

**721—21.355(53) Notice to voter.** When the commissioner finds an incomplete absentee ballot affidavit or finds a defective envelope marked with the affidavit, the commissioner shall notify the voter in writing and, if possible, by telephone and by email. The commissioner shall keep a separate checklist for each voter showing the reasons for which the voter was contacted and the methods used to contact the voter.

**21.355(1) Notice to voter—incomplete ballot affidavit.** Within 24 hours after receipt of an absentee ballot with an incomplete affidavit, the commissioner shall send a notice to the voter at the address where the voter is registered to vote, as well as to the address where the ballot was sent, if it is a different address. The notice shall include:

- a. Explanation that the voter's absentee ballot affidavit is missing the voter's signature.
- b. The voter's options for completing the affidavit as follows:
  - (1) Completing the affidavit at the commissioner's office by 5 p.m. the day before the election;
  - (2) Requesting a replacement ballot pursuant to Iowa Code section 53.18; or
  - (3) Voting at the polls on election day.
- c. Address of commissioner's office, business hours and contact information.

**21.355(2) Notice to voter—defective ballot affidavit.** Immediately after determining that an absentee ballot envelope marked with the affidavit is defective, the commissioner shall send a notice to the voter at the address where the voter is registered to vote, as well as to the address where the ballot was sent, if it is a different address. The notice shall include the following information:

- a. Reason for defect.
- b. The voter's options for correcting the defect as follows:
  - (1) The voter may request a replacement ballot;
  - (2) The voter may vote at the polls on election day; or
  - (3) In the event an absentee ballot becomes defective because a voter reregisters to vote in a new precinct or county after casting an absentee ballot, the voter may correct the defect by reregistering to vote in the precinct in which the absentee ballot was cast, provided the voter can still claim residence for voter registration purposes in the precinct in which the absentee ballot was cast pursuant to Iowa Code sections 48A.5 and 48A.5A. If a voter reregisters after the voter registration deadline listed in Iowa Code section 48A.9 for a particular election, the voter shall be required to follow election day registration procedures as set forth in Iowa Code section 48A.7A, subsection 3.
- c. Process for requesting a replacement ballot.
- d. Address of commissioner's office, business hours and contact information.

**21.355(3) Telephone contact.** If the voter has provided a telephone number, either on the absentee ballot application or on the voter's registration record, the commissioner shall also attempt to contact the voter by telephone. The commissioner shall keep a written record of the telephone conversation. The written record shall include the following information:

- a. Name of the person making the call.
- b. Date and time of the call.
- c. Whether the person making the call spoke to the voter.

**21.355(4) Email contact.** If the voter has provided an email address, either on the absentee ballot application or on the voter's registration record, the commissioner shall also attempt to contact the voter by email. The email message shall be the same message that was mailed to the voter. A copy of the email message shall be attached to the checklist.

[ARC 8045B, IAB 8/26/09, effective 7/27/09; ARC 8779B, IAB 6/2/10, effective 7/1/10; ARC 9989B, IAB 2/8/12, effective 1/17/12; ARC 1549C, IAB 7/23/14, effective 8/27/14]