

**59.1 Statement served.**

1. The contestant for a seat in either branch of the general assembly shall, prior to twenty days before the first day of the next session, serve on the incumbent in the manner provided by the rules of civil procedure for service of an original notice a statement of notice of contest which shall allege a fact or facts believed true by the contestant which, if true, would alter the outcome of the election.

2. A copy of the statement of notice of contest shall be filed with the secretary of state within five days of service of the notice upon the incumbent. The secretary of state shall notify the presiding officer of the house in which the contest will be tried.

3. A special election for a seat in either house of the general assembly may be contested. The contestant shall serve notice on the incumbent in the manner described in [this section](#) not later than twenty days after the state canvass of votes for the election. A copy of the notice shall also be filed with the presiding officer of the house in which the contest is to be tried, if the general assembly is in session. If the general assembly is not in session, a copy of the notice shall be filed with the secretary of state. The secretary of state shall notify the presiding officer of the house in which the contest will be tried.

[C51, §381; R60, §611; C73, §731; C97, §1233; C24, 27, 31, 35, 39, §994; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §59.1; [81 Acts, ch 34, §42](#)]

[93 Acts, ch 143, §37](#); [97 Acts, ch 170, §75](#); [2017 Acts, ch 54, §76](#); [2018 Acts, ch 1041, §14](#)

Manner of service, [R.C.P. 1.302 - 1.315](#)