

**721—21.602(43) Primary election—nominations by write-in votes for certain offices.**

**21.602(1)** The process described in subrule 21.602(2) shall be used to determine whether the primary election is conclusive and a candidate was nominated for partisan offices that are:

- a.* Not mentioned in Iowa Code section 43.53 (township offices) or 43.66 (state representative and state senator), and
- b.* For which no candidate's name was printed on the primary election ballot, and
- c.* For which no candidate's name was printed on the primary election ballot in any previous primary election.

**21.602(2)** To be nominated by write-in votes, the person must receive at least 35 percent of the number of votes cast in the previous general election for that party's candidate for president of the United States or for governor, as the case may be, as follows:

- a.* Statewide office: 35 percent of votes cast statewide.
- b.* Congressional district: 35 percent of votes cast within the current boundaries of the Congressional district.
- c.* County office, including plan II supervisors: 35 percent of the votes cast within the county.
- d.* Plan III county supervisor: 35 percent of the votes cast within the supervisor district. If the boundaries of the supervisor district have changed since the previous general election, the number of votes cast within the county for the party candidate for president or for governor, as the case may be, shall be divided by the number of supervisor districts in the county; then the quotient shall be multiplied by 0.35.

**21.602(3)** If a write-in candidate is declared nominated at the canvass of votes, Iowa Code section 43.67, which requires the appropriate election commissioner to notify the candidate, shall apply.

This rule is intended to implement Iowa Code section 43.66.