

**721—21.2(47) Facsimile documents.** Certain documents may be submitted via facsimile machine.

**21.2(1) *Facsimile documents accepted for filing.*** Assuming that all other legal requirements are met, the following documents may be submitted by facsimile machine if presented to the appropriate filing officer as facsimiles of the original and if subrule 21.2(2) is complied with:

- a. Affidavits of candidacy required by Iowa Code chapters 43, 44, 45, 161A, 260C, 277, 376, and 420.
- b. Applications for absentee ballots pursuant to Iowa Code chapter 53.
- c. Certificates of nomination by convention under Iowa Code chapters 43, 44 and 54.
- d. Judicial declarations of candidacy required under Iowa Code chapter 46.
- e. Lists of presidential electors required by Iowa Code chapters 43 and 54.
- f. Notices of intent to contest elections filed under Iowa Code chapters 61, 62 and 376.
- g. Objections to nomination papers filed under Iowa Code chapters 43, 44, and 277.
- h. Resignation notice by elected or appointed officials filed under Iowa Code section 69.4.
- i. Requests for recounts filed under Iowa Code chapters 43 and 50.
- j. Withdrawal notices by candidates filed under Iowa Code chapters 43, 44, 50.46 and 277.
- k. Abstracts of votes filed with the state commissioner of elections.

**21.2(2) *Original documents.*** The original copy of documents submitted by facsimile machine shall also be filed. The original shall be mailed to the appropriate commissioner. The envelope bearing the original document shall be postmarked not later than the last day to file the document.

a. The filing shall be void if the original of a document filed by facsimile machine is not received within seven days after the filing deadline for the original document.

b. The filing shall be void if the postmark on the envelope containing the original document is later than the filing deadline date.

c. If a filing is voided because the original of a document submitted by facsimile machine was postmarked too late or arrives too late, the person who filed the document shall be notified immediately in writing.

**21.2(3) *Documents not acceptable by facsimile.*** Only the original of the following documents will be accepted for filing:

a. Absentee ballots and any affidavit required to accompany an absentee ballot under Iowa Code chapter 53.

b. Nomination petitions filed under Iowa Code chapters 43, 45, 161A, 277, 280A, and 376.

This rule implements Iowa Code sections 43.6, 43.11, 43.16, 43.19, 43.21, 43.23, 43.24, 43.54, 43.56, 43.60, 43.67, 43.76, 43.78, 43.80, 43.88, 43.115, 43.116, 44.3, 44.4, 44.9, 44.16, 45.3, 45.4, 46.20, 47.1, 47.2, 50.30, 50.31, 50.32, 50.33, 50.46, 50.48, 53.2, 53.8, 53.11, 53.17, 53.21, 53.22, 53.40, 53.45, 54.5, 61.3, 62.5, 69.4, 161A.5, 260C.15, 277.4, 277.5, 376.4, 376.10, 376.11, and 420.130.