

Senate File 474

S-3228

1 Amend Senate File 474 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <DIVISION I

5 GENERAL PROVISIONS

6 Section 1. Section 22.7, Code 2017, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 70. The voter verification number,
9 as defined in section 53.2, subsection 4, paragraph
10 "c", that is assigned to a voter and maintained and
11 updated in the statewide voter registration system.

12 Sec. 2. Section 39A.5, subsection 1, paragraph
13 b, Code 2017, is amended by adding the following new
14 subparagraph:

15 NEW SUBPARAGRAPH. (3) Violating any provision of
16 chapter 48A for which another penalty is not provided.

17 Sec. 3. NEW SECTION. **48A.24 Deadline for
18 submitting voter registration forms.**

19 1. A person who accepts a completed voter
20 registration form from an applicant shall submit the
21 form to the appropriate commissioner within seven days
22 of receiving the form if the person accepting the form
23 is doing so on behalf of any of the following:

24 a. A political party, as defined in section 43.2.

25 b. A nonparty political organization required to
26 nominate candidates under chapter 44.

27 c. A candidate or committee, as defined in section
28 68A.102.

29 2. Notwithstanding the deadline in subsection
30 1, a person described in subsection 1 who accepts a
31 completed voter registration form from an applicant
32 within three days of the voter registration deadline
33 prescribed in section 48A.9 for the next election shall
34 submit the form to the appropriate commissioner within
35 twenty-four hours of accepting the form, and not later

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1 than the registration deadline.

2 Sec. 4. Section 48A.30, subsection 1, Code 2017, is
3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. *Of.* The registered voter is not
5 a resident of Iowa, or the registered voter submits
6 documentation under section 607A.4, subsection 3, that
7 indicates that the voter is not a citizen of the United
8 States.

9 Sec. 5. Section 48A.31, Code 2017, is amended to
10 read as follows:

11 **48A.31 Deceased persons record.**

12 The state registrar of vital statistics shall
13 transmit or cause to be transmitted to the state
14 registrar of voters, once each calendar quarter, a
15 certified list of all persons seventeen and one-half
16 years of age and older in the state whose deaths have
17 been reported to the bureau of vital records of the
18 Iowa department of public health since the previous
19 list of decedents was certified to the state registrar
20 of voters. The list shall be submitted according to
21 the specifications of the state registrar of voters and
shall be transmitted to the state registrar of voters
without charge for production or transmission. The
24 commissioner shall, in the month following the end of a
25 calendar quarter, run the statewide voter registration
26 system's matching program to determine whether a listed
27 decedent was registered to vote in the county and shall
28 immediately cancel the registration of any person named
29 on the list of decedents.

30 Sec. 6. Section 53.2, subsections 1, 4, and 8, Code
31 2017, are amended to read as follows:

32 1. *a.* Any registered voter, under the
33 circumstances specified in **section 53.1**, may on any
34 day, except election day, and not more than **seventy**
35 one hundred twenty days prior to the date of the

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1 election, apply in person for an absentee ballot at the
2 commissioner's office or at any location designated
3 by the commissioner. However, for those elections in
4 which the commissioner directs the polls be opened at
5 noon pursuant to **section 49.73**, a voter may apply in
6 person for an absentee ballot at the commissioner's
7 office from 8:00 a.m. until 11:00 a.m. on election day.

8 **b.** A registered voter may make written application
9 to the commissioner for an absentee ballot. A written
10 application for an absentee ballot must be received
11 by the commissioner no later than 5:00 p.m. ~~on the~~
12 ~~Friday before the election on the same day as the voter~~
13 ~~registration deadline provided in section 48A.9 for~~
14 ~~the election for which the ballot is requested, except~~
15 ~~when the absentee ballot is requested and voted at the~~
16 ~~commissioner's office pursuant to section 53.10.~~ A
17 written application for an absentee ballot delivered
18 to the commissioner and received by the commissioner
19 more than ~~seventy~~ one hundred twenty days prior to
20 the date of the election shall be ~~retained by the~~
21 ~~commissioner and processed in the same manner as a~~
22 ~~written application received not more than seventy days~~
23 ~~before the date of the election returned to the voter~~
24 ~~with a notification of the date when the applications~~
25 ~~will be accepted.~~

26 **4. a.** Each application shall contain the following
27 information:

28 (1) The name and signature of the registered voter,
29 the.

30 (2) The registered voter's date of birth, the.

31 (3) The address at which the voter is registered to
32 vote, and the.

33 (4) The registered voter's voter verification
34 number.

35 (5) The name or date of the election for which the

1 absentee ballot is requested, and such.

2 (6) Such other information as may be necessary
3 to determine the correct absentee ballot for the
4 registered voter.

5 b. If insufficient information has been provided,
6 including the absence of a voter verification number,
7 either on the prescribed form or on an application
8 created by the applicant, the commissioner shall,
9 by the best means available, obtain the additional
10 necessary information. A voter requesting or casting a
11 ballot pursuant to section 53.22 shall not be required
12 to provide a voter verification number.

13 c. For purposes of this subsection, "voter
14 verification number" means the registered voter's
15 driver's license number or nonoperator's identification
16 card number assigned to the voter by the department of
17 transportation or the registered voter's identification
18 number assigned to the voter by the state commissioner
19 pursuant to section 47.7, subsection 2.

20 8. An application for an absentee ballot that
21 is returned to the commissioner by a person acting
22 as an actual or implied agent for a political party,
23 as defined in section 43.2, or by a candidate, or
24 committee, all both as defined by chapter 68A, shall be
25 returned to the commissioner within seventy-two hours
26 of the time the completed application was received
27 from the applicant or no later than 5:00 p.m. on the
28 Friday before same day as the election deadline under
29 subsection 1, paragraph "b", whichever is earlier. An
30 application received by a person acting as an actual or
31 implied agent of a political party after the deadline
32 but before the date of the election shall be returned
33 to the commissioner within twenty-four hours.

34 Sec. 7. Section 53.10, Code 2017, is amended by
35 adding the following new subsection:

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1 NEW SUBSECTION. 2A. A voter shall not vote or
2 offer to vote any ballot except such as the voter has
3 received from the commissioner. A voter voting an
4 absentee ballot at the commissioner's office shall
5 not take or remove any ballot from the commissioner's
6 office.

DIVISION II

VOTER IDENTITY AND SIGNATURE VERIFICATION

9 Sec. 8. Section 48A.2, Code 2017, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 4A. "Voter registration card" means
12 a card issued pursuant to section 48A.10A.

13 Sec. 9. Section 48A.7A, subsection 1, paragraph b,
14 subparagraph (1), subparagraph division (c), Code 2017,
15 is amended to read as follows:

16 (c) A United States military or veterans
17 identification card.

18 Sec. 10. Section 48A.7A, subsection 1, paragraph b,
19 subparagraph (2), unnumbered paragraph 1, Code 2017, is
20 amended to read as follows:

21 If the photographic identification presented
22 does not contain the person's current address in the
23 precinct, the person shall also present one of the
24 following documents that shows the person's name and
25 current address in the precinct, and the document must
26 be dated, or describe terms of residency current to,
27 within forty-five days prior to presentation:

28 Sec. 11. Section 48A.7A, subsection 1, paragraph c,
29 Code 2017, is amended to read as follows:

30 c. In lieu of paragraph "b", a person wishing
31 to vote may establish identity and residency in the
32 precinct by written oath of a person who is registered
33 to vote in the precinct. Before signing an oath under
this paragraph, the attesting registered voter shall
35 present to the precinct election official proof of

1 the voter's identity, as described in section 49.78,
2 subsection 2. The registered voter's oath shall
3 attest to the stated identity of the person wishing to
4 vote and that the person is a current resident of the
5 precinct. The oath must be signed by the attesting
6 registered voter in the presence of the appropriate
7 precinct election official. A registered voter who has
8 signed an oath on election day attesting to a person's
9 identity and residency as provided in this paragraph is
10 prohibited from signing any further oaths as provided
11 in this paragraph on that day.

12 Sec. 12. Section 48A.7A, Code 2017, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 5. a. If a person registers
15 to vote under this section at a polling place that
16 has access to an electronic poll book, the precinct
17 election official shall verify against a database
18 maintained by the state commissioner that the person
19 has not been convicted of a felony or, if the person
20 has been convicted of a felony, the person has had
21 the person's voting rights restored. If the precinct
22 election official determines that the person has not
23 been convicted of a felony or has been convicted of
24 a felony but the person's voting rights have been
25 restored, the precinct election official shall furnish
26 a ballot to the voter. If the database indicates that
27 the person has been convicted of a felony and that the
28 person's voting rights have not been restored, the
29 precinct election official shall challenge the person
30 under section 49.79.

31 b. If a person registers to vote under this section
32 at a polling place that does not have access to an
33 electronic poll book, the person shall be permitted to
34 cast a provisional ballot under section 49.81, and the
35 absentee and special voters precinct board, appointed

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1 pursuant to section 53.23, shall verify against a
2 database maintained by the state commissioner that the
3 person has not been convicted of a felony or, if the
4 person has been convicted of a felony, the person's
5 voting rights have been restored. If information in
6 the database indicates that the person has not been
7 convicted of a felony or, if the person has been
8 convicted of a felony, the person's voting rights have
9 been restored, the voter's provisional ballot shall be
10 counted. If the database indicates that the person
11 has been convicted of a felony and the person's voting
12 rights have not been restored, the voter's provisional
13 ballot shall be rejected.

14 Sec. 13. NEW SECTION. 48A.10A Voter registration
15 cards — verification of voter registration information.

16 1. The state registrar shall compare lists of
17 persons who are registered to vote with the department
18 of transportation's driver's license and nonoperator's
19 identification card files and shall issue a voter
20 registration card to each active, registered voter
21 whose name does not appear in the department of
22 transportation's files.

23 2. The commissioner shall issue voter registration
24 cards on an ongoing basis as prescribed by the state
25 registrar for all new registrations and registration
26 updates as a part of the regular voter acknowledgment
27 process required under sections 48A.26 and 48A.26A.

28 3. A person issued a voter registration card under
29 this section shall not be charged any fee for the
30 issuance or delivery of the voter registration card.

31 4. Implementation of this section shall be
32 contingent upon appropriations by the general assembly
33 in sufficient amounts to meet the requirements of this
34 section.

35 5. The state registrar shall adopt rules pursuant

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1 to chapter 17A to implement this section.

2 Sec. 14. Section 48A.26A, subsection 1, Code 2017,
3 is amended to read as follows:

4 1. Within ~~forty-five~~ twenty-one days of receiving
5 a voter registration form completed under section
6 48A.7A, the commissioner shall send an acknowledgment
7 to the registrant, in the manner provided in section
8 48A.26, subsections 2 through 5, as applicable, at the
9 mailing address shown on the registration form. The
10 acknowledgment shall be sent by nonforwardable mail and
11 shall include the registrant's voter registration card
12 and no other type of card.

13 Sec. 15. Section 48A.38, subsection 1, paragraph f,
14 Code 2017, is amended to read as follows:

15 f. The county commissioner of registration and
16 the state registrar of voters shall remove a voter's
17 whole or partial social security number, as applicable,
18 voter identification number assigned by the state
19 commissioner, Iowa driver's license number, or Iowa
20 nonoperator's identification card number from a voter
21 registration list prepared pursuant to this section.

22 Sec. 16. Section 49.53, subsection 1, Code 2017, is
23 amended to read as follows:

24 1. The commissioner shall not less than four
25 nor more than twenty days before the day of each
26 election, except those for which different publication
27 requirements are prescribed by law, publish notice of
28 the election. The notice shall contain a facsimile
29 of the portion of the ballot containing the first
30 rotation as prescribed by section 49.31, subsection 2,
31 and shall show the names of all candidates or nominees
32 and the office each seeks, and all public questions,
33 to be voted upon at the election. The sample ballot
34 published as a part of the notice may at the discretion
35 of the commissioner be reduced in size relative to

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1 the actual ballot but such reduction shall not cause
2 upper case letters appearing in candidates' names or in
3 summaries of public measures on the published sample
4 ballot to be less than nine point type. The notice
5 shall also state the date of the election, the hours
6 the polls will be open, that each voter is required to
7 provide identification at the polling place before the
8 voter can receive and cast a ballot, the location of
9 each polling place at which voting is to occur in the
10 election, and the names of the precincts voting at each
11 polling place, but the statement need not set forth any
12 fact which is apparent from the portion of the ballot
13 appearing as a part of the same notice. The notice
14 shall include the full text of all public measures to
15 be voted upon at the election.

16 Sec. 17. Section 49.77, subsection 1, unnumbered
17 paragraph 1, Code 2017, is amended to read as follows:

18 The board members of their respective precincts
19 shall have charge of the ballots and shall furnish them
20 to the voters after verifying each voter's identity
21 pursuant to section 49.78.

22 Sec. 18. Section 49.77, subsection 3, Code 2017, is
23 amended by striking the subsection.

24 Sec. 19. NEW SECTION. 49.78 Voter identity and
25 signature verification.

26 1. To ensure the integrity of, and to instill
27 public confidence in, all elections in this state
28 the general assembly finds that the verification of
29 a voter's identity is necessary before a voter is
30 permitted to receive and cast a ballot.

31 2. a. Before a precinct election official
32 furnishes a ballot to a voter under section 49.77,
33 the voter shall establish the voter's identity by
34 presenting the official with one of the following forms
35 of identification for verification:

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1 (1) An Iowa driver's license issued pursuant to
2 section 321.189.

3 (2) An Iowa nonoperator's identification card
4 issued pursuant to section 321.190.

5 (3) A United States passport.

6 (4) A United States military or veterans
7 identification card.

8 b. Upon being presented with a form of
9 identification under this section, the precinct
10 election official shall examine the identification.

11 The precinct election official shall use the
12 information on the identification card, including
13 the signature, to determine whether the person
14 offering to vote appears to be the person depicted
15 on the identification card. The voter's signature
16 shall generally be presumed to be valid. If the
17 identification provided does not appear to be the
18 person offering to vote under section 49.77, the
19 precinct election official shall challenge the person
20 offering to vote in the same manner provided for other
21 challenges by sections 49.79 and 49.80. A person
22 offering to vote who establishes identity by presenting
23 a veteran's identification card that does not contain
24 a signature, is not subject to challenge under this
25 paragraph "b".

26 3. To establish the voter's identity under this
27 section, a person who is registered to vote but is
28 unable to present a form of identification listed under
29 subsection 2 may present any of the following:

30 a. A current voter registration card provided
31 pursuant to section 48A.10A that contains the voter
32 identification number if the voter registration card
33 is signed before the voter presents the card to the
34 election official.

35 b. Other forms of identification sufficient to

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1 establish identity and residence under section 48A.7A,
2 subsection 1, paragraph "b".

3 4. A person who is registered to vote but is unable
4 to present a form of identification under subsection
5 2 or 3 may establish identity and residency in the
6 precinct by written oath of a person who is also
7 registered to vote in the precinct. The attesting
8 registered voter's oath shall attest to the stated
9 identity of the person wishing to vote and that the
10 person is a current resident of the precinct. The oath
11 must be signed by the attesting registered voter in the
12 presence of the appropriate precinct election official.
13 A registered voter who has signed two oaths on election
14 day attesting to a person's identity and residency as
15 provided in this subsection is prohibited from signing
16 any further oaths as provided in this subsection on
17 that day.

18 5. The form of the written oath required of
19 a registered voter attesting to the identity and
20 residency of the voter unable to present a form of
21 identification shall read as follows:

22 I, (name of attesting registered voter), do
23 solemnly swear or affirm all of the following:
24 I am a preregistered voter in this precinct or I
25 registered to vote in this precinct today, and a
26 registered voter did not sign an oath on my behalf. I
27 have not signed more than one oath attesting to the
28 identity and residence of any other person in this
29 election.

30 I am a resident of the ... precinct, ... ward or
31 township, city of, county of, Iowa.

32 I reside at (street address) in (city
33 or township).

34 I personally know (name of voter), and I
35 personally know that (name of voter) is a

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1 resident of the ... precinct, ward or township,
2 city of, county of, Iowa.

3 I understand that any false statement in this oath is a
4 class "D" felony punishable by no more than five years
5 in confinement and a fine of at least seven hundred
6 fifty dollars but not more than seven thousand five
7 hundred dollars.

8

9 Signature of Attesting Registered Voter
10 Subscribed and sworn before me on .. (date).

11

12 Signature of Precinct Election Official

13 6. A voter who is not otherwise disqualified
14 from voting and who has established identity under
15 subsection 2, 3, or 4 shall be furnished a ballot and
16 be allowed to vote under section 49.77.

17 7. A registered voter who fails to establish the
18 voter's identity under this section shall be permitted
19 to cast a provisional ballot under section 49.81.

20 8. a. Notwithstanding subsection 7, for any
21 election conducted prior to January 1, 2019, a
22 registered voter who fails to establish the voter's
23 identity under this section shall be permitted to vote
24 upon signing an oath attesting to the voter's identity.

25 The form of the written oath required of the person
26 voting under this subsection shall read as follows:

27 My name is, and I am a United States
28 citizen,

29 at least eighteen years of age. I am the person named
30 above, I

31 am a registered voter of this county, and I am eligible
32 to vote

33 in this election.

34

35 (signature of voter) (date)

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1 b. This subsection is repealed July 1, 2019.

2 Sec. 20. Section 49.81, Code 2017, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 1A. A prospective voter who is
5 unable to establish identity under section 49.78,
6 subsection 2, paragraph "a", or section 49.78,
7 subsection 3 or 4, shall be notified by the appropriate
8 precinct election official that the voter may cast a
9 provisional ballot. The voter shall mark the ballot
10 and immediately seal it in an envelope of the type
11 prescribed by subsection 4. The voter shall deliver
12 the sealed envelope to a precinct election official who
13 shall deposit it in an envelope marked "provisional
14 ballots". The ballot shall be considered as having
15 been cast in the special precinct established by
16 section 53.20 for purposes of the postelection canvass.

17 Sec. 21. Section 49.124, Code 2017, is amended by
18 adding the following new subsection:

19 NEW SUBSECTION. 3. The training course and the
20 continuing education program under this section shall
21 include practical and holistic instruction on the
22 criteria for determining whether a person meets the
23 requirements for establishing identity under section
24 49.78, subsection 2, consistent with all voting rights
25 and nondiscrimination provisions of federal and state
26 law. The state commissioner of elections shall adopt
27 rules pursuant to chapter 17A to implement instruction
28 required under this subsection.

29 Sec. 22. Section 53.2, Code 2017, is amended by
30 adding the following new subsection:

31 NEW SUBSECTION. 4A. The commissioner may dispute
32 an application if it appears to the commissioner
33 that the signature on the application has been
34 signed by someone other than the registered voter,
35 in comparing the signature on the application to the

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1 signature on record of the registered voter named
2 on the application. If the commissioner disputes a
3 registered voter's application under this subsection,
4 the commissioner shall notify the registered voter and
5 the registered voter may submit a new application and
6 signature or update the registered voter's signature
7 on record, as provided by rule adopted by the state
8 commissioner.

9 Sec. 23. Section 53.18, subsection 3, Code 2017, is
10 amended to read as follows:

11 3. If the affidavit envelope or the return
12 envelope marked with the affidavit contains a defect
13 that would cause the absentee ballot to be rejected
14 by the absentee and special voters precinct board,
15 the commissioner shall immediately notify the voter
16 of that fact and that the voter's absentee ballot
17 shall not be counted unless the voter requests and
18 returns a replacement ballot in the time permitted
19 under section 53.17, subsection 2. For the purposes
20 of this section, a return envelope marked with the
21 affidavit shall be considered to contain a defect if
22 it appears to the commissioner that the signature on
23 the envelope has been signed by someone other than the
24 registered voter, in comparing the signature on the
25 envelope to the signature on record of the registered
26 voter named on the envelope. A signature or marking
27 made in accordance with section 39.3, subsection 17,
28 shall not be considered a defect for purposes of this
29 section. The voter may request a replacement ballot
30 in person, in writing, or over the telephone. The
31 same serial number that was assigned to the records
32 of the original absentee ballot application shall be
33 used on the envelope and records of the replacement
34 ballot. The envelope marked with the affidavit and
35 containing the completed replacement ballot shall be

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1 marked "Replacement ballot". The envelope marked with
2 the affidavit and containing the original ballot shall
3 be marked "Defective" and the replacement ballot shall
4 be attached to such envelope containing the original
5 ballot and shall be stored in a secure place until
6 they are delivered to the absentee and special voters
7 precinct board, notwithstanding **sections 53.26** and
8 **53.27.**

9 Sec. 24. Section 53.22, Code 2017, is amended by
10 adding the following new subsection:

11 **NEW SUBSECTION.** 7. The proof of identity
12 requirements under section 49.78 shall not apply to a
13 voter casting a ballot pursuant to this section.

14 Sec. 25. Section 53.25, Code 2017, is amended to
15 read as follows:

16 **53.25 Rejecting ballot.**

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

33 b. If a voter casts a provisional ballot pursuant
34 to section 49.78, subsection 7, and the voter has
35 failed to establish the voter's identity at the

1 commissioner's office, the provisional ballot shall be
2 rejected by the absentee and special voters precinct
3 board.

4 2. If the absentee or provisional ballot is
5 rejected prior to the opening of the affidavit envelope
6 or return envelope marked with the affidavit, the voter
7 casting the ballot shall be notified by a precinct
8 election official by the time the canvass is completed
9 of the reason for the rejection on a form prescribed by
10 the state commissioner of elections.

11 Sec. 26. SEVERABILITY. If any provision of
12 this division of this Act or the application of any
13 provision of this division of this Act to any person
14 or circumstance is held invalid, the invalidity shall
15 not affect other provisions of the division which can
16 be given effect without the invalid provisions or
17 application of the invalid provisions, and to this end,
18 the provisions of the division are severable.

19 Sec. 27. EFFECTIVE DATE. This division of this Act
20 takes effect upon the appropriation of moneys by the
21 general assembly to the state commissioner of elections
22 in an amount sufficient for implementation of section
23 48A.10A as declared by the general assembly.

24 Sec. 28. APPLICABILITY. This division of this Act
25 applies to elections held on or after the effective
26 date of this division of this Act.

DIVISION III

POLLING PLACES

29 Sec. 29. NEW SECTION. 47.11 Electronic poll book
30 and polling place technology program — revolving loan
31 fund.

32 1. An electronic poll book and polling place
33 technology program is created and an electronic poll
34 book and polling place technology revolving loan fund
35 is created in the state treasury under the control of

1 the state commissioner. The program and revolving loan
2 fund shall be administered by the state commissioner
3 and the revolving loan fund shall include moneys
4 allocated from the state commissioner's budget and
5 any other moneys obtained or accepted by the state
6 commissioner for deposit in the revolving loan fund.

7 2. a. The state commissioner may loan moneys in
8 the revolving loan fund to county commissioners for the
9 purchase or update of electronic poll book and polling
10 place technology.

11 b. Moneys loaned under this subsection shall be
12 used, in accordance with section 49.28, to furnish
13 electronic poll books to election precincts for the
14 purpose of modernizing polling places throughout the
15 state.

16 c. The state commissioner may spend an amount
17 not to exceed thirty percent of the moneys in the
18 revolving loan fund at the beginning of a fiscal
19 year to administer polling place technology to ensure
20 compliance with state standards of technological
21 security and the protection of personally identifiable
22 information.

23 3. A loan made under this section shall bear no
24 interest.

25 4. Notwithstanding section 12C.7, subsection 2,
26 interest or earnings on moneys in the revolving loan
27 fund shall be credited to the revolving loan fund.

28 Notwithstanding section 8.33, moneys in the revolving
29 loan fund that remain unencumbered or unobligated at
30 the close of a fiscal year shall not revert to any
31 other fund but shall remain available in the revolving
32 loan fund for the purposes designated.

33 5. The state commissioner shall adopt rules
34 pursuant to chapter 17A to administer this section.

35 Sec. 30. Section 49.88, subsection 1, Code 2017, is

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1 amended to read as follows:

2 1. No more than one person shall be allowed
3 to occupy any voting booth at any time. The use
4 of cameras, cellular telephones, pagers, or other
5 electronic communications devices in the voting booth
6 photographic devices and the display of voted ballots
7 is prohibited if such use or display is for purposes
8 prohibited under chapter 39A, interferes with other
9 voters, or interferes with the orderly operation of the
10 polling place.

DIVISION IV

ELECTION CERTIFICATION AND AUDITS

13 Sec. 31. Section 39.2, subsection 1, paragraph a,
14 Code 2017, is amended to read as follows:

15 a. All special elections which are authorized or
16 required by law, unless the applicable law otherwise
17 requires, shall be held on Tuesday. A special election
18 shall not be held on the first, second, and third, and
19 fourth Tuesdays preceding and following the primary and
20 the general elections.

21 Sec. 32. NEW SECTION. 49.128 Commissioner filings
22 and notifications.

23 1. No later than twenty days following a general
24 election, the commissioner shall place on file in the
25 commissioner's office a certification that the county
26 met the following requirements at the general election:

27 a. The testing of voting equipment was performed,
28 as required under section 52.35.

29 b. The election personnel training course was
30 conducted, as required under section 49.124.

31 c. Polling places met accessibility standards, as
32 required under section 49.21.

33 d. The schedule of required publications was
34 adhered to, as required under section 49.53.

35 e. The commissioner has complied with

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1 administrative rules adopted by the state commissioner
2 under chapter 52, including having a written voting
3 system security plan.

4 2. a. If the county is required to conduct an
5 audit under section 50.51, the commissioner shall
6 include a copy of the results with the certification
7 required under this section.

8 b. If a county is not required to conduct an audit
9 under section 50.51, the commissioner shall include a
10 copy of the certification required under this section
11 along with the election canvass summary report required
12 under section 50.30A.

13 3. The commissioner shall file a copy of the
14 certification under this section with the state
15 commissioner.

16 4. The commissioner shall promptly notify the state
17 commissioner of each suspected incidence of election
18 misconduct that the commissioner has referred to other
19 agencies or law enforcement for investigation.

20 5. The state commissioner shall prescribe a form
21 for use by the county commissioners.

22 Sec. 33. Section 50.12, Code 2017, is amended to
23 read as follows:

24 **50.12 Return and preservation of ballots.**

25 Immediately after making the proclamation, and
26 before separating, the board members of each precinct
27 in which votes have been received by paper ballot shall
28 enclose in an envelope or other container all ballots
29 which have been counted by them, except those endorsed
30 "Rejected as double", "Defective", or "Objected to",
31 and securely seal the envelope. The signatures of
32 all board members of the precinct shall be placed
33 across the seal or the opening of the container so
34 that it cannot be opened without breaking the seal.
35 The precinct election officials shall return all

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1 the ballots to the commissioner, who shall carefully
2 preserve them for six months. Ballots from elections
3 for federal offices shall be preserved for twenty-two
4 months. The sealed packages containing voted ballots
5 shall be opened only for an official recount authorized
6 by **section 50.48, 50.49, or 50.50**, for an election
7 contest held pursuant to **chapters 57 through 62, to**
conduct an audit pursuant to section 50.51, or to
9 **destroy the ballots pursuant to section 50.19.**

10 Sec. 34. **NEW SECTION. 50.51 Election audits.**

11 1. After each general election, the state
12 commissioner shall, with the cooperation of the county
13 commissioners, conduct an audit of the official canvass
14 of votes from the preceding general election.

15 2. The state commissioner shall determine the
16 number of counties and precincts to be audited and
17 shall select the precincts to be audited by lot. The
18 absentee ballot and special voters precinct for each
19 county, established pursuant to section 53.20, shall
20 be included with all other precincts of the county
21 for selection by lot. In every precinct selected,
22 the commissioner shall conduct a hand count of all
23 ballots cast in the preceding general election for
24 president of the United States or governor, as the
25 case may be. The hand count shall be observed by a
26 representative selected by each of the two political
27 parties whose candidates received the highest number of
28 votes statewide in the preceding general election.

29 3. a. The commissioner may order an administrative
30 recount pursuant to section 50.50 if the commissioner
31 determines the results of an audit require an
32 administrative recount.

33 b. If selected to conduct an audit, the
34 commissioner shall provide an audit report to the
35 county board of supervisors and shall transmit the

1 audit report to the state commissioner no later than
2 twenty days following the election.

3 4. The results of an audit conducted pursuant
4 to this section shall not change the results, or
5 invalidate the certification, of an election.

6 5. In advance of any other election, the state
7 commissioner may order an audit of the election in the
8 manner provided in this section.

9 6. The state commissioner shall adopt rules,
10 pursuant to chapter 17A, to implement this section.

DIVISION V

VOTER MISCONDUCT INFORMATION AND REPORTING

13 Sec. 35. Section 48A.26A, Code 2017, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 3. A county attorney receiving
16 a notification pursuant to subsection 2 shall review
17 the voter's registration documents and other such
18 information as may be necessary, and report the
19 findings to the commissioner and state registrar of
20 voters.

21 Sec. 36. NEW SECTION. 48A.27A Voting more than
22 once — referral and examination.

23 1. If the state registrar of voters receives
24 information from another jurisdiction that a registered
25 voter of this state may have voted or attempted
26 to vote more than once in the same election, the
27 state registrar shall provide the information to the
28 appropriate commissioner.

29 2. If a commissioner receives information from the
30 state registrar of voters or from another jurisdiction
31 that a registered voter may have voted or attempted
32 to vote more than once in the same election, the
33 commissioner shall provide the information to the
34 county attorney in each jurisdiction where the voter
35 voted or attempted to vote. A county attorney of

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1 this state that is provided such information shall
2 examine the information and report any findings to the
3 commissioner.

4 DIVISION VI

5 STRAIGHT PARTY VOTING

6 Sec. 37. Section 49.37, subsection 1, Code 2017, is
7 amended to read as follows:

8 1. For general elections, and for other elections
9 in which more than one partisan office will be filled,
10 the ~~first section of the~~ ballot shall be ~~for straight~~
11 party voting arranged as provided in this section.

12 ~~a. Each political party or organization which has~~
13 ~~nominated candidates for more than one office shall be~~
14 ~~listed. Instructions to the voter for straight party~~
15 ~~or organization voting shall be in substantially the~~
16 ~~following form:~~

17 ~~To vote for all candidates from a single party or~~
18 ~~organization, mark the voting target next to the party~~
19 ~~or organization name. Not all parties or organizations~~
20 ~~have nominated candidates for all offices. Marking a~~
21 ~~straight party or organization vote does not include~~
22 ~~votes for nonpartisan offices, judges, or questions.~~

23 ~~b. Political parties and nonparty political~~
24 ~~organizations which have nominated candidates for only~~
25 ~~one office shall be listed below the other political~~
26 ~~organizations under the following heading:~~

27 ~~Other Political Organizations. The following~~
28 ~~organizations have nominated candidates for only one~~
29 ~~office:~~

30 ~~c. Offices shall be arranged in groups. Partisan~~
31 ~~offices, nonpartisan offices, judges, and public~~
32 ~~measures shall be separated by a distinct line~~
33 ~~appearing on the ballot.~~

34 Sec. 38. Section 49.37, Code 2017, is amended by
35 adding the following new subsection:

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1 NEW SUBSECTION. 1A. Offices shall be arranged in
2 groups. Partisan offices, nonpartisan offices, judges,
3 and public measures shall be separated by a distinct
4 line appearing on the ballot.

5 Sec. 39. Section 49.57, subsection 2, Code 2017, is
6 amended to read as follows:

7 2. ~~In the area of the general election ballot for straight party voting, the party or organization names shall be printed in upper case and lower case letters using a uniform font size for each political party or nonparty political organization. The font size shall be not less than twelve point type. After the name of each candidate for a partisan office the name of the candidate's political party shall be printed in at least six point type. The names of political parties and nonparty political organizations may be abbreviated on the remainder of the ballot if both the full name and the abbreviation appear in the "Straight Party" and "Other Political Party" areas of the ballot.~~

20 Sec. 40. Section 49.98, Code 2017, is amended to
21 read as follows:

22 **49.98 Counting ballots.**

23 The ballots shall be counted according to the voters' marks on them as provided in sections 49.92 to ~~49.97 and 49.93~~, and not otherwise. If, for any reason, it is impossible to determine from a ballot, as marked, the choice of the voter for any office, the vote for that office shall not be counted. When there is a conflict between a straight party or organization vote for one political party or nonparty political organization and the vote cast by marking the voting target next to the name of a candidate for another political party or nonparty political organization on the ballot, the mark next to the name of the candidate shall be held to control, and the straight party or

1 organization vote in that case shall not apply as to
2 that office. A ballot shall be rejected if the voter
3 used a mark to identify the voter's ballot. For each
4 voting system, the The state commissioner shall, by
5 rule adopted pursuant to chapter 17A, develop uniform
6 definitions of what constitutes a vote.

7 Sec. 41. REPEAL. Sections 49.94, 49.95, 49.96, and
8 49.97, Code 2017, are repealed.

9 DIVISION VII

10 PUBLIC EDUCATION

11 Sec. 42. PUBLIC EDUCATION. The state commissioner
12 of elections shall, in consultation with the county
13 commissioners of elections and other relevant
14 stakeholder groups, develop and implement a
15 comprehensive and statewide public education plan,
16 including multimedia advertising, in order to
17 inform the voters of this state of the election day
18 identification requirements contained in this Act.>

19 2. Title page, line 4, by striking <certifications>
20 and inserting <duties and certifications, voter
21 misconduct information and reporting, straight party
22 voting,>

23 3. By renumbering as necessary.

ROBY SMITH