to the commissioner an absentee ballot which has been voted.

4. *a.* Each application shall contain the following information:

- (1) The name and signature of the registered voter.
- (2) The registered voter's date of birth.
- (3) The address at which the voter is registered to vote.
- (4) The registered voter's voter verification number.
- (5) The name or date of the election for which the absentee ballot is requested.
- (6) Such other information as may be necessary to determine the correct absentee ballot for the registered voter.

b. If insufficient information has been provided, including the absence of a voter verification number, either on the prescribed form or on an application created by the applicant, the commissioner shall, by the best means available, obtain the additional necessary information. A voter requesting or casting a ballot pursuant to [section 53.22](#) shall not be required to provide a voter verification number.

c. For purposes of [this subsection](#), "voter verification number" means the registered voter's driver's license number or nonoperator's identification card number assigned to the voter by the department of transportation or the registered voter's identification number assigned to the voter by the state commissioner pursuant to [section 47.7, subsection 2](#).

5. The commissioner may dispute an application if it appears to the commissioner that the signature on the application has been signed by someone other than the registered voter, in comparing the signature on the application to the signature on record of the registered voter named on the application. If the commissioner disputes a registered voter's application under [this subsection](#), the commissioner shall notify the registered voter and the registered voter may submit a new application and signature or update the registered voter's signature on record, as provided by rule adopted by the state commissioner.

6. An application for a primary election ballot which specifies a party different from that recorded on the registered voter's voter registration record, or if the voter's voter registration

record does not indicate a party affiliation, shall be accepted as a change or declaration of party affiliation. The commissioner shall approve the change or declaration and enter a notation of the change on the registration records at the time the absentee ballot request is noted on the voter's registration record. A notice shall be sent with the ballot requested informing the voter that the voter's registration record will be changed to show that the voter is now affiliated with the party whose ballot the voter requested. If an application for a primary election ballot does not specify a party and the voter registration record of the voter from whom the application is received shows that the voter is affiliated with a party, the voter shall be mailed the ballot of the party indicated on the voter's registration record.

7. If an application for an absentee ballot is received from an eligible elector who is not a registered voter the commissioner shall send the eligible elector a voter registration form and another absentee ballot application form. If the application is received after the time registration closes pursuant to [section 48A.9](#) but by 5:00 p.m. on the Saturday before the election for general elections or by 5:00 p.m. on the Friday before the election for all other elections, the commissioner shall notify the applicant by mail of the election day and in-person absentee registration provisions of [section 48A.7A](#). In addition to notification by mail, the commissioner shall also attempt to contact the applicant by any other method available to the commissioner.

8. A registered voter who has not moved from the county in which the elector is registered to vote may submit a change of name, telephone number, or address on the absentee ballot application form when requesting an absentee ballot. The commissioner may also update a voter's identification number, as described in [section 48A.11, subsection 1](#), paragraph "e", if an identification number is provided on an absentee ballot application. Upon receipt of a properly completed form, the commissioner shall enter a notation of the change on the registration records.

9. An application for an absentee ballot that is returned to the commissioner by a person acting as an actual or implied agent for a political party, as defined in [section 43.2](#), or by a candidate or committee, both as defined by [chapter 68A](#), shall be returned to the commissioner within seventy-two hours of the time the completed application was received from the applicant or no later than 5:00 p.m. on the same day as the deadline under [subsection 1](#), paragraph "b", whichever is earlier. An application received by a person acting as an actual or implied agent of a political party after the deadline but before the date of the election shall be returned to the commissioner within twenty-four hours.

10. A registered voter who is a program participant under [section 9E.6](#) may register to vote as an absentee voter with the state commissioner of elections pursuant to [section 9E.6, subsection 2](#).

[SS15, §1137-c, -d; C24, 27, 31, 35, 39, §928, 930; C46, 50, 54, 58, 62, 66, 71, §53.2, 53.4; C73, 75, 77, 79, 81, §53.2]

83 Acts, ch 176, §6; 84 Acts, ch 1291, §11; 86 Acts, ch 1224, §28; 87 Acts, ch 221, §25; 91 Acts, ch 129, §17; 94 Acts, ch 1169, §54; 95 Acts, ch 189, §15; 97 Acts, ch 170, §68; 2004 Acts, ch 1083, §28, 29, 37; 2007 Acts, ch 59, §23, 38; 2008 Acts, ch 1032, §157; 2008 Acts, ch 1053, §1, 2; 2009 Acts, ch 57, §61; 2010 Acts, ch 1033, §29, 56; 2014 Acts, ch 1101, §15, 32; 2015 Acts, ch 96, §10, 17; 2017 Acts, ch 110, §6, 11, 30, 35, 36

Referred to in [§22.7](#), [§53.22](#), [§53.39](#), [§53.45](#), [§53.49](#)

2017 amendment to subsections 1, 4, and 9 by 2017 Acts, ch 110, §6 takes effect January 1, 2018; 2017 Acts, ch 110, §11
2017 amendment by 2017 Acts, ch 110, §30 adding NEW subsection 5 takes effect July 1, 2017, and applies to elections held on or after that date; 2017 Acts, ch 110, §35, 36; 2017 Acts, ch 170, §26

Subsections 1 and 4 amended

NEW subsection 5 and former subsections 5 – 9 renumbered as 6 – 10

Subsection 9 amended