

# Senate Amendment 3409

## Amendment Text

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1 1 Amend [Senate File 470](#) as follows:  
1 2 #1. Page 1, by inserting after line 5 the  
1 3 following:  
1 4 "Sec. 101. Section [43.7](#), Code 1999, is amended to  
1 5 read as follows:  
1 6 43.7 TIME OF HOLDING.  
1 7 The primary election by all political parties shall  
1 8 be held at the usual voting places of the several  
1 9 precincts on the first Tuesday after the first Monday  
1 10 in

~~June~~

- ~~September~~ in each even-numbered year.

1 11 Sec. 102. Section [43.73](#), unnumbered paragraph 1,  
1 12 Code 1999, is amended to read as follows:  
1 13 Not less than

~~sixty nine~~

- ~~forty~~ days before the

1 14 general election the state commissioner shall certify  
1 15 to each commissioner, under separate party headings,  
1 16 the name of each person nominated as shown by the  
1 17 official canvass made by the executive council, or as  
1 18 certified to the state commissioner by the proper  
1 19 persons when any person has been nominated by a  
1 20 convention or by a party committee, or by petition,  
1 21 the office to which the person is nominated, and the  
1 22 order in which federal and state offices, judges,  
1 23 constitutional amendments, and state public measures  
1 24 shall appear on the official ballot.

1 25 Sec. 103. Section [43.76](#), Code 1999, is amended to  
1 26 read as follows:

1 27 43.76 WITHDRAWAL OF NOMINATED CANDIDATES.

1 28 1. A candidate nominated in a primary election for  
1 29 any office for which nomination papers are required to  
1 30 be filed with the state commissioner may withdraw as a  
1 31 nominee for that office on or before, but not later  
1 32 than, the

~~eighty ninth~~

- ~~forty-second~~ day before the

1 33 date of the general election by so notifying the state  
1 34 commissioner in writing.

1 35 2. A candidate nominated in a primary election for  
1 36 any office for which nomination papers are required to  
1 37 be filed with the commissioner may withdraw as a  
1 38 nominee for that office on or before, but not later  
1 39 than, the

~~seventy fourth~~

- ~~fifty-fifth~~ day before the

1 40 date of the general election by so notifying the  
1 41 commissioner in writing.

1 42 Sec. 104. Section [43.78](#), subsections 2 and 3, Code  
1 43 1999, are amended to read as follows:

1 44 2. The name of any candidate designated to fill a  
1 45 vacancy on the general election ballot in accordance

1 46 with subsection 1, paragraph "a", "b", or "c" shall be  
1 47 submitted in writing to the state commissioner not  
1 48 later than five o'clock p.m. on the

~~eighty first~~

-  
1 49 forty-first day before the date of the general  
1 50 election.

2 1 3. The name of any candidate designated to fill a  
2 2 vacancy on the general election ballot in accordance  
2 3 with subsection 1, paragraph "d", "e", or "f" shall be  
2 4 submitted in writing to the commissioner not later  
2 5 than five o'clock p.m. on the

~~sixty ninth~~

- fifty-fourth

2 6 day before the date of the general election.

2 7 Sec. 105. Section [43.79](#), Code 1999, is amended to  
2 8 read as follows:

2 9 43.79 DEATH OF CANDIDATE AFTER TIME FOR  
2 10 WITHDRAWAL.

2 11 The death of a candidate nominated as provided by  
2 12 law for any office to be filled at a general election,  
2 13 during the period beginning on the

~~eighty eighth~~

-  
2 14 thirty-fifth day before the general election, in the  
2 15 case of any candidate whose nomination papers were  
2 16 filed with the state commissioner, or beginning on the  
2 17

~~seventy third~~

- fortieth day before the general

2 18 election, in the case of any candidate whose  
2 19 nomination papers were filed with the commissioner,  
2 20 and ending on the last day before the general election  
2 21 shall not operate to remove the deceased candidate's  
2 22 name from the general election ballot. If the  
2 23 deceased candidate was seeking the office of senator  
2 24 or representative in the Congress of the United  
2 25 States, governor, attorney general, senator or  
2 26 representative in the general assembly or county  
2 27 supervisor, section 49.58 shall control. If the  
2 28 deceased candidate was seeking any other office, and  
2 29 as a result of the candidate's death a vacancy is  
2 30 subsequently found to exist, the vacancy shall be  
2 31 filled as provided by chapter 69.

2 32 Sec. 106. Section [50.48](#), subsection 4, unnumbered  
2 33 paragraph 3, Code 1999, is amended to read as follows:

2 34 The ballots or voting machine documents shall be  
2 35 resealed by the recount board before adjournment and  
2 36 shall be preserved as required by section 50.12. At  
2 37 the conclusion of the recount, the recount board shall  
2 38 make and file with the commissioner a written report  
2 39 of its findings, which shall be signed by at least two  
2 40 members of the recount board. The recount board shall  
2 41 complete the recount and file its report not later  
2 42 than the

~~eighteenth~~

- twenty-seventh day following the

2 43 county board's canvass of the election in question.

2 44 Sec. 107. Section [53.2](#), unnumbered paragraph 1,  
2 45 Code 1999, is amended to read as follows:

2 46 Any registered voter, under the circumstances  
2 47 specified in section 53.1, may on any day, except

2 48 election day, and not more than

~~seventy~~

- ~~forty~~ days

2 49

~~prior to~~

- ~~before~~ the date of the general election and

2 50 not more than seventy days before the date of other

3 1 elections, apply in person for an absentee ballot at

3 2 the commissioner's office or at any location

3 3 designated by the commissioner, or make written

3 4 application to the commissioner for an absentee

3 5 ballot. The state commissioner shall prescribe a form

3 6 for absentee ballot applications. However, if a

3 7 registered voter submits an application that includes

3 8 all of the information required in this section, the

3 9 prescribed form is not required. Absentee ballot

3 10 applications may include instructions to send the

3 11 application directly to the county commissioner of

3 12 elections. However, no absentee ballot application

3 13 shall be preaddressed or printed with instructions to

3 14 send the applications to anyone other than the

3 15 appropriate commissioner.

3 16 Sec. 108. Section [53.39](#), unnumbered paragraph 2,

3 17 Code 1999, is amended to read as follows:

3 18 All official ballots to be voted by qualified

3 19 absent voters in the armed forces of the United States

3 20 at the primary election and the general election shall

3 21 be printed

~~prior to forty~~

- at least ten days before the

3 22 respective elections and shall be available for

3 23 transmittal to

~~such~~

- the qualified voters in the armed

3 24 forces of the United States at least

~~forty~~

- ten days

3 25 before the respective elections and shall be accepted

3 26 until thirty days after the election. The provisions

3 27 of this chapter apply to absent voting by qualified

3 28 voters in the armed forces of the United States except

3 29 as modified by the provisions of this division."

3 30 #2. Page 12, by inserting after line 12 the

3 31 following:

3 32 "Sec. 201. Section [277.1](#), Code 1999, is amended to

3 33 read as follows:

3 34 277.1 REGULAR ELECTION.

3 35 The regular election shall be held annually on the

3 36 second Tuesday in September in each school district

3 37 for the election of officers of the district and

3 38 merged area and for the purpose of submitting to the

3 39 voters any matter authorized by law. However, if the

3 40 regular election falls on the same day as the primary

3 41 election, the regular election shall be held the

3 42 following Tuesday."

3 43 #3. Title page, line 1, by inserting after the

3 44 words "relating to" the following: "election dates

3 45 and".

3 46 #4. Title page, line 4, by inserting after the

3 47 word "fees," the following: "by changing primary

3 48 election dates,".

3 49 #5. By renumbering as necessary.

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4 3 ANDY [McKEAN](#)

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