CHAPTER 46

NOMINATION AND ELECTION OF JUDGES

Referred to in §39.28, 39A.1, 39A.2, 39A.6, 47.1, 260C.15, 260C.39, 275.35, 277.3, 296.4, 298.18, 357J.16, 360.1, 372.2, 376.1, 602.4101, 602.5102, 602.6201, 602.6304, 602.7103B, 602.11111, 633.20B

46.1 Appointment of state judicial nominating commissioners.
46.2 Election of state judicial nominating commissioners.
46.2A Special appointment of state judicial nominating commissioners and transition provisions. Repealed by its own terms; 2020 Acts, ch 1063, §28.
46.3 Appointment of district judicial nominating commissioners.
46.4 Election of district judicial nominating commissioners.
46.5 Vacancies.
46.5A Judicial nominating commission expenses.
46.6 Chairperson.
46.7 Eligibility to vote.
46.8 Certified list.
46.9 Conduct of elections.
46.9A Notice preceding nomination of elective nominating commissioners.
46.10 Nomination of elective judicial nominating commissioners.
46.11 Certification of commissioners.
46.12 Notification of vacancy and resignation.
46.13 Notice of meetings and application process.
46.14 Nomination.
46.14A Court of appeals — nominees.
46.15 Appointments to be from nominees.
46.15A Severability and judicial review.
46.16 Terms of judges.
46.17 Time of judicial election.
46.18 Eligibility of voters.
46.19 Election registers.
46.20 Declaration of candidacy.
46.21 Conduct of elections.
46.22 Voting.
46.23 General election and absent voter laws.
46.24 Results of election.
46.25 Eligible elector defined.

46.1 Appointment of state judicial nominating commissioners.

1. The governor shall appoint, subject to confirmation by the senate, nine eligible electors to the state judicial nominating commission.

2. The appointments made by the governor shall be staggered terms of six years each and shall begin and end in even-numbered years as provided in section 69.19. The terms of no more than three nor less than two of the commissioners shall expire within the same two-year period.

3. All commissioners shall be chosen without reference to political affiliation.

4. There shall be at least one commissioner appointed by the governor from each congressional district and there shall not be more than two commissioners appointed by the governor from a single congressional district unless each congressional district has at least two commissioners appointed by the governor.

5. A commissioner who has served a full six-year term on the state judicial nominating commission, whether the commissioner was appointed or elected, shall be ineligible to be appointed to a second six-year term.

6. No person may be appointed who holds an office of profit of the United States or of the state at the time of appointment.

[C66, 71, 73, 75, 77, 79, 81, §46.1]

87 Acts, ch 218, §1; 2019 Acts, ch 89, §46, 60; 2024 Acts, ch 1004, §8

Confirmation, see §2.32

46.2 Election of state judicial nominating commissioners.

1. The resident members of the bar of each congressional district shall elect two eligible electors to the state judicial nominating commission.

2. The commissioners elected by the bar shall serve staggered terms of six years each and shall be elected in the month of January for terms commencing July 1 of odd-numbered years. The terms of no more than three of the commissioners shall expire within the same two-year period.

3. All of the commissioners elected by the bar shall be chosen without reference to political affiliation.

4. A commissioner who has served a full six-year term on the state judicial nominating commission, whether the commissioner was appointed or elected, shall be ineligible to be elected to a second six-year term.

5. No person may be elected who holds an office of profit of the United States or of the state at the time of election.

[C66, 71, 73, 75, 77, 79, 81, §46.2]

87 Acts, ch 218, §2; 2019 Acts, ch 89, §47, 60; 2024 Acts, ch 1004, §9

46.2A Special appointment of state judicial nominating commissioners and transition provisions. Repealed by its own terms; 2020 Acts, ch 1063, §28.

46.3 Appointment of district judicial nominating commissioners.

1. The governor shall appoint five eligible electors of each judicial election district to the district judicial nominating commission.

2. The appointments made by the governor shall be to staggered terms of six years each and shall be made in the month of January for terms commencing February 1 of even-numbered years.

3. Beginning with terms commencing February 1, 2012, there shall not be more than one appointed commissioner from a county within a judicial election district unless each county within the judicial election district has an appointed or elected commissioner or the number of appointed commissioners exceeds the number of counties within the judicial election district. This subsection shall not be used to remove an appointed commissioner from office prior to the expiration of the commissioner's term.

[C66, 71, 73, 75, 77, 79, 81, §46.3]

87 Acts, ch 218, §3; 2011 Acts, ch 78, §1; 2024 Acts, ch 1004, §10

Referred to in §602.11111

46.4 Election of district judicial nominating commissioners.

The resident members of the bar of each judicial election district shall elect five eligible electors of the district to the district judicial nominating commission. Commissioners shall be elected to staggered terms of six years each. The elections shall be held in the month of January for terms commencing February 1 of even-numbered years.

[C66, 71, 73, 75, 77, 79, 81, §46.4]

87 Acts, ch 218, §4; 2024 Acts, ch 1004, §11

46.5 Vacancies.

1. When a vacancy occurs in the office of an appointive judicial nominating commissioner, the chairperson of the particular commission shall promptly notify the governor in writing of such fact or the governor may take note of such a vacancy. Vacancies in the office of an appointive judicial nominating commissioner shall be filled by appointment by the governor, consistent with eligibility requirements. The term of state judicial nominating commissioners so appointed shall commence upon their appointment pending confirmation by the senate at the then session of the general assembly or at its next session if it is not then in session. The term of district judicial nominating commissioners so appointed shall commence upon their appointment.

2. An appointive commissioner shall be deemed to have submitted a resignation if the commissioner fails to attend a meeting of the commission that is properly noticed under section 46.13 and at which the commission conducts interviews or selects nominees for judicial office. The governor, in the governor's discretion, may accept or reject the resignation. If the governor accepts the resignation, the governor shall notify the commissioner and the chairperson of the commission in writing and shall then make another appointment.

3. Vacancies in the office of elective judicial nominating commissioner shall be filled consistent with eligibility requirements by a special election within the judicial election district or congressional district where the vacancy occurs unless the term has less than ninety days remaining, in which case the office shall remain vacant. The special election

shall be completed within ninety days of the vacancy arising and shall be conducted as provided in sections 46.9, 46.9A, and 46.10.

4. If a vacancy occurs in the office of chairperson of the state judicial nominating commission, the members of the commission shall elect a new chairperson as provided in section 46.6. If a vacancy occurs in the office of chairperson of a district judicial nominating commission or in the absence of the chairperson, the members of the particular commission shall elect a temporary chairperson from their own number.

5. Notwithstanding section 69.1A, appointed and elected commissioners on the state and district judicial nominating commissions shall not hold over until their successor is appointed or elected and qualified.

6. All judicial nominating commissioners, including those elected by the bar, shall be subject to removal by the executive council in the same manner as appointive state officers under section 66.26. When the status of a judicial nominating commissioner is in question, the governor shall be the officer responsible for deciding whether a vacancy exists under section 69.2.

[C66, 71, 73, 75, 77, 79, 81, §46.5]

83 Acts, ch 186, §10017, 10201; 87 Acts, ch 218, §5; 2009 Acts, ch 179, §164, 171; 2019 Acts, ch 89, §49, 60; 2020 Acts, ch 1063, §29

Referred to in §602.11111

Confirmation, see §2.32

46.5A Judicial nominating commission expenses.

Members of the state judicial nominating commission and the district judicial nominating commissions are entitled to be reimbursed for actual and necessary expenses incurred in the performance of their duties as commissioners for each day spent attending commission meetings or training sessions called by the chairperson. Expenses shall be paid from funds appropriated to the judicial branch for this purpose.

88 Acts, ch 1094, §1; 98 Acts, ch 1047, §13

46.6 Chairperson.

1. The commissioners of the state judicial nominating commission shall elect a chairperson from their own number. The chairperson shall serve a two-year term that expires on April 30 of even-numbered years. A commissioner may be reelected for a second or third term as chairperson. If a chairperson of a judicial nominating commission desires to be relieved of the duties of chairperson while retaining the status of commissioner, the chairperson shall notify the governor and the other commissioners of the commission. At the next meeting of the commission, the commissioners shall elect a new chairperson for the remainder of the two-year term.

2. The judge of longest service in the district shall serve as the chair of a particular district judicial nominating commission. If the judges of longest service in the district are of equal service, the eldest of such judges shall be chairperson of the particular judicial nominating commission.

[C66, 71, 73, 75, 77, 79, 81, §46.6]

2016 Acts, ch 1011, §10; 2019 Acts, ch 89, §50, 60

Referred to in §46.5

46.7 Eligibility to vote.

To be eligible to vote in elections of judicial nominating commissioners, a member of the bar must be eligible to practice and must be a resident of the state of Iowa and of the appropriate congressional district or judicial election district at the time the member votes in the election. The member's residency shall be determined by the home address shown on the member's most recent electronic or paper submission to the commission on continuing education and

the client security commission or on the member's bar admission records. A judge who has been admitted to the bar of the state of Iowa shall be considered a member of the bar.

[C66, 71, 73, 75, 77, 79, 81, §46.7]

83 Acts, ch 186, §10018, 10201; 86 Acts, ch 1119, §1; 92 Acts, ch 1116, §1; 2009 Acts, ch 179, §165, 171; 2019 Acts, ch 89, §51, 60

Referred to in §602.6504

46.8 Certified list.

1. The state court administrator shall maintain a certified list of the names, addresses, electronic mail addresses, and years of admission of members of the bar who are eligible to vote for state and district judicial nominating commissioners.

2. Upon request, the state court administrator shall provide the certified list in electronic form and without charge to any properly qualified nominee for state or district judicial nominating commissioner.

[C66, 71, 73, 75, 77, 79, 81, §46.8]

83 Acts, ch 186, §10019, 10201; 86 Acts, ch 1119, §2; 2009 Acts, ch 179, §166, 171; 2019 Acts, ch 89, §52, 60

Referred to in §602.6504, 602.8102(14)

46.9 Conduct of elections.

1. When an election of judicial nominating commissioners is to be held, the state court administrator shall administer the voting. The state court administrator may administer the voting by electronic notification and voting or by paper ballot mailed to each eligible attorney. The state court administrator shall mail paper ballots to eligible attorneys or electronically notify and enable eligible attorneys to vote.

2. The state court administrator shall provide a voting period of at least twenty-one days from when the electronic voting notification is sent or the paper ballots are mailed during which eligible attorneys may vote electronically or submit a paper ballot.

3. In an election to elect a single commissioner, each eligible attorney may cast a single vote, and the qualified eligible elector receiving the most votes shall be elected.

4. In an election to elect two commissioners, each eligible attorney may cast one vote for two separate commissioners, and the qualified eligible electors receiving the most and second-most votes shall each be elected.

5. The election results, including the number of votes cast for each elector and the total number of the members of the bar eligible to vote in each election, shall be made publicly available on the judicial branch internet site and shall be reported to the governor and to the general assembly within ten days after the conclusion of the election.

[C66, 71, 73, 75, 77, 79, 81, §46.9]

83 Acts, ch 186, §10020, 10201; 2000 Acts, ch 1058, §58; 2009 Acts, ch 179, §167, 171; 2019 Acts, ch 89, §53, 60; 2024 Acts, ch 1004, §12

Referred to in §46.5

46.9A Notice preceding nomination of elective nominating commissioners.

At least sixty days prior to the expiration of the term of an elective state or district judicial nominating commissioner or the expiration of the period within which a special election must be held, the state court administrator shall provide notice of the current or upcoming vacancy and the nomination and election process by making the notice publicly available on the judicial branch internet site, issuing a press release, and electronically notifying members of the bar. The election shall not commence until at least thirty days after the issuance of the notice required by this section.

87 Acts, ch 218, §6; 2009 Acts, ch 179, §168, 171; 2019 Acts, ch 89, §54, 60

Referred to in §46.5

46.10 Nomination of elective judicial nominating commissioners.

1. In order to have an eligible elector's name printed on the ballot for state or district judicial nominating commissioner, the eligible elector must file in the office of the state court administrator at least thirty days prior to expiration of the period within which the election

must be held a nominating petition signed by at least ten eligible electors of the congressional district in case of a candidate for state judicial nominating commissioner, or at least ten eligible electors of the judicial district in case of a candidate for district judicial nominating commissioner.

2. Ballots or electronic voting forms for state and district judicial nominating commissioners shall contain blank lines equal to the number of such commissioners to be elected, where names may be written in. Any electronic voting form must permit a voter to write in the name of any eligible elector.

[C66, 71, 73, 75, 77, 79, 81, §46.10]

2009 Acts, ch 179, §169, 171; 2019 Acts, ch 89, §55, 60

Referred to in §46.5

46.11 Certification of commissioners.

Upon making an appointment, the governor shall promptly certify the names and addresses of judicial nominating commissioners to the state commissioner of elections. Upon the completion of an election, the state court administrator shall certify the names and addresses of the elected judicial nominating commissioners to the state commissioner of elections and the governor.

[C66, 71, 73, 75, 77, 79, 81, §46.11]

2009 Acts, ch 179, §170, 171; 2019 Acts, ch 89, §56, 60

46.12 Notification of vacancy and resignation.

1. When a vacancy occurs or will occur within one hundred twenty days in the supreme court, the court of appeals, or district court, the state commissioner of elections shall forthwith so notify the governor. The governor shall call a meeting of the proper judicial nominating commission within ten days after such notice; if the governor fails to do so, the chief justice shall call such meeting.

2. When a judge of the supreme court, court of appeals, or district court resigns, the judge shall submit a copy of the resignation to the state commissioner of elections at the time the judge submits the resignation to the governor; and when a judge of the supreme court, court of appeals, or district court dies, the clerk of district court of the county of the judge's residence shall in writing forthwith notify the state commissioner of elections of such fact.

[C66, 71, 73, 75, 77, 79, 81, §46.12]

89 Acts, ch 18, §1; 2003 Acts, ch 151, §1, 64; 2019 Acts, ch 89, §57, 60

Referred to in §602.2301, 602.8102(4)

46.13 Notice of meetings and application process.

1. The governor or chairperson of each judicial nominating commission shall give the members of the commission at least five days' written notice by mail or electronic mail of the time and place of every meeting, except as to members who execute written waivers of notice at or before the meeting or unless the commission at its next previous meeting designated the time and place of the meeting.

2. Each commission, with the technical support of the judicial branch, shall publish all of the following on the judicial branch internet site:

a. Notice that the commission is accepting applications for judge or justice along with a copy of the application form at least two weeks before applications are required to be submitted to the commission.

b. Copies of nonconfidential application materials submitted by applicants.

c. The schedule of applicant interviews before the commission.

d. The list of nominees submitted by the commission to the governor and the chief justice.

3. Commissioners shall be permitted to conduct individual interviews with applicants in advance of the commission's meetings to choose the nominees.

4. The state judicial nominating commission shall adopt uniform rules for the state and district judicial nominating commissions that shall be consistent with this chapter and shall provide for a uniform and fair process for the commissions to consider applicants and select nominees. The state judicial nominating commission shall provide for a public comment period of at least thirty days on its proposed uniform rules prior to adopting the rules and shall

adopt the rules on or before November 8, 2019. Such rules shall be made publicly available on the judicial branch internet site.

[C66, 71, 73, 75, 77, 79, 81, §46.13]

2019 Acts, ch 89, §58, 60

Referred to in §46.5

46.14 Nomination.

1. Each judicial nominating commission shall carefully consider the individuals available for judge, and within sixty days after receiving notice of a vacancy shall certify to the governor and the chief justice the proper number of nominees, in alphabetical order. Such nominees shall be chosen by the affirmative vote of a majority of the full statutory number of commissioners upon the basis of their qualifications and without regard to political affiliation. Nominees shall be members of the bar of Iowa, shall be residents of the state or district of the court or a county contiguous with the district to which they are nominated, and shall be of such age that they will be able to serve an initial and one regular term of office to which they are nominated before reaching the age of seventy-eight years. Absence of a commissioner or vacancy upon the commission shall not invalidate a nomination. The chairperson of the commission shall promptly certify the names of the nominees, in alphabetical order, to the governor and the chief justice by sending by electronic mail the certification to the governor and chief justice or the governor's and chief justice's designees on the day of the nomination.

2. A commissioner shall not be eligible for nomination by the commission during the term for which the commissioner was elected or appointed to that commission. A commissioner shall not be eligible to vote for the nomination of a family member, current law partner, or current business partner. For purposes of this subsection, *"family member"* means a spouse, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, father, mother, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

[C66, 71, 73, 75, 77, 79, 81, §46.14]

89 Acts, ch 212, §1; 2003 Acts, ch 151, §2; 2022 Acts, ch 1033, §1; 2025 Acts, ch 101, §7, 15

Vacancies in courts and number of nominees, Iowa Constitution, Art. V, §15

2025 amendment to subsection 1 applies to judicial officers retiring on or after July 1, 2025; 2025 Acts, ch 101, §15

Subsection 1 amended

46.14A Court of appeals — nominees.

Vacancies in the court of appeals shall be filled by appointment by the governor from a list of nominees submitted by the state judicial nominating commission. Five nominees shall be submitted for each vacancy. Nominees to the court of appeals shall have the qualifications prescribed for nominees to the supreme court.

2007 Acts, ch 86, §1; 2022 Acts, ch 1033, §2

46.15 Appointments to be from nominees.

1. All appointments to the supreme court and court of appeals shall be made from the nominees of the state judicial nominating commission, and all appointments to the district court shall be made from the nominees of the district judicial nominating commission.

2. If the governor fails to make an appointment within thirty days after a list of nominees has been submitted, the appointment shall be made from the list of nominees by the chief justice of the supreme court.

[C66, 71, 73, 75, 77, 79, 81, §46.15]

83 Acts, ch 186, §10021, 10201; 2007 Acts, ch 86, §2

Vacancies in courts and number of nominees, Iowa Constitution, Art. V, §15

46.15A Severability and judicial review.

1. If any provision or clause of this chapter or any application of this chapter to any person or circumstances is held invalid, such invalidity shall not affect other provisions, clauses, or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions and clauses of this chapter are declared to be severable.

2. Notwithstanding any provision of law to the contrary, if any provision of this chapter is preliminarily enjoined, no judicial nominating commission shall meet to nominate persons to serve as a judge or justice while the preliminary injunction is in effect or while any appeal of the preliminary injunction or a related permanent injunction is pending unless the injunction is subsequently stayed or otherwise lifted.

2019 Acts, ch 89, §59, 60

46.16 Terms of judges.

1. Subject to sections 602.1610 and 602.1612 and to removal for cause:

a. The initial term of office of judges of the supreme court, court of appeals, and district court shall be for one year after appointment and until January 1 following the next judicial election after expiration of such year; and

b. The regular term of office of judges of the supreme court retained at a judicial election shall be eight years, and of judges of the court of appeals and district court so retained shall be six years, from the expiration of their initial or previous regular term as the case may be.

2. Subject to removal for cause, the initial term of office of a district associate judge shall be for one year after appointment and until January 1 following the next judicial election after expiration of such year, and the regular term of office of a district associate judge retained at a judicial election shall be six years from the expiration of the initial or previous regular term, as the case may be.

3. Subject to removal for cause, the initial term of office of a full-time associate juvenile judge or a full-time associate probate judge shall be for one year after appointment and until January 1 following the next judicial election after expiration of such year, and the regular term of office of a full-time associate juvenile judge or a full-time associate probate judge retained at a judicial election shall be six years from the expiration of the initial or previous regular term, as the case may be.

[C66, 71, §46.16; C73, 75, 77, 79, §46.16, 602.29; C81, §46.16]

83 Acts, ch 186, §10022, 10201; 99 Acts, ch 93, §1, 15; 2003 Acts, ch 151, §3, 65; 2008 Acts, ch 1031, §22

Referred to in §602.6305, 602.7103C, 633.20C

46.17 Time of judicial election.

Judicial elections shall be held at the time of the general election.

[C66, 71, 73, 75, 77, 79, 81, §46.17]

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.18 Eligibility of voters.

Electors entitled to vote at the general election shall be entitled to vote at the judicial election. All voting procedures provided by chapter 53 for absent voting by armed forces in general elections shall be applicable to judicial elections.

[C66, 71, 73, 75, 77, 79, 81, §46.18]

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.19 Election registers.

The election registers used for the general election shall also constitute the election registers for the judicial election.

[C66, 71, 73, 75, 77, 79, 81, §46.19]

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.20 Declaration of candidacy.

At least one hundred four days before the judicial election preceding expiration of the initial or regular term of office, a judge of the supreme court, court of appeals, or district court including district associate judges, full-time associate juvenile judges, or full-time associate probate judges, or a clerk of the district court who is required to stand for retention under section 602.1216 may file a declaration of candidacy with the state commissioner of elections to stand for retention or rejection at that election. If a judge or clerk fails to file the declaration, the office shall be vacant at the end of the term. District associate judges, full-time associate

juvenile judges, and full-time associate probate judges filing the declaration shall stand for retention in the judicial election district of their residence.

[C66, 71, 73, 75, 77, 79, 81, §46.20]

83 Acts, ch 186, §10023, 10201; 89 Acts, ch 136, §29; 99 Acts, ch 93, §2

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.21 Conduct of elections.

At least sixty-four days before each judicial election, the state commissioner of elections shall certify to the county commissioner of elections of each county a list of the judges of the supreme court, court of appeals, and district court including district associate judges, full-time associate juvenile judges, and full-time associate probate judges, and clerks of the district court to be voted on in each county at that election. The county commissioner of elections shall place the names upon the ballot in the order in which they appear in the certificate. The state commissioner of elections shall rotate the names in the certificate by county. The names of all judges and clerks to be voted on shall be placed upon one ballot, which shall be in substantially the following form:

STATE OF IOWA
JUDICIAL BALLOT
(Date)

VOTE ON ALL NAMES BY PLACING AN X IN THE APPROPRIATE BOX AFTER EACH NAME.

SUPREME COURT

Shall the following judges of the supreme court be retained in office?

CANDIDATE'S NAME YES ☐ NO ☐
CANDIDATE'S NAME YES ☐ NO ☐

COURT OF APPEALS

Shall the following judges of the court of appeals be retained in office?

CANDIDATE'S NAME YES ☐ NO ☐
CANDIDATE'S NAME YES ☐ NO ☐

DISTRICT COURT

Shall the following judge, associate judge, associate juvenile judge, or associate probate judge of the district court be retained in office?

CANDIDATE'S NAME YES ☐ NO ☐

Shall the following clerk of the district court be retained in office?

CANDIDATE'S NAME YES ☐ NO ☐

[C66, 71, 73, 75, 77, 79, 81, §46.21]

83 Acts, ch 186, §10024, 10201; 89 Acts, ch 136, §30; 99 Acts, ch 93, §3; 2004 Acts, ch 1083, §2, 37; 2017 Acts, ch 110, §74

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.22 Voting.

Voting at judicial elections shall be by separate paper ballot or optical scan ballot in the space provided for public measures. If separate paper ballots are used, the election judges shall offer a ballot to each voter. If optical scan ballots are used, either a separate ballot or a distinct heading may be used to distinguish the judicial ballot. Separate ballot boxes for the general election ballots and the judicial election ballots are not required. The general election ballot and the judicial election ballot may be voted in the same voting booth.

[C66, 71, 73, 75, 77, 79, 81, §46.22]

90 Acts, ch 1238, §10; 2007 Acts, ch 190, §18; 2009 Acts, ch 57, §11

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.23 General election and absent voter laws.

So far as applicable, general election and absent voter laws shall apply to judicial elections. An application for an absent voter ballot for a general election shall also constitute an

application for an absent voter ballot for a judicial election to be held at the same time, and the ballots shall be mailed or delivered to the voter together. The sealed envelope transmitted by the absent voter to the county commissioner of elections containing the absent voter general election ballot may also contain the judicial election ballot.

[C66, 71, 73, 75, 77, 79, 81, §46.23]

Referred to in §602.1216, 602.6305, 602.7103C, 633.20C

46.24 Results of election.

1. A judge of the supreme court, court of appeals, or district court including a district associate judge, full-time associate juvenile judge, or full-time associate probate judge, or a clerk of the district court must receive more affirmative than negative votes to be retained in office. When the poll is closed, the election judges shall publicly canvass the vote forthwith. The board of supervisors shall canvass the returns on the Tuesday after the election, and shall promptly certify the number of affirmative and negative votes on each judge or clerk to the state commissioner of elections.

2. The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court, court of appeals, or district court including a district associate judge, full-time associate juvenile judge, or full-time associate probate judge, or a clerk of the district court who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating.

[C66, 71, 73, 75, 77, 79, 81, §46.24]

83 Acts, ch 186, §10025, 10201; 90 Acts, ch 1238, §11; 99 Acts, ch 93, §4; 2000 Acts, ch 1154, §8; 2025 Acts, ch 122, §3

Referred to in §331.383, 602.1216, 602.6305, 602.7103C, 633.20C

Subsection 1 amended

46.25 Eligible elector defined.

As used in this chapter, the term *"eligible elector"* has the meaning assigned that term by section 39.3.

[C75, 77, 79, 81, §46.25]