

**53.17A Absentee ballot tracking.**

1. For the purposes of [this chapter](#):

a. “*Postal service barcode*” means a barcode purchased by the sender and supplied by the United States postal service that is used to sort and track letters and flat packages and is printed on an absentee ballot return envelope at the direction of the commissioner before the envelope is sent to the voter.

b. “*Tracking information database*” means a database administered by the United States postal service that is accessible to the commissioner and contains information regarding letters or flat packages.

2. a. Prior to implementing for the first time, discontinuing the usage of, or reimplementing the usage of a postal service barcode and tracking information, the commissioner shall send notice to the state commissioner prior to October 1, 2020, for an election taking place in 2020 after that date, and by October 1 of each year thereafter.

b. The commissioner shall not implement or discontinue the use of a postal service barcode or tracking information database during an election after an absentee ballot has been mailed for that election pursuant to [section 53.8](#).

c. The state commissioner shall adopt rules regarding the statewide implementation of a postal service barcode and tracking information database, including procedures to be followed when usage of a postal service barcode or the tracking information database is negatively impacted. Each commissioner shall use a postal service barcode and tracking information database consistent with rules of the state commissioner. Every commissioner shall send notice to the state commissioner and implement the use of a postal service barcode and tracking information database prior to October 1, 2020.

3. a. An absentee ballot received after the polls close on election day but prior to the official canvass shall be counted if the commissioner determines that the ballot entered the federal mail system by the deadline specified in [section 53.17](#) or [53.22](#). The date of entry of such an absentee ballot into the federal mail system shall only be verified as provided in paragraph “b”.

b. (1) If the postmark indicates that the absentee ballot entered the federal mail system by the deadline specified in [section 53.17](#) or [53.22](#), the ballot shall be included for canvass by the absentee and special voters precinct board.

(2) If the postmark is illegible, missing, or dated on or after election day, the commissioner shall attempt to verify the ballot’s date of entry into the federal mail system by querying the postal service barcode in the tracking information database. If the tracking information database indicates that the absentee ballot entered the federal mail system by the deadline specified in [section 53.17](#) or [53.22](#), the ballot shall be included for canvass by the absentee and special voters precinct board. The commissioner shall provide a report to the absentee and special voters precinct board regarding the information available in the tracking information database.

(3) If there is a discrepancy between the date indicated by the postmark and the postal service barcode, the earlier of the two shall determine the date of entry of the absentee ballot into the federal mail system.

(4) (a) If neither the postmark nor the postal service barcode indicates that the absentee ballot entered the federal mail system by the deadline specified in [section 53.17](#) or [53.22](#), the absentee ballot shall be sent to the absentee and special voters precinct board pursuant to subparagraph division (b) with the numeric value assigned to the postal service barcode and a full report from the tracking information database.

(b) Up to five absentee and special voters precinct board members from each political party for partisan elections, or any two members of the board for nonpartisan elections, shall review the postal service barcode and tracking database information report of each absentee ballot submitted pursuant to subparagraph division (a) and certify that the tracking information database report corresponds to the absentee ballot by initialing the report and the absentee ballot envelope. If the board concludes that the postal service barcode and tracking information database report verify that the absentee ballot entered the federal mail system

by the deadline specified in [section 53.17](#) or [53.22](#), the ballot shall be counted. Otherwise, the ballot shall not be counted.

[2019 Acts, ch 148, §67](#)

Referred to in [§53.17](#), [53.22](#), [53.49](#)