

**50.48 General recount provisions.**

1. *a.* Except as provided in paragraph “c”, the county board of canvassers shall order a recount of the votes cast for a particular office or nomination in each election precinct where a vote was cast for an office if a written request for a recount is made not later than 5:00 p.m. on the day following the county board’s canvass of the election in question and the abstracts prepared pursuant to [section 50.24](#), or [section 43.49](#) in the case of a primary election, indicate that the difference between the total number of votes cast for the apparent winner and the total number of votes cast for the candidate requesting the recount is less than either one percent or fifty votes, whichever is lesser. For a city runoff election held pursuant to [section 376.9](#), the written request must be made not later than 5:00 p.m. on the day following the county board’s canvass of the city runoff election. The request shall be filed with the commissioner of that county and shall be signed by either of the following:

(1) A candidate for that office or nomination whose name was printed on the ballot of the precinct or precincts where the recount is requested.

(2) Any other person who receives votes for that particular office or nomination in the precinct or precincts where the recount is requested and who is legally qualified to seek and to hold the office in question.

*b.* Immediately upon receipt of a request for a recount, the commissioner shall send a copy of the request to the apparent winner by certified mail. The commissioner shall also attempt to contact the apparent winner by telephone. If the apparent winner cannot be reached within four days, the chairperson of the political party or organization which nominated the apparent winner shall be contacted and shall act on behalf of the apparent winner, if necessary. For candidates for state or federal offices, the chairperson of the state party shall be contacted. For candidates for county offices, the county chairperson of the party shall be contacted.

*c.* The state commissioner of elections shall order a recount of the votes cast for the election or nomination of a candidate for a statewide elected office, member of the general assembly, or federal office in each precinct where a vote was cast for the office if a written request for a recount is made not later than 5:00 p.m. on the day following the county board’s canvass of the election in question and the abstracts prepared pursuant to [section 50.24](#), or [section 43.49](#) in the case of a primary election, indicate that the difference between the total number of votes cast for the apparent winner and the total number of votes cast for the candidate requesting the recount is less than fifteen hundredths of one percent for the election or nomination of a candidate for a statewide elected office or federal office, or less than either one percent or fifty votes, whichever is lesser, for all other elections or nominations. Immediately upon receipt of a request for a recount pursuant to this paragraph, the state commissioner of elections shall send a copy of the request to each commissioner of a county where a ballot for the office was cast, who shall conduct a recount as provided by [this section](#) and on such date as the state commissioner of elections may direct. The state commissioner of elections shall order the start of a recount pursuant to this paragraph within seven days of receipt by the state commissioner of elections of the request for a recount. A candidate for an office filled by the electors of the entire state shall not be required to pay more than one bond for a recount.

*d.* Immediately upon receipt of a request for a recount for an office filled by the electors of more than one county, other than from the state commissioner of elections pursuant to paragraph “c”, the commissioner shall send a copy of the request to each commissioner of a county where a ballot for the office was cast, who shall conduct a recount as provided in [this section](#).

2. *a.* The recount shall be conducted by a board which shall consist of the commissioner and the commissioner’s staff. The commissioner may assign persons employed by the commissioner to tally ballots during the election as members of the recount board. If the commissioner assigns persons employed by the commissioner to tally ballots during the election as members of the recount board to recount an election for a partisan office, the commissioner shall assign an equal number of persons from each political party.

*b.* The commissioner shall convene the persons designated under paragraph “a” not later

than 9:00 a.m. on the seventh day following the receipt of a request for the recount of the election in question.

c. The candidate requesting the recount and the apparent winning candidate of the office subject to the recount may select not more than five persons to observe the conduct of the recount in each county where the recount is being conducted. A candidate may replace an observer appointed by the candidate at any time.

3. a. When all members of the recount board have been convened, the board shall undertake and complete the required recount as expeditiously as reasonably possible. The commissioner or the commissioner's designee shall supervise the handling of ballots to ensure that the ballots are protected from alteration or damage. The board shall recount all ballots which were voted and counted for the office in question, including any disputed ballots returned as required in [section 50.5](#). The same program used for tabulating the votes on election day shall be used at the recount unless the program is believed or known to be flawed. A recount shall be conducted by the use of automatic tabulating equipment, except that the state commissioner, for an election for a member of the general assembly, or commissioner, for a local elective office, may direct that an election be conducted by hand due to extraordinary circumstances. The same method of conducting the recount shall be used in each precinct where the recount is conducted. The commissioner shall make all pieces of automatic tabulating equipment available for use in the recount. For purposes of this paragraph, "extraordinary circumstances" includes but is not limited to a machine failure during an initial recount, a discrepancy between the results of the initial count and the results of the initial recount, and the number of overvotes for an office exceeding the difference between the number of votes received by the apparent winning candidate for that office and the votes received by the candidate who received the second highest number of votes for that office.

b. The ballots shall be resealed by the recount board before adjournment and shall be preserved as required by [section 50.12](#). At the conclusion of the recount, the recount board shall make and file with the commissioner a written report of its findings, which shall be signed by at least two-thirds of the members of the recount board. The recount board shall complete the recount and file its report not later than the eighteenth day following the commissioner's receipt of a request for the recount of the election in question.

4. a. (1) At the conclusion of a recount, the recount board shall make and file with the commissioner a written report of its findings, signed by a majority of the recount board.

(2) The commissioner or commissioner's designee may assist in compiling the written report. The written report shall include a full tally and accounting of ballots reviewed by the recount board and shall be reported as required by [sections 50.24](#) and [53.20](#). The written report must allow the commissioner to correct the canvass of voters in the manner required by law, if applicable.

b. If the recount board's report is that the abstracts prepared pursuant to the county board's canvass were incorrect as to the number of votes cast for the candidates for the office or nomination in question, in that county or district, the commissioner shall at once so notify the county board. The county board shall reconvene within three days after being so notified, but no later than noon on the twenty-seventh day following the election in question for a recount of the offices of president and vice president, and shall correct its previous proceedings.

5. The commissioner shall promptly notify the state commissioner of any recount of votes for an office to which [section 50.30](#), or [section 43.60](#) in the case of a primary election, is applicable. If necessary, the state canvass required by [section 50.38](#), or by [section 43.63](#), as the case may be, shall be delayed with respect to the office or the nomination to which the recount pertains. The commissioner shall subsequently inform the state commissioner at the earliest possible time whether any change in the outcome of the election in that county or district resulted from the recount.

6. If the election is a city primary election held pursuant to [section 376.7](#), the recount shall progress according to the times provided by [this subsection](#). If [this subsection](#) applies the canvass shall be held by the second day after the election, the request for a recount must be

made by the third day after the election, the board shall convene to conduct the recount by the sixth day after the election, and the report shall be filed by the eighth day after the election.

7. When a city council has chosen a runoff election pursuant to [section 376.9](#), the recount shall progress according to the times provided by [this subsection](#). If [this subsection](#) applies, the canvass shall be conducted pursuant to [section 50.24](#). The request for a recount must be made by the day after the canvass, and the board shall convene for the first time not later than the first Friday following the canvass. The report shall be filed not later than the fourteenth day after the election.

8. *a.* The recount board shall comply with all guidance issued by the state commissioner of elections pursuant to [section 47.1](#) during the conduct of a recount. The state commissioner may halt a recount in a county, take custody of all ballots and equipment used in the recount, and appoint staff to conduct a recount if the state commissioner believes that a recount is not being conducted as required by law.

*b.* If the state commissioner believes that a commissioner is purposefully conducting a recount in violation of law, the state commissioner may impose a civil penalty on the commissioner not to exceed twenty-five thousand dollars, to be deposited in the general fund of the state.

9. Before a recount board has issued its final report, the candidate or person who requested the recount may reach an agreement with the apparent winner to accept the results of the original canvass by submitting the agreement in writing to each recount board that is conducting the recount. Upon receipt of the agreement, the recount boards shall cease their work and report to each county commissioner in a county where the recount is being conducted that the results of the original canvass are the official results.

[S13, §1087-a18; C24, 27, 31, 35, 39, §584 – 586; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §43.56 – 43.58; S81, §50.48; [81 Acts, ch 34, §34](#)]

[86 Acts, ch 1224, §15, 16](#); [93 Acts, ch 143, §24, 25](#); [94 Acts, ch 1180, §19](#); [97 Acts, ch 170, §58](#); [2002 Acts, ch 1134, §47, 115](#); [2007 Acts, ch 190, §3](#); [2008 Acts, ch 1032, §153](#); [2009 Acts, ch 57, §44](#); [2017 Acts, ch 155, §29, 44](#); [2019 Acts, ch 148, §51, 52](#); [2021 Acts, ch 76, §12](#); [2024 Acts, ch 1146, §9](#); [2025 Acts, ch 122, §7 – 11](#)

Referred to in [§43.56](#), [50.12](#), [50.24](#), [50.49](#), [331.383](#), [376.7](#)  
Section amended and editorially internally renumbered