

#### 49.78 Voter identity and signature verification.

1. To ensure the integrity of, and to instill public confidence in, all elections in this state the general assembly finds that the verification of a voter's identity is necessary before a voter is permitted to receive and cast a ballot.

2. *a.* Before a precinct election official furnishes a ballot to a voter under [section 49.77](#), the voter shall establish the voter's identity by presenting the official with one of the following forms of identification for verification:

- (1) An Iowa driver's license issued pursuant to [section 321.189](#).
- (2) An Iowa nonoperator's identification card issued pursuant to [section 321.190](#).
- (3) A United States passport.
- (4) A United States military or veterans identification card.
- (5) A current, valid tribal identification card or other tribal enrollment document issued by a federally recognized Indian tribe or nation, which includes a photograph, signature, and valid expiration date.

*b.* Upon being presented with a form of identification under [this section](#), the precinct election official shall examine the identification. The precinct election official shall use the information on the identification card, including the signature, to determine whether the person offering to vote appears to be the person depicted on the identification card. The voter's signature shall generally be presumed to be valid. If the identification provided does not appear to be the person offering to vote under [section 49.77](#), the precinct election official shall challenge the person offering to vote in the same manner provided for other challenges by [sections 49.79](#) and [49.80](#). A person offering to vote who establishes identity by presenting a veteran's identification card that does not contain a signature, is not subject to challenge under this paragraph "b".

3. To establish the voter's identity under [this section](#), a person who is registered to vote but is unable to present a form of identification listed under [subsection 2](#) may present any of the following:

*a.* A current voter identification card provided pursuant to [section 48A.10A](#) that contains the voter identification number if the voter identification card is signed before the voter presents the card to the election official.

*b.* Other forms of identification sufficient to establish identity and residence under [section 48A.7A, subsection 1](#), paragraph "b".

4. A person who is registered to vote but is unable to present a form of identification under [subsection 2](#) or [3](#) may establish identity and residency in the precinct by written oath of a person who is also registered to vote in the precinct. The attesting registered voter's oath shall attest to the stated identity of the person wishing to vote and that the person is a current resident of the precinct. The oath must be signed by the attesting registered voter in the presence of the appropriate precinct election official. A registered voter who has signed two oaths on election day attesting to a person's identity and residency as provided in [this subsection](#) is prohibited from signing any further oaths as provided in [this subsection](#) on that day.

5. The form of the written oath required of a registered voter attesting to the identity and residency of the voter unable to present a form of identification shall read as follows:

I, ..... (name of attesting registered voter), do solemnly swear or affirm all of the following:

I am a preregistered voter in this precinct or I registered to vote in this precinct today, and a registered voter did not sign an oath on my behalf. I will not sign more than two oaths attesting to the identity and residence of any other person in this election.

I am a resident of the ... precinct, ... ward or township, city of ....., county of ....., Iowa.

I reside at ..... (street address) in ..... (city or township).

I personally know ..... (name of voter), and I personally know that ..... (name of voter) is a resident of the ... precinct, ..... ward or township, city of ....., county of ....., Iowa.

I understand that any false statement in this oath is a class “D” felony punishable by no more than five years in confinement and a fine of at least seven hundred fifty dollars but not more than seven thousand five hundred dollars.

.....

Signature of Attesting Registered Voter

Subscribed and sworn before me on ..... (date).

.....

Signature of Precinct Election Official

6. A voter who is not otherwise disqualified from voting and who has established identity under subsection 2, 3, or 4 shall be furnished a ballot and be allowed to vote under section 49.77.

7. A registered voter who fails to establish the voter’s identity under this section shall be permitted to cast a provisional ballot under section 49.81.

2017 Acts, ch 110, §27, 35, 36; 2018 Acts, ch 1149, §7, 12; 2018 Acts, ch 1172, §93

Referred to in §48A.7A, 49.77, 49.81, 49.124, 53.22, 53.25

Section 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

Subsection 8 stricken per its own terms effective July 1, 2019; 2017 Acts, ch 110, §27

Subsection 8 stricken