

House File 2273

S-5128

1 Amend House File 2273, as passed by the House, as  
2 follows:

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

4 <DIVISION I  
5 GENERAL PROVISIONS>

6 2. Page 5, after line 5 by inserting:

7 <DIVISION \_\_\_\_  
8 EMERGENCY PROVISIONS

9 Sec. \_\_\_\_ . Section 53.17, subsection 1, paragraph b,  
10 Code 2016, is amended to read as follows:

11 *b.* The sealed return envelope may be mailed to  
12 the commissioner by the registered voter or by the  
13 voter's designee. If mailed by the voter's designee,  
14 the envelope must be mailed within seventy-two hours  
15 of retrieving it from the voter or within time to be  
16 postmarked or, if applicable, to have the intelligent  
17 mail barcode traced to a date of entry into the federal  
18 mail system not later than the day before the election,  
19 whichever is earlier.

20 Sec. \_\_\_\_ . Section 53.17, subsection 2, Code 2016,  
21 is amended to read as follows:

22 2. In order for the ballot to be counted, the  
23 return envelope must be received in the commissioner's  
24 office before the polls close on election day or be  
25 clearly postmarked by an officially authorized postal  
26 service or bear an intelligent mail barcode traceable  
27 to a date of entry into the federal mail system not  
28 later than the day before the election and received  
29 by the commissioner not later than noon on the Monday  
30 following the election.

31 Sec. \_\_\_\_ . Section 53.17, subsection 4, paragraph f,  
32 Code 2016, is amended to read as follows:

33 *f.* A statement that the completed absentee ballot  
34 will be delivered to the commissioner's office within  
35 seventy-two hours of retrieving it from the voter

1 or before the closing of the polls on election day,  
2 whichever is earlier, or that the completed absentee  
3 ballot will be mailed to the commissioner within  
4 seventy-two hours of retrieving it from the voter or  
5 within time to be postmarked or, if applicable, to have  
6 the intelligent mail barcode traced to a date of entry  
7 into the federal mail system not later than the day  
8 before the election, whichever is earlier.

9 Sec. \_\_\_\_ . Section 53.22, subsection 5, paragraph b,  
10 Code 2016, is amended to read as follows:

11 b. Absentee ballots voted under **this subsection**  
12 shall be delivered to the commissioner no later than  
13 the time the polls are closed on election day. If the  
14 ballot is returned by mail the return envelope must be  
15 received by the time the polls close, or be clearly  
16 postmarked by an officially authorized postal service  
17 or bear an intelligent mail barcode traceable to a  
18 date of entry into the federal mail system not later  
19 than the day before the election and received by the  
20 commissioner no later than the time established for the  
21 canvass by the board of supervisors for that election.

22 Sec. \_\_\_\_ . REPORT. The state commissioner of  
23 elections shall prepare a report related to the use  
24 of intelligent mail barcodes by county commissioners  
25 of elections during the 2016 general election. The  
26 report shall include information on the number of  
27 county commissioners of elections utilizing intelligent  
28 mail barcodes on absentee ballot return envelopes and  
29 statistics from such county commissioners detailing the  
30 number of absentee ballots counted in such counties as  
31 a result of the use of intelligent mail barcodes, along  
32 with any additional information deemed appropriate by  
33 the state commissioner. The county commissioners shall  
34 provide the state commissioner with information and  
35 statistics requested by the state commissioner pursuant

1 to this section. The state commissioner shall deliver  
2 the report to the chairpersons and ranking members of  
3 the general assembly's standing committees on state  
4 government and to the legislative services agency by  
5 January 17, 2017.

6 Sec. \_\_\_\_\_. EMERGENCY RULES. The state commissioner  
7 of elections may adopt emergency rules under section  
8 17A.4, subsection 3, and section 17A.5, subsection  
9 2, paragraph "b", to implement the provisions of  
10 this division of this Act and the rules shall be  
11 effective immediately upon filing unless a later date  
12 is specified in the rules. Any rules adopted in  
13 accordance with this section shall also be published  
14 as a notice of intended action as provided in section  
15 17A.4.

16 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
17 of this Act, being deemed of immediate importance,  
18 takes effect upon enactment.>

19 3. Title page, line 2, after <ballots,> by  
20 inserting <the counting of certain absentee ballots,>

21 4. Title page, line 4, after <elections> by  
22 inserting <, and including effective date provisions>

23 5. By renumbering as necessary.

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JEFF DANIELSON