

Senate Amendment to
House File 2366

H-8199

1 Amend House File 2366, as amended, passed, and
2 reprinted by the House, as follows:

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

4 <DIVISION I
5 ELECTIONS AND VOTER REGISTRATION

6 Section 1. Section 44.4, subsection 1, Code 2014,
7 is amended to read as follows:

8 1. Nominations made pursuant to this chapter and
9 chapter 45 which are required to be filed in the office
10 of the state commissioner shall be filed in that office
11 not more than ninety-nine days nor later than 5:00 p.m.
12 on the eighty-first day before the date of the general
13 election to be held in November. Nominations made for
14 a special election called pursuant to section 69.14
15 shall be filed by 5:00 p.m. not less than twenty-five
16 days before the date of an election called upon at
17 least forty days' notice and not less than fourteen
18 days before the date of an election called upon at
19 least eighteen days' notice. Nominations made for a
20 special election called pursuant to section 69.14A
21 shall be filed by 5:00 p.m. not less than twenty-five
22 days before the date of the election. Nominations
23 made pursuant to this chapter and chapter 45 which are
24 required to be filed in the office of the commissioner
25 shall be filed in that office not more than ninety-two
26 days nor later than 5:00 p.m. on the sixty-ninth day
27 before the date of the general election. Nominations
28 made pursuant to this chapter or chapter 45 for city
29 office shall be filed not more than seventy-two days
30 nor later than 5:00 p.m. on the forty-seventh day
31 before the city election with the ~~city clerk~~ county
32 commissioner of elections responsible under section
33 47.2 for conducting elections held for the city, who
34 shall process them as provided by law.

35 Sec. _____. Section 44.4, subsection 2, paragraph a,
36 subparagraphs (2) and (3), Code 2014, are amended to
37 read as follows:

38 (2) Those filed with the commissioner, not less
39 than sixty-four days before the date of the election,
40 except as provided in subparagraph (3).

41 (3) Those filed with the ~~city clerk~~ commissioner
42 for an elective city office, at least forty-two
43 days before the regularly scheduled or special
44 city election. However, for those cities that may
45 be required to hold a primary election, at least
46 sixty-three days before the regularly scheduled or
47 special city election.

48 Sec. _____. Section 44.7, Code 2014, is amended to
49 read as follows:

50 **44.7 Hearing before commissioner.**

1 ~~Objections~~ Except as otherwise provided in section
2 44.8, objections filed with the commissioner shall be
3 considered by the county auditor, county treasurer,
4 and county attorney, and a majority decision shall
5 be final, ~~but~~. However, if the objection is to the
6 certificate of nomination of one or more of the above
7 named county officers, the officer or officers objected
8 to shall not pass upon the objection, but their places
9 shall be filled, respectively, by the chairperson of
10 the board of supervisors, the sheriff, and the county
11 recorder.

12 Sec. _____. Section 44.8, Code 2014, is amended to
13 read as follows:

14 **44.8 Hearing before mayor.**

15 1. Objections filed with the city clerk pursuant to
16 section 362.4 or with the commissioner for an elective
17 city office shall be considered by the mayor and clerk
18 and one member of the council chosen by the council
19 by ballot, and a majority decision shall be final,
20 ~~but~~. However, if the objection is to the certificate
21 of nomination of either of those city officials, that
22 official shall not pass upon ~~said~~ the objection, but
23 the official's place shall be filled by a member of the
24 council against whom no such objection exists, chosen
25 as above provided.

26 2. The hearing shall be held within twenty-four
27 hours of the receipt of the objection if a primary
28 election must be held for the office sought by the
29 candidate against whom the objection has been filed.

30 Sec. _____. Section 44.9, subsections 2 and 6, Code
31 2014, are amended to read as follows:

32 2. In the office of the proper commissioner, at
33 least sixty-four days before the date of the election,
34 except as otherwise provided in subsection 6.

35 6. In the office of the proper ~~city clerk~~
36 commissioner, at least forty-two days before the
37 regularly scheduled or special city election. However,
38 for those cities that may be required to hold a primary
39 election, at least sixty-three days before a regularly
40 scheduled or special city election.

41 Sec. _____. Section 44.11, Code 2014, is amended to
42 read as follows:

43 **44.11 Vacancies filled.**

44 If a candidate named under this chapter withdraws
45 before the deadline established in section 44.9,
46 declines a nomination, or dies before election day, or
47 if a certificate of nomination is held insufficient or
48 inoperative by the officer with whom it is required
49 to be filed, or in case any objection made to a
50 certificate of nomination, or to the eligibility of any

1 candidate named in the certificate, is sustained by
2 the board appointed to determine such questions, the
3 vacancy or vacancies may be filled by the convention,
4 or caucus, or in such manner as such convention
5 or caucus has previously provided. The vacancy or
6 vacancies shall be filled not less than seventy-four
7 days before the election in the case of nominations
8 required to be filed with the state commissioner, not
9 less than sixty-four days before the election in the
10 case of nominations required to be filed with the
11 commissioner, not less than thirty-five days before
12 the election in the case of nominations required to be
13 filed in the office of the school board secretary, and
14 not less than forty-two days before the election in the
15 case of nominations required to be filed with the city
16 clerk* commissioner for city elections.>

17 2. Page 1, line 33, after <election.> by inserting
18 <If the council fails to make an appointment within
19 sixty days as required by this subsection, the city
20 clerk shall give notice of the vacancy to the county
21 commissioner and the county commissioner shall
22 call a special election to fill the vacancy at the
23 earliest practicable date but no fewer than thirty-two
24 days after the notice is received by the county
25 commissioner.>

26 3. Page 3, after line 7 by inserting:
27 <Sec. _____. Section 376.4, subsection 1, paragraph
28 a, Code 2014, is amended to read as follows:
29 a. An eligible elector of a city may become a
30 candidate for an elective city office by filing
31 with the ~~city clerk~~ county commissioner of elections
32 responsible under section 47.2 for conducting elections
33 held for the city a valid petition requesting that the
34 elector's name be placed on the ballot for that office.
35 The petition must be filed not more than seventy-one
36 days and not less than forty-seven days before the
37 date of the election, and must be signed by eligible
38 electors equal in number to at least two percent of
39 those who voted to fill the same office at the last
40 regular city election, but not less than ten persons.
41 However, for those cities which may be required to hold
42 a primary election, the petition must be filed not more
43 than eighty-five days and not less than sixty-eight
44 days before the date of the regular city election.
45 Nomination petitions shall be filed not later than 5:00
46 p.m. on the last day for filing.

47 Sec. _____. Section 376.4, subsections 3, 4, and 5,
48 Code 2014, are amended to read as follows:

49 3. ~~If the city clerk is not readily available~~
50 ~~during normal office hours, the city clerk shall~~

1 ~~designate other employees or officials of the city who~~
2 ~~are ordinarily available to accept nomination papers~~
3 ~~under this section.~~ On the final date for filing
4 nomination papers the office of the ~~city clerk~~ county
5 commissioner shall remain open until 5:00 p.m.

6 4. ~~The city clerk~~ county commissioner shall
7 review each petition and affidavit of candidacy
8 for completeness following the standards in section
9 45.5 and shall accept the petition for filing if on
10 its face it appears to have the requisite number of
11 signatures and if it is timely filed. ~~The city clerk~~
12 county commissioner shall note upon each petition and
13 affidavit accepted for filing the date and time that
14 they were filed. ~~The clerk~~ county commissioner shall
15 return any rejected nomination papers to the person on
16 whose behalf the nomination papers were filed.

17 5. Nomination papers filed with the ~~city clerk~~
18 county commissioner shall be available for public
19 inspection.

20 5A. The city clerk shall deliver ~~all nomination~~
21 ~~papers together with~~ the text of any public measure
22 being submitted by the city council to the electorate
23 to the county commissioner of elections ~~on the~~
24 day following no later than the last day on which
25 nomination petitions can be filed, and not later than
26 5:00 p.m. on that day.

27 Sec. _____. Section 376.11, subsections 3, 4, and 5,
28 Code 2014, are amended to read as follows:

29 3. In city primary elections any person who
30 receives write-in votes shall execute an affidavit in
31 substantially the form required by section 45.3, and
32 file it with the county commissioner of elections ~~or~~
33 ~~the city clerk~~ not later than 5:00 p.m. on the day
34 after the canvass of the primary election. If any
35 person who received write-in votes fails to file the
36 affidavit at the time required, the county commissioner
37 shall disregard the write-in votes cast for that
38 person. A notation shall be made on the abstract of
39 votes showing which persons who received write-in
40 votes filed affidavits. The total number of votes
41 cast for each office on the ballot shall be amended
42 by subtracting the write-in votes of those candidates
43 who failed to file the affidavit. It is not necessary
44 for a candidate whose name was printed upon the ballot
45 to file an affidavit. Of the remaining candidates,
46 those who receive the highest number of votes to the
47 extent of twice the number of unfilled positions shall
48 be placed on the ballot for the regular city election
49 as candidates for that office.

50 4. In cities in which the city council has chosen a

1 runoff election in lieu of a primary, if a person who
2 was elected by write-in votes chooses not to accept the
3 office by filing a resignation notice with the ~~city~~
4 ~~clerk or~~ commissioner of elections not later than 5:00
5 p.m. on the day following the canvass, all remaining
6 persons who received write-in votes and who wish
7 to be considered candidates for the runoff election
8 shall execute an affidavit in substantially the form
9 required by section 45.3 and file it with the county
10 commissioner ~~or the city clerk~~ not later than 5:00 p.m.
11 of the fourth day following the canvass. If a person
12 receiving write-in votes fails to file the affidavit
13 at the time required, the county commissioner of
14 elections shall disregard the write-in votes cast for
15 that person. The abstract of votes shall be amended to
16 show that the person who was declared elected declined
17 the office and a notation shall be made next to the
18 names of those persons who did not file the affidavit.
19 A runoff election shall be held with the remaining
20 candidates who have the highest number of votes to the
21 extent of twice the number of unfilled positions.
22 5. In a city in which the council has chosen a
23 runoff election, if no person was declared elected for
24 an office, all persons who received write-in votes
25 shall execute an affidavit in substantially the form
26 required by section 45.3 and file it with the county
27 commissioner of elections ~~or the city clerk~~ not later
28 than 5:00 p.m. on the day following the canvass of
29 votes. If any person who received write-in votes fails
30 to file the affidavit, the county commissioner of
31 elections shall disregard the write-in votes cast for
32 that person. The abstract of votes shall be amended to
33 note which of the write-in candidates failed to file
34 the affidavit. A runoff election shall be held with
35 the remaining candidates who have the highest number
36 of votes to the extent of twice the number of unfilled
37 positions.

38 DIVISION _____

39 MISCELLANEOUS PROVISIONS

40 Sec. _____. Section 48A.9, subsection 1, Code 2014,
41 is amended to read as follows:

42 1. Registration closes at 5:00 p.m. eleven days
43 before each election except ~~primary and~~ general
44 elections. For ~~primary and~~ general elections,
45 registration closes at 5:00 p.m. ten days before the
46 election. An eligible elector may register during the
47 time registration is closed in the elector's precinct
48 but the registration shall not become effective until
49 registration opens again in the elector's precinct,
50 except as otherwise provided in section 48A.7A.

1 Sec. _____. Section 48A.26, subsection 3, Code 2014,
2 is amended to read as follows:

3 3. If the registration form is missing required
4 information pursuant to section 48A.11, subsection 8,
5 the acknowledgment shall advise the applicant what
6 additional information is required. The commissioner
7 shall enclose a new registration form for the applicant
8 to use. If the registration form has no address,
9 the commissioner shall make a reasonable effort to
10 determine where the acknowledgment should be sent. If
11 the incomplete registration form is received during
12 the period in which registration is closed pursuant to
13 section 48A.9 but by 5:00 p.m. on the Saturday before
14 the election for general ~~and primary~~ elections or by
15 5:00 p.m. on the Friday before the election for all
16 other elections, the commissioner shall send a notice
17 advising the applicant of election day and in-person
18 absentee registration procedures under section 48A.7A.

19 Sec. _____. Section 50.20, Code 2014, is amended to
20 read as follows:

21 **50.20 Notice of number of provisional ballots.**
22 The commissioner shall compile a list of the number
23 of provisional ballots cast under section 49.81 in each
24 precinct. The list shall be made available to the
25 public as soon as possible, but in no case later than
26 9:00 a.m. on the second day following the election.
27 Any elector may examine the list during normal office
28 hours, and may also examine the ~~affidavit~~ affidavits
29 on the envelopes bearing containing the ballots of
30 challenged electors until the reconvening of the
31 special precinct board as required by this chapter.
32 Only those persons so permitted by section 53.23,
33 subsection 4, shall have access to the affidavits
34 while that board is in session. Any elector may
35 present written statements or documents, supporting or
36 opposing the counting of any provisional ballot, at
37 the commissioner's office until the reconvening of the
38 special precinct board.

39 Sec. _____. Section 53.2, subsection 6, Code 2014, is
40 amended to read as follows:

41 6. If an application for an absentee ballot
42 is received from an eligible elector who is not a
43 registered voter the commissioner shall send the
44 eligible elector a voter registration form and another
45 absentee ballot application form. If the application
46 is received after the time registration closes pursuant
47 to section 48A.9 but by 5:00 p.m. on the Saturday
48 before the election for general ~~and primary~~ elections
49 or by 5:00 p.m. on the Friday before the election for
50 all other elections, the commissioner shall notify the

1 applicant by mail of the election day and in-person
2 absentee registration provisions of section 48A.7A.
3 In addition to notification by mail, the commissioner
4 shall also attempt to contact the applicant by any
5 other method available to the commissioner.

6 Sec. _____. Section 53.8, subsection 1, Code 2014, is
7 amended to read as follows:

8 1. a. Upon receipt of an application for an
9 absentee ballot and immediately after the absentee
10 ballots are printed, the commissioner shall mail an
11 absentee ballot to the applicant within twenty-four
12 hours, except as otherwise provided in subsection 3.
13 The absentee ballot shall be sent to the registered
14 voter by one of the following methods:

15 (1) The absentee ballot shall be enclosed in an
16 unsealed envelope bearing marked with a serial number
17 and affidavit. The absentee ballot and unsealed
18 affidavit envelope shall be enclosed in or with a an
19 unsealed return envelope marked postage paid which
20 bears the same serial number as the unsealed affidavit
21 envelope. The absentee ballot, unsealed affidavit
22 envelope, and return envelope shall be enclosed in a
23 third envelope to be sent to the registered voter. If
24 the ballot cannot be folded so that all of the votes
25 cast on the ballot will be hidden, the commissioner
26 shall also enclose a secrecy envelope with the absentee
27 ballot.

28 (2) The absentee ballot shall be enclosed in an
29 unsealed return envelope marked with a serial number
30 and affidavit and marked postage paid. The absentee
31 ballot and return envelope shall be enclosed in a
32 second envelope to be sent to the registered voter. If
33 the ballot cannot be folded so that all of the votes
34 cast on the ballot will be hidden, the commissioner
35 shall also enclose a secrecy envelope with the absentee
36 ballot.

37 b. The affidavit shall be marked on the appropriate
38 envelope in a form prescribed by the state commissioner
39 of elections.

40 Sec. _____. Section 53.10, subsection 2, Code 2014,
41 is amended to read as follows:

42 2. Each person who wishes to vote by absentee
43 ballot at the commissioner's office shall first sign
44 an application for a ballot including the following
45 information: name, current address, and the election
46 for which the ballot is requested. The person may
47 report a change of address or other information on
48 the person's voter registration record at that time.
49 The registered voter shall immediately mark the
50 ballot; enclose the ballot in a secrecy envelope, if

1 necessary, and seal it in an ~~affidavit~~ the envelope
2 marked with the affidavit; subscribe to the affidavit
3 on the reverse side of the envelope; and return the
4 absentee ballot to the commissioner. The commissioner
5 shall record the numbers appearing on the application
6 and affidavit envelope along with the name of the
7 registered voter.

8 Sec. _____. Section 53.16, Code 2014, is amended to
9 read as follows:

10 **53.16 Subscribing to affidavit.**

11 After marking the ballot, the voter shall make and
12 subscribe to the affidavit on the ~~reverse side of the~~
13 affidavit envelope or on the return envelope marked
14 with the affidavit, and fold the ballot or ballots,
15 separately, so as to conceal the markings on them, and
16 deposit them in the envelope, and securely seal the
17 envelope.

18 Sec. _____. Section 53.17, subsection 1, unnumbered
19 paragraph 1, Code 2014, is amended to read as follows:

20 The If the commissioner mailed the ballot pursuant
21 to section 53.8, subsection 1, paragraph "a",
22 subparagraph (1), the sealed envelope bearing the
23 voter's affidavit and containing the absentee ballot
24 shall be enclosed in a return envelope which shall be
25 securely sealed. If the commissioner mailed the ballot
26 pursuant to section 53.8, subsection 1, paragraph "a",
27 subparagraph (2), the absentee ballot shall be enclosed
28 in the return envelope which shall be securely sealed.
29 The sealed return envelope shall be returned to the
30 commissioner by one of the following methods:

31 Sec. _____. Section 53.18, subsections 2 and 3, Code
32 2014, are amended to read as follows:

33 2. If the commissioner receives the return envelope
34 containing the completed absentee ballot by 5:00
35 p.m. on the Saturday before the election for general
36 ~~and primary~~ elections and by 5:00 p.m. on the Friday
37 before the election for all other elections, the
38 commissioner shall review the affidavit marked on the
39 return envelope, if applicable, for completeness or
40 shall open the return envelope to review the affidavit
41 for completeness. If the affidavit is incomplete, the
42 commissioner shall, within twenty-four hours of the
43 time the envelope was received, notify the voter of
44 that fact and that the voter may complete the affidavit
45 in person at the office of the commissioner by 5:00
46 p.m. on the day before the election, vote a replacement
47 ballot in the manner and within the time period
48 provided in subsection 3, or appear at the voter's
49 precinct polling place on election day and cast a
50 ballot in accordance with section 53.19, subsection 3.

1 3. If the affidavit envelope or the return
2 envelope marked with the affidavit contains a defect
3 that would cause the absentee ballot to be rejected
4 by the absentee and special voters precinct board,
5 the commissioner shall immediately notify the voter
6 of that fact and that the voter's absentee ballot
7 shall not be counted unless the voter requests and
8 returns a replacement ballot in the time permitted
9 under section 53.17, subsection 2. The voter may
10 request a replacement ballot in person, in writing, or
11 over the telephone. The same serial number that was
12 assigned to the records of the original absentee ballot
13 application shall be used on the envelope and records
14 of the replacement ballot. The affidavit envelope
15 marked with the affidavit and containing the completed
16 replacement ballot shall be marked "Replacement
17 ballot". The affidavit envelope marked with the
18 affidavit and containing the original ballot shall be
19 marked "Defective" and the replacement ballot shall be
20 attached to the affidavit such envelope containing the
21 original ballot and shall be stored in a secure place
22 until they are delivered to the absentee and special
23 voters precinct board, notwithstanding sections 53.26
24 and 53.27.

25 Sec. _____. Section 53.21, subsection 2, paragraph b,
26 Code 2014, is amended to read as follows:

27 b. The voter shall enclose one copy of the above
28 statement in the return envelope along with the
29 affidavit envelope, if the voter was mailed a separate
30 affidavit envelope, and shall retain a copy for the
31 voter's records.

32 Sec. _____. Section 53.23, subsection 3, paragraph
33 b, subparagraph (1), Code 2014, is amended to read as
34 follows:

35 (1) The commissioner may direct the board to meet
36 on the day before the election for the purpose of
37 reviewing the absentee voters' affidavits appearing
38 on the sealed affidavit envelopes. If in the
39 commissioner's judgment this procedure is necessary
40 due to the number of absentee ballots received, the
41 members of the board may open the sealed affidavit
42 envelopes and remove the secrecy envelope containing
43 the ballot, but under no circumstances shall a secrecy
44 envelope or a return envelope marked with an affidavit
45 be opened before the board convenes on election day,
46 except as provided in paragraph "c". If the affidavit
47 envelopes are opened before election day pursuant
48 to this paragraph "b", two observers, one appointed
49 by each of the two political parties referred to
50 in section 49.13, subsection 2, shall witness the

1 proceedings. The observers shall be appointed by the
2 county chairperson or, if the county chairperson fails
3 to make an appointment, by the state chairperson.
4 However, if either or both political parties fail to
5 appoint an observer, the commissioner may continue with
6 the proceedings.

7 Sec. _____. Section 53.23, subsection 5, Code 2014,
8 is amended to read as follows:

9 5. The special precinct election board shall
10 preserve the secrecy of all absentee and provisional
11 ballots. After the affidavits on the envelopes have
12 been reviewed and the qualifications of the persons
13 casting the ballots have been determined, those that
14 have been accepted for counting shall be opened. The
15 ballots shall be removed from the affidavit envelopes
16 or return envelopes marked with the affidavit, as
17 applicable, without being unfolded or examined, and
18 then shall be thoroughly intermingled, after which they
19 shall be unfolded and tabulated. If secrecy folders or
20 envelopes are used with provisional paper ballots, the
21 ballots shall be removed from the secrecy folders after
22 the ballots have been intermingled.

23 Sec. _____. Section 53.25, Code 2014, is amended to
24 read as follows:

25 **53.25 Rejecting ballot.**

26 1. If the absentee voter's affidavit lacks the
27 voter's signature, if the applicant is not a duly
28 registered voter on election day in the precinct
29 where the absentee ballot was cast, if the affidavit
30 envelope marked with the affidavit contains more than
31 one ballot of any one kind, or if the voter has voted
32 in person, such vote shall be rejected by the absentee
33 and special voters precinct board. If the affidavit
34 envelope or return envelope marked with the affidavit
35 is open, or has been opened and resealed, or if the
36 ballot is not enclosed in the affidavit such envelope,
37 and an affidavit envelope or return envelope marked
38 with the affidavit with the same serial number and
39 marked "Replacement ballot" is not attached as provided
40 in section 53.18, the vote shall be rejected by the
41 absentee and special voters precinct board.

42 2. If the absentee ballot is rejected prior to the
43 opening of the affidavit envelope or return envelope
44 marked with the affidavit, the voter casting the ballot
45 shall be notified by a precinct election official
46 by the time the canvass is completed of the reason
47 for the rejection on a form prescribed by the state
48 commissioner of elections.

49 Sec. _____. Section 53.27, Code 2014, is amended to
50 read as follows:

1 **53.27 Rejection of ballot — return of envelope.**

2 If the ballot is rejected, the affidavit envelope,
3 marked with the affidavit of, with the voter endorsed
4 voter's endorsement thereon, shall be returned with the
5 rejected ballot in the envelope endorsed "Defective
6 ballots".

7 Sec. _____. Section 53.30, Code 2014, is amended to
8 read as follows:

9 **53.30 Ballots, ballot envelopes, and other**
10 **information preserved.**

11 At the conclusion of each meeting of the absentee
12 and special voter's precinct board, the board shall
13 securely seal all ballots counted by them in the manner
14 prescribed in section 50.12. The ballot envelopes,
15 including the affidavit envelope having the registered
16 voter's affidavit on it if an affidavit envelope was
17 provided, the return envelope, and secrecy envelope
18 bearing the signatures of precinct election officials,
19 as required by section 53.23, shall be preserved. All
20 applications for absentee ballots, ballots rejected
21 without being opened, absentee ballot logs, and any
22 other documents pertaining to the absentee ballot
23 process shall be preserved until such time as the
24 documents may be destroyed pursuant to section 50.19.

25 Sec. _____. Section 53.32, Code 2014, is amended to
26 read as follows:

27 **53.32 Ballot of deceased voter.**

28 When it shall be made to appear by due proof to
29 the precinct election officials that any elector, who
30 has so marked and forwarded a ballot, has died before
31 the affidavit envelope marked with the affidavit is
32 opened, then the ballot of such deceased voter shall
33 be endorsed, "Rejected because voter is dead", and be
34 returned to the commissioner, ~~but the~~. The casting of
35 the ballot of a deceased voter shall not invalidate the
36 election.

37 Sec. _____. Section 53.38, Code 2014, is amended to
38 read as follows:

39 **53.38 What constitutes registration.**

40 Whenever a ballot is requested pursuant to section
41 53.39 or 53.45 on behalf of a voter in the armed
42 forces of the United States, the affidavit upon the
43 affidavit envelope marked with the affidavit of such
44 voter, if the voter is found to be an eligible elector
45 of the county to which the ballot is submitted, shall
46 constitute a sufficient registration under chapter
47 48A. A completed federal postcard registration and
48 federal absentee ballot request form submitted by such
49 eligible elector shall also constitute a sufficient
50 registration under chapter 48A. The commissioner shall

1 place the voter's name on the registration record as a
2 registered voter if it does not already appear there.
3 The identification requirements of section 48A.8 and
4 the verification requirements of section 48A.25A do
5 not apply to persons who register to vote under this
6 division.

7 Sec. _____. Section 53.40, subsection 3, Code 2014,
8 is amended to read as follows:

9 3. If the affidavit on the ~~affidavit~~ envelope
10 marked with the affidavit shows that the affiant is not
11 a qualified voter on the day of the election at which
12 the ballot is offered for voting, the envelope shall
13 not be opened, but the envelope and ballot contained
14 in the envelope shall be preserved and returned by the
15 precinct election officials to the commissioner, who
16 shall preserve them for the period of time and under
17 the conditions provided for in sections 50.12, 50.13,
18 50.15, and 50.19.

19 Sec. _____. Section 53.44, Code 2014, is amended to
20 read as follows:

21 **53.44 Affidavit to be signed and returned.**

22 1. The affidavit on the ~~affidavit~~ envelope marked
23 with the affidavit used in connection with voting by
24 absentee ballot under this division by members of the
25 armed forces of the United States need not be notarized
26 or witnessed, but the affidavit on such envelope shall
27 be completed and signed by the voter.

28 2. Absentee ballots issued under this division
29 shall be returned in the same manner and within the
30 same time limits specified in section 53.17.

31 Sec. _____. REPEAL. Sections 53.13 and 53.14, Code
32 2014, are repealed.

33 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
34 of this Act, being deemed of immediate importance,
35 takes effect upon enactment.>

36 4. Title page, by striking lines 1 through 4 and
37 inserting <An Act related to the policy administration
38 of elections and voter registration and including
39 effective date provisions.>

40 5. By renumbering, redesignating, and correcting
41 internal references as necessary.