

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. 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.

4. The state commissioner shall by February 26, 2024, include on the state commissioner’s internet site an application through which a voter can track the voter’s absentee ballot request form and absentee ballot. The application shall provide all of the following information:

a. Whether the voter returned a ballot in person, by mail, or by voting in person at a satellite location.

b. The date the absentee ballot request form was received by the county commissioner.

- c. The date the absentee ballot was mailed or given to the voter.
- d. The date the absentee ballot was received by the county commissioner.
- e. The date the county commissioner opened the outer envelope.
- f. Whether there is a problem with the absentee ballot request form or absentee ballot that requires correction by the voter, along with instructions for the voter to contact the county commissioner as soon as possible to resolve the issue.

[2019 Acts, ch 148, §67](#); [2021 Acts, ch 12, §57, 73](#); [2021 Acts, ch 147, §42, 54](#)

Referred to in [§9E.6](#), [53.22](#), [53.44](#), [53.49](#)