

721—26.20 (49) Write-in votes.

26.20(1) The precinct election officials and recount board members shall count a write-in vote only if the voting target is marked.

26.20(2) If a voter writes the name of the same person more than once in the proper places on a ballot for an office to which more than one person is to be elected, all but one of those votes for that person for that office are void and shall not be counted.

26.20(3) If a write-in vote duplicates an otherwise correctly cast vote for a candidate whose name appears on the ballot, the write-in vote shall be counted. The ballot has been read as overvoted for this office, and all other votes have been counted by the tabulator.

26.20(4) Write-in votes cast for the office of president and vice president, or for governor and lieutenant governor, shall be tabulated as a single vote for a pair of candidates.

26.20(5) Names. The officials tabulating write-in votes shall disregard misspellings or variations in names or abbreviations for write-in candidates and shall count the variations in the form of the name for a single person if the officials can determine for whom the write-in votes were cast. Write-in votes for fictitious characters shall be tabulated as written.

EXAMPLE A for 26.20(1): Write-in voting target not marked. The voter has not marked the voting target for the write-in votes. Two persons are to be elected to the county board of supervisors.

For Board of Supervisors

(Vote for no more than two.)

- CANDIDATE 1 (Party A)
- CANDIDATE 2 (Party A)
- CANDIDATE 3 (Party B)
- CANDIDATE 4 (Party B)
- Candidate 1
(Write-in vote, if any)
- Candidate 2
(Write-in vote, if any)

This example does not show a vote. Iowa Code section 49.99 requires voters to mark the voting target for write-in votes on optical scan ballots. If the voting target for a write-in vote is not marked, the vote does not count.

EXAMPLE B for 26.20(1): Write-in voting target not marked. The voter has written in the names on the write-in lines but has not marked the voting targets. Two persons are to be elected to the county board of supervisors.

For Board of Supervisors

(Vote for no more than two.)

- CANDIDATE 1 (Party A)
- CANDIDATE 2 (Party A)
- CANDIDATE 3 (Party B)
- CANDIDATE 4 (Party B)
- Candidate 9
(Write-in vote, if any)
- Candidate 8
(Write-in vote, if any)

This example shows one vote for CANDIDATE 1 and one vote for CANDIDATE 2. Iowa Code section 49.99 requires voters to mark the voting target for write-in votes on special paper ballots or the votes do not count. These write-in votes have no effect.

EXAMPLE C for 26.20(1): Overvote. The voter has marked the write-in voting target, but has not written a name on the line. Two persons are to be elected to the county board of supervisors.

For Board of Supervisors

(Vote for no more than two.)

- CANDIDATE 1 (Party A)
- CANDIDATE 2 (Party A)
- CANDIDATE 3 (Party B)
- CANDIDATE 4 (Party B)
- _____
(Write-in vote, if any)
- _____
(Write-in vote, if any)

This example shows an overvote. No votes shall be counted for this office. The voter’s choice here can be interpreted in more than one way.

EXAMPLE for 26.20(2): Two write-ins for the same person. The voter has written in the name of the same person on both write-in lines. Two persons are to be elected to the county board of supervisors.

For Board of Supervisors

(Vote for no more than two.)

- CANDIDATE 1 (Party A)
- CANDIDATE 2 (Party A)
- CANDIDATE 3 (Party B)
- CANDIDATE 4 (Party B)
- Candidate 7
(Write-in vote, if any)
- Candidate 7
(Write-in vote, if any)

This example shows one vote for Candidate 7. Iowa Code section 49.99 provides that only one vote be counted if a voter writes the name of the same person more than once in the proper places on a ballot for an office to which more than one person is to be elected.

EXAMPLE for 26.20(3): Write-in vote duplicates other votes. The voter has written on the write-in lines the names of the candidates for whom the voter has also marked the voting targets next to the printed names. Two persons are to be elected to the county board of supervisors.

For Board of Supervisors

(Vote for no more than two.)

- CANDIDATE 1 (Party A)
- CANDIDATE 2 (Party A)
- CANDIDATE 3 (Party B)
- CANDIDATE 4 (Party B)
- Candidate 1
(Write-in vote, if any)
- Candidate 2
(Write-in vote, if any)

This example shows a vote for CANDIDATE 1 and a vote for CANDIDATE 2. Although the write-in votes duplicate the votes for candidates on the ballot, it is clear that the voter has chosen CANDIDATE 1 and CANDIDATE 2.

EXAMPLE A for 26.20(4): Write-in vote for team on the ballot. The voter has written in the names of the candidates for president and vice president whose names also appear on the ballot.

For President and Vice President
(Vote for no more than one team.)

- CANDIDATE 19, of State
CANDIDATE 20, of State
Party A
- CANDIDATE 21, of State
CANDIDATE 22, of State
Party B
- CANDIDATE 23, of State
CANDIDATE 24, of State
Organization C
- CANDIDATE 25, of State
CANDIDATE 26, of State
Organization D
- Candidate 21
Write-in vote for President, if any
- Candidate 22
Write-in vote for Vice President, if any

This example shows a vote for the Party B team of Candidate 21 for president and for Candidate 22 for vice president. The voter has clearly chosen this team of candidates.

EXAMPLE B for 26.20(4): Identifying mark with write-in vote for team on the ballot. The voter has written in the names of the candidates for president and vice president whose names also appear on the ballot and has identified the political affiliation of the voter.

For President and Vice President
(Vote for no more than one team.)

<input type="radio"/>	CANDIDATE 19, of State CANDIDATE 20, of State Party A
<input type="radio"/>	CANDIDATE 21, of State CANDIDATE 22, of State Party B
<input type="radio"/>	CANDIDATE 23, of State CANDIDATE 24, of State Organization C
<input type="radio"/>	CANDIDATE 25, of State CANDIDATE 26, of State Organization D
<input checked="" type="radio"/>	<u>Candidate 21</u> Write-in vote for President, if any
	<u>Candidate 22</u> Write-in vote for Vice President, if any

By the New Party

This is not a vote. The political identification next to the write-in lines is an identifying mark, as defined in rule 26.14(50). **Do not count any votes on this ballot pursuant to Iowa Code section 39A.4(1)“a”(6) or 49.92.** Follow the procedure in rule 26.14(50).

EXAMPLE C for 26.20(4): Write-in vote for part of a team. The voter has written in the name of the presidential candidate of one party and the vice presidential candidate of another.

For President and Vice President
(Vote for no more than one team.)

<input type="radio"/>	CANDIDATE 19, of State CANDIDATE 20, of State Party A
<input type="radio"/>	CANDIDATE 21, of State CANDIDATE 22, of State Party B
<input type="radio"/>	CANDIDATE 23, of State CANDIDATE 24, of State Organization C
<input type="radio"/>	CANDIDATE 25, of State CANDIDATE 26, of State Organization D
<input checked="" type="radio"/>	<u>Candidate 19</u> Write-in vote for President, if any
	<u>Candidate 22</u> Write-in vote for Vice President, if any

This example shows a vote for the team of Candidate 19 for president and for Candidate 22 for vice president. This does not count as a vote for the president/vice president team of either Party A or Party B.

EXAMPLE D for 26.20(4): Write-in vote for part of a team. The voter has written in the name of the presidential candidate of one party and the name of another person for vice president.

For President and Vice President
(Vote for no more than one team.)

<input type="radio"/>	CANDIDATE 19, of State CANDIDATE 20, of State Party A
<input type="radio"/>	CANDIDATE 21, of State CANDIDATE 22, of State Party B
<input type="radio"/>	CANDIDATE 23, of State CANDIDATE 24, of State Organization C
<input type="radio"/>	CANDIDATE 25, of State CANDIDATE 26, of State Organization D
<input type="radio"/>	<u>Candidate 19</u> Write-in vote for President, if any
<input checked="" type="radio"/>	<u>Candidate 45</u> Write-in vote for Vice President, if any

This example shows a vote for the team of Candidate 19 for president (who is also the presidential candidate for Party A) and for Candidate 45 for vice president. This does not count as a vote for the president/vice president team of Party A.

EXAMPLE E for 26.20(4): Write-in vote for president and vice president. The voter has written in votes for president and vice president.







For President and Vice President
(Vote for no more than one team.)

<input type="radio"/>	CANDIDATE 19, of State CANDIDATE 20, of State Party A
<input type="radio"/>	CANDIDATE 21, of State CANDIDATE 22, of State Party B
<input type="radio"/>	CANDIDATE 23, of State CANDIDATE 24, of State Organization C
<input type="radio"/>	CANDIDATE 25, of State CANDIDATE 26, of State Organization D
<input type="radio"/>	<u>Candidate 44</u> Write-in vote for President, if any
<input checked="" type="radio"/>	<u>Candidate 45</u> Write-in vote for Vice President, if any

This example shows a vote for the team of Candidate 44 for president and for Candidate 45 for vice president.

EXAMPLE F for 26.20(4): Write-in vote for president and vice president. The voter has written in votes for president and vice president.

For President and Vice President
(Vote for no more than one team.)

-  CANDIDATE 19, of State
CANDIDATE 20, of State
Party A
-  CANDIDATE 21, of State
CANDIDATE 22, of State
Party B
-  CANDIDATE 23, of State
CANDIDATE 24, of State
Organization C
-  CANDIDATE 25, of State
CANDIDATE 26, of State
Organization D
-  Candidate 44
Write-in vote for President, if any
-  Candidate 50
Write-in vote for Vice President, if any

This example shows a vote for the team of Candidate 44 for president and for Candidate 50 for vice president. Even though other write-in votes have been counted for Candidate 44 for president with a different vice presidential teammate, this team is listed and counted separately.

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