

House File 569

H-1344

1 Amend House File 569 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 43.24, subsection 1, paragraph
4 b, Code 2011, is amended by adding the following new
5 subparagraph:

6 NEW SUBPARAGRAPH. (2A) Objections to nominations
7 to fill vacancies in the office of representative in
8 Congress at a special election held under section 69.14
9 shall be filed with the state commissioner not less
10 than sixty days prior to the date set for the special
11 election.

12 Sec. _____. Section 43.24, subsection 1, paragraph
13 b, subparagraph (3), Code 2011, is amended to read as
14 follows:

15 (3) Objections to nominations to fill vacancies in
16 the general assembly at a special election held under
17 section 69.14, under which the forty-day notice of
18 election provision applies, shall be filed with the
19 state commissioner not less than fifteen days prior
20 to the date set for the special election. If the
21 forty-day notice provision does not apply, objections
22 to nominations to fill vacancies at a special election
23 held under section 69.14 may be filed any time prior to
24 the date set for the special election.

25 Sec. _____. Section 43.24, subsection 2, paragraph b,
26 Code 2011, is amended to read as follows:

27 b. If an objection is filed to a nomination to fill
28 a vacancy in the general assembly at a special election
29 held under section 69.14, under which the forty-day
30 notice of election provision of section 69.14 does
31 not apply, notice of the objection shall be made to
32 the candidate by the state commissioner as soon as
33 practicable. Under this paragraph, failure to notify a
34 candidate of an objection to the candidate's nomination
35 prior to the date set for the special election does not
36 invalidate the hearing conducted under subsection 3.
37 The hearing to an objection shall proceed as quickly as
38 possible to expedite the special election.

39 Sec. _____. Section 43.88, Code 2011, is amended to
40 read as follows:

41 **43.88 Certification of nominations.**

42 1. Nominations made by state, district, and county
43 conventions, shall, under the name, place of residence,
44 and post office address of the nominee, and the office
45 to which nominated, and the name of the political party
46 making the nomination, be forthwith certified to the
47 proper officer by the chairperson and secretary of
48 the convention, or by the committee, as the case may
49 be, and if such certificate is received in time, the
50 names of such nominees shall be printed on the official

1 ballot the same as if the nomination had been made in
2 the primary election.

3 2. Nominations made to fill vacancies in the office
4 of representative in Congress at a special election
5 shall be certified to the state commissioner not less
6 than sixty-two days prior to the date set for the
7 special election. Nominations made to fill vacancies
8 in other offices to which this chapter applies at a
9 special election shall be certified to the proper
10 official not less than twenty-five days prior to the
11 date set for the special election. In the event the
12 special election is to fill a vacancy in the general
13 assembly while it is in session or within forty-five
14 days of the convening of any session, the nomination
15 shall be certified not less than fourteen days before
16 the date of the special election.

17 3. Nominations certified to the proper official
18 under this section shall be accompanied by an affidavit
19 executed by the nominee in substantially the form
20 required by section 43.67.

21 Sec. ____. Section 44.4, subsection 1, Code 2011, is
22 amended to read as follows:

23 1. Nominations made pursuant to this chapter and
24 chapter 45 which are required to be filed in the office
25 of the state commissioner shall be filed in that office
26 not more than ninety-nine days nor later than 5:00 p.m.
27 on the eighty-first day before the date of the general
28 election to be held in November. Nominations made for
29 a special election called pursuant to section 69.14 to
30 fill vacancies in the general assembly shall be filed
31 by 5:00 p.m. not less than twenty-five days before
32 the date of an election called upon at least forty
33 days' notice and not less than fourteen days before
34 the date of an election called upon at least eighteen
35 days' notice. Nominations made to fill vacancies in
36 the office of representative in Congress at a special
37 election shall be certified to the state commissioner
38 not less that sixty-two days prior to the date set
39 for the special election. Nominations made for a
40 special election called pursuant to section 69.14A
41 shall be filed by 5:00 p.m. not less than twenty-five
42 days before the date of the election. Nominations
43 made pursuant to this chapter and chapter 45 which are
44 required to be filed in the office of the commissioner
45 shall be filed in that office not more than ninety-two
46 days nor later than 5:00 p.m. on the sixty-ninth day
47 before the date of the general election. Nominations
48 made pursuant to this chapter or chapter 45 for city
49 office shall be filed not more than seventy-two days
50 nor later than 5:00 p.m. on the forty-seventh day

1 before the city election with the city clerk, who shall
2 process them as provided by law.

3 Sec. _____. Section 44.4, subsection 2, paragraph
4 a, Code 2011, is amended by adding the following new
5 subparagraphs:

6 NEW SUBPARAGRAPH. (2A) Objections to nominations
7 to fill vacancies in the office of representative in
8 Congress at a special election held under section 69.14
9 shall be filed with the state commissioner not less
10 than sixty days prior to the date set for the special
11 election.

12 NEW SUBPARAGRAPH. (2B) Objections to nominations
13 to fill vacancies in the general assembly at a special
14 election held under section 69.14, under which the
15 forty-day notice of election provision applies, shall
16 be filed with the state commissioner not less than
17 fifteen days prior to the date set for the special
18 election. If the forty-day notice provision does not
19 apply, objections to nominations to fill vacancies at
20 a special election held under section 69.14 may be
21 filed any time prior to the date set for the special
22 election.

23 Sec. _____. Section 69.14, Code 2011, is amended to
24 read as follows:

25 **69.14 Special election to fill vacancies.**

26 A special election to fill a vacancy shall be
27 held for a representative in Congress, or senator or
28 representative in the general assembly, when the body
29 in which such vacancy exists is in session, or will
30 convene prior to the next general election, ~~and the~~.
31 The governor shall order, not later than five days from
32 the date the vacancy exists, a special election, giving
33 not less than seventy-six days' notice of such election
34 to fill a vacancy in the office of representative in
35 Congress or forty days' notice of such election to fill
36 a vacancy in the office of senator or representative
37 in the general assembly. In the event the special
38 election is to fill a vacancy in the general assembly
39 while it is in session or within forty-five days of
40 the convening of any session, the time limit provided
41 in this section shall not apply and the governor shall
42 order such special election at the earliest practical
43 time, giving at least eighteen days' notice of the
44 special election. Any special election called under
45 this section must be held on a Tuesday and shall not be
46 held on the same day as a school election within the
47 district.>

48 2. Title page, line 1, after <vacancies> by
49 inserting <in the office of representative in Congress
50 and>

1 3. By renumbering as necessary.

J. SMITH of Dickinson