

Senate Amendment to
House File 692

H-1244

1 Amend House File 692, as passed by the House, as follows:

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

4 <DIVISION I

5 PROCEDURES FOR PROPOSED AMENDMENTS TO THE IOWA CONSTITUTION

6 Section 1. Section 49.43, subsection 2, Code 2019, is
7 amended to read as follows:

8 2. Constitutional amendments and other public measures ~~may~~
9 shall be summarized by the commissioner as provided in sections
10 49.44 and 52.25.

11 Sec. 2. Section 49.44, subsection 1, Code 2019, is amended
12 to read as follows:

13 1. When a proposed constitutional amendment or other public
14 measure to be decided by the voters of the entire state is to
15 be voted upon, the state commissioner shall prepare a written
16 summary of the amendment or measure including the number of
17 the amendment or statewide public measure assigned by the
18 state commissioner. The summary shall be printed immediately
19 preceding the text of the proposed amendment or measure on the
20 paper ballot or optical scan ballot referred to in section
21 49.43. If the complete text of the proposed amendment or
22 public measure will not fit on the ballot it shall be posted
23 inside the voting booth. A copy of the full text shall be
24 included with any absentee ballots.

25 Sec. 3. Section 49A.1, Code 2019, is amended to read as
26 follows:

27 **49A.1 Publication of proposed amendment.**

28 1. Whenever any proposition to amend the Constitution has
29 passed the general assembly and been referred to the next
30 succeeding legislature, the state commissioner of elections
31 shall endeavor to cause the same to be published, once each
32 month, in two newspapers of general circulation in each
33 congressional district in the state, for the time required by
34 the Constitution.

35 2. a. The legislative services agency shall maintain on

1 the internet site of the agency a list of all propositions
2 to amend the Constitution as they are filed for each general
3 assembly commencing on or after the effective date of this Act.
4 Such lists shall include links to the text of the proposed
5 amendments.

6 b. The legislative services agency shall maintain on the
7 internet site of the agency separate lists for propositions to
8 amend the Constitution that have been passed by one general
9 assembly and by two consecutive general assemblies. Such lists
10 shall include links to the text of the proposed amendments and
11 shall be updated no later than one week after the conclusion of
12 each session of the general assembly. A proposition to amend
13 the Constitution published consistent with this paragraph shall
14 be considered published as required by the Constitution.

15 Sec. 4. REPEAL. Sections 49A.10 and 49A.11, Code 2019, are
16 repealed.

17 DIVISION II
18 ISSUANCE OF BONDS

19 Sec. 5. Section 49.45, Code 2019, is amended to read as
20 follows:

21 **49.45 General form of ballot.**

22 1. Ballots referred to in [section 49.43](#) shall be
23 substantially in the following form:

24 Shall the following amendment to the Constitution (or public
25 measure) be adopted?

- 26 Yes
- 27 No

28 (Here insert the summary, if it is for a constitutional
29 amendment or statewide public measure, and in full the proposed
30 constitutional amendment or public measure. The number
31 assigned by the state commissioner or the letter assigned
32 by the county commissioner shall be included on the ballot
33 centered above the question, "Shall the following amendment to
34 the Constitution [or public measure] be adopted?".)

35 2. A public measure to approve the issuance of a bond

1 pursuant to chapter 75 or 296 shall include on the ballot the
2 current property tax levy, which shall immediately follow
3 the proposed levy, and the term of the bond. Such a public
4 measure shall also include on the ballot the average increase
5 or decrease in the property tax burden of an average home in
6 each county, as well as the average of such averages, according
7 to data provided by the United States census bureau.

8 DIVISION III

9 SELF-PROMOTION WITH TAXPAYER FUNDS

10 Sec. 6. Section 68A.405A, subsection 1, paragraph b, Code
11 2019, is amended by striking the paragraph.

12 Sec. 7. Section 68A.405A, Code 2019, is amended by adding
13 the following new subsections:

14 NEW SUBSECTION. 3. For the purposes of this section,
15 "*direct mass mailing*" means a mailing, regardless of whether
16 the mailing was sent in response to a request or due to the
17 recipient's enrollment in a program, the purpose of which is to
18 attract public attention to a person, policy, product, service,
19 program, initiative, law, legislation, event, or activity
20 promoted by the statewide elected official that is all of the
21 following:

22 a. Printed material delivered by the United States mail or
23 other delivery service.

24 b. Sent to more than two hundred physical addresses.

25 c. Substantially similar or identical as regards each
26 mailing.

27 d. Sent at the same time or within a thirty-day period.

28 NEW SUBSECTION. 4. For the purposes of this section,
29 only moneys appropriated to the offices of the governor and
30 lieutenant governor are considered under the control of the
31 governor or lieutenant governor.

32 DIVISION IV

33 HOSPITAL BOARD OF TRUSTEES ELECTIONS

34 Sec. 8. Section 347.9, subsection 1, Code 2019, is amended
35 to read as follows:

1 1. When it has been determined by the voters of a county
2 to establish a county public hospital, the board shall appoint
3 five or seven trustees chosen from among the resident citizens
4 of the county with reference to their fitness for office.
5 The appointed trustees shall hold office until the following
6 general election, at which time their successors shall be
7 elected, three for a term of four years and the remainder
8 for a term of two years, and they shall determine by lot
9 their respective terms, and thereafter their successors shall
10 be elected for regular terms of four years each, except as
11 provided in subsection 3.

12 Sec. 9. Section 347.9, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3. Trustees in a county with a population
15 of at least four hundred thousand shall serve for a term of six
16 years. A trustee elected to a term of four years in or after
17 January 2018 shall instead serve a term of six years.

18 Sec. 10. Section 347.10, Code 2019, is amended to read as
19 follows:

20 **347.10 Vacancies.**

21 Vacancies on the board of trustees may, ~~until the next~~
22 ~~general election,~~ be filled by appointment by the remaining
23 members of the board of trustees or, if fewer than a
24 majority of the trustees remain on the board, by the board of
25 supervisors for the period until the vacancies are filled by
26 election. An appointment made under **this section** shall be for
27 the unexpired balance of the term of the preceding trustee. If
28 a board member is absent for four consecutive regular board
29 meetings, without prior excuse, or fails to comply with more
30 stringent attendance requirements for regular board meetings
31 included in the bylaws governing the board, the member's
32 position shall be declared vacant and filled as set out in this
33 section.

34 Sec. 11. HOSPITAL BOARD OF TRUSTEES ELECTIONS.

35 Notwithstanding section 347.9, for elections held pursuant to

1 section 347.9 in 2022 in which more than seventy percent of
2 trustee positions on a board are on the ballot:

3 1. If there are seven trustees on the board:

4 a. If six trustees are to be elected, the four elected who
5 receive the highest number of votes are elected for four-year
6 terms. The remainder are elected for two-year terms. In case
7 of a tie, the county auditor shall determine by lot which of
8 the trustees with the lowest number of winning votes shall
9 serve two-year terms and thereafter their successors shall be
10 elected for regular terms as provided in section 347.9.

11 b. If five trustees are to be elected, the four elected who
12 receive the highest number of votes are elected for four-year
13 terms. The remaining trustee is elected for a two-year term.
14 In case of a tie, the county auditor shall determine by lot
15 which of the trustees with the lowest number of winning votes
16 shall serve the two-year term and thereafter their successors
17 shall be elected for regular terms as provided in section
18 347.9.

19 2. If there are five trustees on the board, if four trustees
20 are to be elected, the three elected who receive the highest
21 number of votes are elected for four-year terms. The remaining
22 trustee is elected for a two-year term. In case of a tie, the
23 county auditor shall determine by lot which of the trustees
24 with the lowest number of winning votes shall serve the
25 two-year term and thereafter their successors shall be elected
26 for regular terms as provided in section 347.9.

27 DIVISION V

28 TECHNICAL CHANGES

29 Sec. 12. Section 39A.3, subsection 1, paragraph a, Code
30 2019, is amended by adding the following new subparagraph:

31 NEW SUBPARAGRAPH. (5) Falsely or fraudulently signs
32 nomination papers on behalf of another person.

33 Sec. 13. Section 39A.3, subsection 1, Code 2019, is amended
34 by adding the following new paragraph:

35 NEW PARAGRAPH. *c. Miscellaneous offenses.* Uses voter

1 registration information, including resale or redistribution
2 of the voter registration list without written permission of
3 the state registrar, for purposes other than those permitted
4 by section 48A.39.

5 Sec. 14. Section 39A.4, subsection 1, paragraph c,
6 subparagraph (5), Code 2019, is amended by striking the
7 subparagraph.

8 Sec. 15. Section 39A.6, Code 2019, is amended to read as
9 follows:

10 **39A.6 Technical infractions — notice.**

11 1. If the state commissioner or county commissioner becomes
12 aware of an apparent technical violation of a provision of
13 chapters 39 through 53, the state commissioner or county
14 commissioner may administratively provide a written notice
15 and letter of instruction to the responsible person regarding
16 proper compliance procedures.

17 2. If the state commissioner sends a notice of such a
18 technical infraction to a county commissioner, the state
19 commissioner may require a written explanation of the
20 occurrence, and measures that the person took to redress the
21 issues contained within the notice.

22 3. This notice is not a final determination of facts or law
23 in the matter, and does not entitle a person to a proceeding
24 under [chapter 17A](#).

25 Sec. 16. Section 43.14, subsection 1, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *g.* The printed name, signature, address,
28 and phone number of the person responsible for circulating the
29 petition page. The petition page shall clearly indicate that a
30 candidate circulating the page shall provide the information
31 required by this paragraph.

32 Sec. 17. Section 43.14, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. a. Signatures on a petition page shall be counted only
35 if the information required in [subsection 1](#) is written or

1 printed at the top of the page.

2 b. Nomination papers on behalf of candidates for seats in
3 the general assembly need only designate the number of the
4 senatorial or representative district, as appropriate, and
5 not the county or counties, in which the candidate and the
6 petitioners reside.

7 c. A signature line shall not be counted if the line
8 lacks the signature of the eligible elector and the signer's
9 residential address, with street and number, if any, and city.
10 A signature line shall not be counted if an eligible elector
11 supplies only a partial address or a post office box address,
12 or if the signer's address is obviously outside the boundaries
13 of the district.

14 d. A signature line shall not be counted if any of the
15 required information is crossed out or redacted at the time
16 the nomination papers are filed with the state commissioner or
17 commissioner.

18 Sec. 18. Section 43.14, subsection 4, Code 2019, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. f. Any other information required by section
21 43.18.

22 Sec. 19. Section 43.15, subsection 2, Code 2019, is amended
23 to read as follows:

24 2. Each signer shall add the signer's ~~residence~~ residential
25 address, with street and number, if any, and the date of
26 signing.

27 Sec. 20. Section 43.22, unnumbered paragraph 1, Code 2019,
28 is amended to read as follows:

29 The state commissioner shall, at least sixty-nine days
30 before a primary election, or as soon as practicable if an
31 objection under section 43.24 is pending, furnish to the
32 commissioner of each county a certificate under the state
33 commissioner's hand and seal, which certificate shall show:

34 Sec. 21. Section 43.24, subsection 1, paragraph b,
35 subparagraphs (1) and (2), Code 2019, are amended to read as

1 follows:

2 (1) Those filed with the state commissioner, not less than
3 seventy-four days before the date of the election, or for
4 certificates of nomination filed under section 43.23, not less
5 than sixty-nine days before the date of the election.

6 (2) Those filed with the commissioner, not less than
7 ~~sixty-four~~sixty-seven days before the date of the election, or
8 for certificates of nomination filed under section 43.23, not
9 less than sixty-two days before the date of the election.

10 Sec. 22. Section 45.5, subsection 1, Code 2019, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *f.* The printed name, signature, address,
13 and phone number of the person responsible for circulating the
14 petition page.

15 Sec. 23. Section 45.5, subsection 2, Code 2019, is amended
16 to read as follows:

17 2. *a.* Signatures on a petition page shall be counted only
18 if the information required in [subsection 1](#) is written or
19 printed at the top of the page.

20 *b.* Nomination papers on behalf of candidates for seats in
21 the general assembly need only designate the number of the
22 senatorial or representative district, as appropriate, and
23 not the county or counties, in which the candidate and the
24 petitioners reside.

25 *c.* A signature line in a nomination petition shall not be
26 counted if the line lacks the signature of the eligible elector
27 and the signer's residential address, with street and number,
28 if any, and city. A signature line shall not be counted if
29 an eligible elector supplies only a partial address or a post
30 office box address, or if the signer's address is obviously
31 outside the boundaries of the appropriate ward, city, school
32 district or school district director district, legislative
33 district, or other district.

34 *d.* A signature line shall not be counted if any of the
35 required information is crossed out or redacted at the time

1 the nomination papers are filed with the state commissioner or
2 commissioner.

3 Sec. 24. Section 45.6, subsection 2, Code 2019, is amended
4 to read as follows:

5 2. Each signer shall add the signer's ~~residence~~ residential
6 address, with street and number, if any, and city.

7 Sec. 25. Section 47.1, subsection 6, Code 2019, is amended
8 to read as follows:

9 6. The state commissioner may, at the state commissioner's
10 discretion, examine the records of a commissioner to evaluate
11 complaints and to ensure compliance with the provisions
12 of chapters 39 through 53. This examination shall include
13 assessments conducted or authorized by private or government
14 entities to evaluate a county's security readiness for
15 elections-related technology or physical facilities. The state
16 commissioner shall adopt rules pursuant to chapter 17A to
17 require a commissioner to provide written explanations related
18 to examinations conducted pursuant to this subsection. Any
19 information that is requested by or in the possession of the
20 state commissioner pursuant to this chapter shall not lose its
21 confidential status pursuant to section 22.7, subsection 50.

22 Sec. 26. Section 47.1, Code 2019, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 7. The state commissioner may share
25 information a county provides to an appropriate government
26 agency to safeguard against cybersecurity or physical threats.

27 NEW SUBSECTION. 8. The state commissioner may adopt rules
28 pursuant to chapter 17A to create minimum security protocols
29 applicable to county commissioners of elections. If a county
30 fails to adhere to these protocols, the state commissioner may
31 limit access to the statewide voter registration system.

32 Sec. 27. Section 47.2, Code 2019, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 7. The county commissioner of elections
35 shall, to maintain election security, do all of the following:

1 a. When the county commissioner believes that a
2 cybersecurity incident or data breach has occurred, the county
3 commissioner shall immediately inform the state commissioner
4 of elections.

5 b. If the county commissioner has no reason to believe
6 that a cybersecurity incident or data breach has occurred,
7 the county commissioner shall certify that fact to the state
8 commissioner on an annual basis.

9 Sec. 28. Section 47.7, subsection 2, paragraph d, Code 2019,
10 is amended to read as follows:

11 d. The state registrar shall prescribe by rule the
12 procedures for access to the state voter registration file,
13 ~~security requirements, and access protocols for adding,~~
14 ~~changing, or deleting information from the state voter~~
15 ~~registration file~~ including all of the following:

16 (1) Access protocols for adding, changing, or deleting
17 information from the state voter registration file.

18 (2) Training requirements for all state voter registration
19 file users.

20 (3) Technology safeguards, including county information
21 technology network requirements, necessary to access the state
22 voter registration file.

23 (4) Breach incident response requirements and protocols on
24 all matters related to elections.

25 Sec. 29. Section 47.7, subsection 2, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. e. The state registrar may rescind access to
28 the statewide voter registration file from a user who is not in
29 compliance with the prescribed rules.

30 Sec. 30. Section 48A.9, subsection 4, Code 2019, is amended
31 to read as follows:

32 4. Registration forms submitted to voter registration
33 agencies, to motor vehicle driver's license stations, and to
34 county treasurer's offices participating in county issuance of
35 driver's licenses under [chapter 321M](#) shall be considered on

1 time if they are received no later than ~~5:00~~ 11:59 p.m. on the
2 day registration closes for that election. Offices or agencies
3 other than the county commissioner's office are not required
4 to be open for voter registration purposes at times other than
5 their usual office hours.

6 Sec. 31. Section 48A.26, subsection 1, Code 2019, is amended
7 to read as follows:

8 1. *a.* Except as otherwise provided in paragraph
9 paragraphs "b" and "c" of this subsection, or section 48A.26A,
10 within seven working days of receipt of a voter registration
11 form or change of information in a voter registration record
12 the commissioner shall send an acknowledgment to the registrant
13 at the mailing address shown on the registration form. The
14 acknowledgment shall be sent by nonforwardable mail.

15 *b.* For a voter registration form or change of information
16 in a voter registration record submitted at a precinct caucus,
17 the commissioner shall send an acknowledgment within forty-five
18 days of receipt of the form or change of information.

19 *c.* For a voter registration form or change of information in
20 a voter registration record submitted within fourteen days of a
21 regularly scheduled election, the commissioner shall send an
22 acknowledgment within forty-eight hours of receipt of the form
23 or change of information.

24 Sec. 32. Section 49.11, Code 2019, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 4. Notice of changes made pursuant to
27 subsection 3 shall be reported to the state commissioner at
28 least twenty-five days before the next election in which the
29 temporary precinct will be active, or, for elections held
30 pursuant to section 69.14 while the general assembly is in
31 session or within forty-five days of the convening of a session
32 of the general assembly, at least ten days before election day.

33 Sec. 33. Section 49.31, subsection 1, paragraph a, Code
34 2019, is amended to read as follows:

35 *a.* All ballots shall be arranged with the names of

1 candidates for each office listed below the office title.
2 For partisan elections the name of the political party or
3 organization which nominated each candidate shall be listed
4 after or below each candidate's name. The state commissioner
5 may prescribe, and a county commissioner may use, uniform
6 abbreviations for political parties and organizations.

7 Sec. 34. Section 49.57, subsection 2, Code 2019, is amended
8 to read as follows:

9 2. After the name of each candidate for a partisan office
10 the name of the candidate's political party shall be printed
11 in at least six point type. The names of political parties
12 and nonparty political organizations may be abbreviated on
13 the remainder of the ballot if both the full name and the
14 abbreviation appear in the voter instruction area of the
15 ballot.

16 Sec. 35. Section 50.51, subsection 6, Code 2019, is amended
17 to read as follows:

18 6. The state commissioner shall adopt rules, pursuant
19 to [chapter 17A](#), to implement [this section](#), which may include
20 the establishment of pilot programs related to post-election
21 audits.

22 Sec. 36. NEW SECTION. 53.1A Rules.

23 The state commissioner shall adopt rules pursuant to chapter
24 17A for the implementation of this chapter.

25 Sec. 37. Section 53.8, subsection 1, paragraph a,
26 unnumbered paragraph 1, Code 2019, is amended to read as
27 follows:

28 Upon receipt of an application for an absentee ballot
29 and immediately after the absentee ballots are printed,
30 but not more than twenty-nine days before the election, the
31 commissioner shall mail an absentee ballot to the applicant
32 within twenty-four hours, except as otherwise provided in
33 subsection 3. When the United States post office is closed
34 in observance of a federal holiday and is not delivering mail
35 on the twenty-ninth day before the election, the first day to

1 mail absentee ballots is the next business day on which mail
2 delivery is available. The absentee ballot shall be sent to
3 the registered voter by one of the following methods:

4 Sec. 38. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 DIVISION VI

7 MISCELLANEOUS PROVISIONS

8 Sec. 39. Section 54.9, Code 2019, is amended to read as
9 follows:

10 **54.9 Compensation.**

11 The electors shall each receive a compensation of
12 ~~five dollars~~ one-half of the federal general services
13 administration's per diem rate for the relevant date and
14 location for every day's attendance, and the same mileage as
15 members of the general assembly which shall be paid from funds
16 not otherwise appropriated from the general fund of the state.

17 Sec. 40. Section 68.9, subsection 1, Code 2019, is amended
18 to read as follows:

19 1. When an impeachment is presented, the senate shall, ~~after~~
20 ~~the hour of final adjournment of the legislature~~ as soon as
21 practicable, be ~~forthwith~~ organized as a court of impeachment
22 for the trial thereof, at the capitol.

23 Sec. 41. Section 68.14, Code 2019, is amended to read as
24 follows:

25 **68.14 Compensation — fees — payment.**

26 The presiding officer and members of the senate, while
27 sitting as a court of impeachment, and the managers elected
28 by the house of representatives, shall ~~receive the sum of~~
29 ~~six dollars each per day~~ be compensated the same as for a
30 special session of the general assembly, but shall receive
31 no additional compensation during a regular session of the
32 general assembly, and shall be reimbursed for mileage expense
33 in going from and returning to their places of residence by the
34 ordinary traveled routes; the secretary, sergeant at arms, and
35 all subordinate officers, clerks, and reporters, shall receive

1 such amount as shall be determined upon by a majority vote of
2 the members of such court. The same fees shall be allowed to
3 witnesses, to officers, and to other persons serving process or
4 orders, as are allowed for like services in criminal cases, but
5 no fees can be demanded in advance. The state treasurer shall,
6 upon the presentation of certificates signed by the presiding
7 officer and secretary of the senate, pay all of the foregoing
8 compensations and the expenses of the senate incurred under the
9 provisions of [this chapter](#).

10 DIVISION VII
11 CONDUCT OF ELECTIONS

12 Sec. 42. Section 39.2, subsection 4, paragraphs a, b, and c,
13 Code 2019, are amended to read as follows:

14 a. For a county, ~~on the day of the general election, on~~
15 ~~the day of the regular city election, on the date of a special~~
16 ~~election held to fill a vacancy in the same county, or on the~~
17 ~~first Tuesday in March~~ in an odd-numbered year, the first
18 Tuesday in ~~May~~ March, ~~or the first~~ second Tuesday in August
19 ~~of each year~~ September, or the first Tuesday after the first
20 Monday in November. For a county, in an even-numbered year,
21 the first Tuesday in March or the second Tuesday in September.

22 b. For a city, ~~on the day of the general election, on the~~
23 ~~day of the regular city election, on the date of a special~~
24 ~~election held to fill a vacancy in the same city, or on the~~
25 ~~first Tuesday in March~~ in an odd-numbered year, the first
26 Tuesday in ~~May~~ March, ~~or the first~~ second Tuesday in August
27 ~~of each year~~ September, or the first Tuesday after the first
28 Monday in November. For a city, in an even-numbered year, the
29 first Tuesday in March or the second Tuesday in September.

30 c. For a school district or merged area, in the odd-numbered
31 year, the first Tuesday in ~~February~~ March, ~~the first Tuesday in~~
32 ~~April~~, the last second Tuesday in ~~June~~ September, or the second
33 first Tuesday after the first Monday in ~~September~~ November.
34 For a school district or merged area, in the even-numbered
35 year, the first Tuesday in ~~February~~, ~~the first Tuesday in~~

1 ~~April March, or the second Tuesday in September, or the second~~
2 ~~Tuesday in December.~~

3 Sec. 43. Section 39.12, Code 2019, is amended to read as
4 follows:

5 **39.12 Failure to vacate.**

6 An elected official who has been elected to another elective
7 office to which [section 39.11](#) applies shall choose only one
8 office in which to serve. The official shall resign from all
9 but one of the offices to which [section 39.11](#) applies before
10 the beginning of the term of the office to which the person
11 was most recently elected. Failure to submit the required
12 resignation will result in a vacancy in ~~all~~ the first elective
13 ~~offices~~ office to which the person was elected.

14 Sec. 44. Section 43.11, subsection 1, Code 2019, is amended
15 to read as follows:

16 1. For an elective county office, in the office of the
17 county commissioner not earlier than ninety-two days nor later
18 than 5:00 p.m. on the ~~sixty-ninth~~ seventy-fourth day before the
19 day fixed for holding the primary election.

20 Sec. 45. Section 43.16, subsection 2, paragraph b, Code
21 2019, is amended to read as follows:

22 *b.* A person who has filed nomination papers with the
23 commissioner may withdraw as a candidate not later than the
24 ~~sixty-seventh~~ sixty-ninth day before the primary election by
25 notifying the commissioner in writing.

26 Sec. 46. Section 43.23, Code 2019, is amended to read as
27 follows:

28 **43.23 Death or withdrawal of primary candidate.**

29 1. If a person who has filed nomination papers with the
30 state commissioner as a candidate in a primary election dies
31 or withdraws up to the seventy-sixth day before the primary
32 election, the appropriate convention or central committee of
33 that person's political party may designate one ~~additional~~
34 primary election candidate for the nomination that person
35 was seeking, if the designation is submitted to the state

1 commissioner in writing by 5:00 p.m. on the seventy-first day
2 before the date of the primary election. The name of any
3 candidate so submitted shall be included in the appropriate
4 certificate or certificates furnished by the state commissioner
5 under [section 43.22](#).

6 2. If a person who has filed nomination papers with the
7 commissioner as a candidate in a primary election dies or
8 withdraws up to the ~~sixty-seventh~~ sixty-ninth day before
9 the primary election, the appropriate convention or central
10 committee of that person's political party may designate one
11 ~~additional~~ primary election candidate for the nomination
12 that person was seeking, if the designation is submitted to
13 the commissioner in writing by 5:00 p.m. on the ~~sixty-third~~
14 sixty-fourth day before the primary election. The name of
15 any candidate so submitted shall be placed on the appropriate
16 ballot or ballots by the commissioner.

17 Sec. 47. Section 43.30, subsection 2, Code 2019, is amended
18 to read as follows:

19 2. The commissioner shall make sample ballots available to
20 the public upon request. The sample ballots shall be clearly
21 marked as sample ballots. A reasonable fee may be charged for
22 printing costs if a person requests multiple copies of sample
23 ballots. The commissioner shall not distribute sample ballots
24 except as provided in this subsection.

25 Sec. 48. Section 43.36, Code 2019, is amended to read as
26 follows:

27 **43.36 Australian ballot.**

28 The Australian ballot system as now used in this state,
29 except as herein modified, shall be used at said primary
30 election. The endorsement of the precinct election officials
31 and the ~~facsimile of the commissioner's signature~~ county
32 seal shall appear upon the ballots as provided for general
33 elections.

34 Sec. 49. Section 43.78, subsection 2, Code 2019, is amended
35 to read as follows:

1 2. The name of any candidate designated to fill a vacancy
2 on the general election ballot in accordance with subsection
3 1, paragraph "a", "b", or "c" shall be submitted in writing
4 to the state commissioner not later than 5:00 p.m. on the
5 ~~seventy-third~~ seventy-sixth day before the date of the general
6 election.

7 Sec. 50. Section 43.79, Code 2019, is amended to read as
8 follows:

9 **43.79 Death of candidate after time for withdrawal.**

10 The death of a candidate nominated as provided by law for any
11 office to be filled at a general election, during the period
12 beginning on the ~~eighty-first~~ seventy-fifth day before the
13 general election, in the case of any candidate whose nomination
14 papers were filed with the state commissioner, or beginning
15 on the seventy-third day before the general election, in the
16 case of any candidate whose nomination papers were filed with
17 the commissioner, and ending ~~on the last day before~~ at the
18 time the polls close on the day of the general election shall
19 not operate to remove the deceased candidate's name from the
20 general election ballot. If the deceased candidate was seeking
21 the office of senator or representative in the Congress of
22 the United States, governor, attorney general, senator or
23 representative in the general assembly or county supervisor,
24 section 49.58 shall control. If the deceased candidate was
25 seeking any other office, and as a result of the candidate's
26 death a vacancy is subsequently found to exist, the vacancy
27 shall be filled as provided by [chapter 69](#).

28 Sec. 51. Section 44.1, Code 2019, is amended to read as
29 follows:

30 **44.1 ~~Political nonparty~~ Nonparty political organizations.**

31 Any convention or caucus of eligible electors representing
32 a political organization which is not a political party as
33 defined by law, may, for the state, or for any division or
34 municipality thereof, or for any county, or for any subdivision
35 thereof, for which such convention or caucus is held, make one

1 nomination of a candidate for each office to be filled therein
2 at the general election. However, in order to qualify for
3 any nomination made for a statewide elective office by such
4 a political organization there shall be in attendance at the
5 convention or caucus where the nomination is made a minimum of
6 ~~two hundred fifty~~ five hundred eligible electors including at
7 least one eligible elector from each of twenty-five counties.
8 In order to qualify for any nomination to the office of United
9 States representative there shall be in attendance at the
10 convention or caucus where the nomination is made a minimum
11 of ~~fifty two hundred~~ eligible electors who are residents of
12 the congressional district including at least one eligible
13 elector from each of at least one-half of the counties of
14 the congressional district. In order to qualify for any
15 nomination to an office to be filled by the voters of a county
16 or of a city there shall be in attendance at the convention or
17 caucus where the nomination is made a minimum of ~~ten~~ twenty
18 eligible electors who are residents of the county or city,
19 as the case may be, including at least one eligible elector
20 from at least one-half of the voting precincts in that county
21 or city. In order to qualify for any nomination made for
22 the general assembly there shall be in attendance at the
23 convention or caucus where the nomination is made a minimum
24 of ~~ten~~ twenty-five eligible electors who are residents of the
25 representative district or ~~twenty~~ fifty eligible electors who
26 are residents of the senatorial district, as the case may be,
27 with at least one eligible elector from one-half of the voting
28 precincts in the district in each case. The names of all
29 delegates in attendance at such convention or caucus and such
30 fact shall be certified to the state commissioner together with
31 the other certification requirements of [this chapter](#).

32 Sec. 52. Section 44.4, Code 2019, is amended to read as
33 follows:

34 **44.4 Nominations and objections — time and place of filing.**

35 1. a. Nominations made pursuant to [this chapter](#) and

1 chapter 45 which are required to be filed in the office of the
2 state commissioner shall be filed in that office not more than
3 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
4 eighty-first day before the ~~date of the general election to be~~
5 ~~held in November~~ first Tuesday after the first Monday in June
6 in each even-numbered year. Nominations made for a special
7 election called pursuant to [section 69.14](#) shall be filed by
8 5:00 p.m. not less than twenty-five days before the date of
9 an election called upon at least forty days' notice and not
10 less than fourteen days before the date of an election called
11 upon at least eighteen days' notice. Nominations made for
12 a special election called pursuant to [section 69.14A](#) shall
13 be filed by 5:00 p.m. not less than twenty-five days before
14 the date of the election. Nominations made pursuant to this
15 chapter and [chapter 45](#) which are required to be filed in the
16 office of the commissioner shall be filed in that office not
17 more than ninety-two days nor later than 5:00 p.m. on the
18 ~~sixty-ninth~~ seventy-fourth day before the ~~date of the general~~
19 ~~election~~ first Tuesday after the first Monday in June in each
20 even-numbered year. Nominations made pursuant to [this chapter](#)
21 or [chapter 45](#) for city office shall be filed not more than
22 seventy-two days nor later than 5:00 p.m. on the forty-seventh
23 day before the city election with the county commissioner
24 of elections responsible under [section 47.2](#) for conducting
25 elections held for the city, who shall process them as provided
26 by law.

27 *b.* Notwithstanding paragraph "a", nominations for president
28 and vice president of the United States shall be filed in the
29 office of the state commissioner not more than ninety-nine days
30 nor later than 5:00 p.m. on the eighty-first day before the
31 date of the general election to be held in November.

32 2. *a.* Objections to the legal sufficiency of a certificate
33 of nomination or nomination petition or to the eligibility
34 of a candidate may be filed by any person who would have the
35 right to vote for a candidate for the office in question.

1 The objections must be filed with the officer with whom the
2 certificate or petition is filed and within the following time:

3 (1) Those filed with the state commissioner, not less than
4 ~~sixty-eight~~ seventy-four days before the date of the election.

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

8 (3) Those filed with the commissioner for an elective city
9 office, at least forty-two days before the regularly scheduled
10 or special city election. However, for those cities that may
11 be required to hold a primary election, at least sixty-three
12 days before the regularly scheduled or special city election.

13 (4) In the case of nominations to fill vacancies occurring
14 after the time when an original nomination for an office is
15 required to be filed, objections shall be filed within three
16 days after the filing of the certificate.

17 *b.* Objections shall be filed no later than 5:00 p.m. on the
18 final date for filing.

19 Sec. 53. Section 44.9, subsections 1 and 2, Code 2019, are
20 amended to read as follows:

21 1. In the office of the state commissioner, ~~at least~~
22 ~~sixty-eight days before the date of the election~~ as provided
23 in section 43.76.

24 2. In the office of the appropriate commissioner, ~~at least~~
25 ~~sixty-four days before the date of the election, except as~~
26 ~~otherwise provided in subsection 6~~ as provided in section
27 43.76.

28 Sec. 54. Section 47.2, subsection 2, Code 2019, is amended
29 to read as follows:

30 2. *a.* When an election is to be held as required by law
31 or is called by a political subdivision of the state and the
32 political subdivision is located in more than one county, the
33 county commissioner of elections of the county having the
34 greatest taxable base within the political subdivision shall
35 conduct that election. The county commissioners of elections

1 of the other counties in which the political subdivision
2 is located shall cooperate with the county commissioner of
3 elections who is conducting the election.

4 b. Notwithstanding paragraph "a", for a city primary
5 election, city runoff election or a special election for
6 a city, school district, or merged area, if a political
7 subdivision is located in more than one county, the county
8 commissioner of elections of a county not having the greatest
9 taxable base within the political subdivision may designate
10 that the controlling commissioner of the political subdivision
11 shall conduct that election if fewer than one hundred and
12 twenty-five registered voters of the political subdivision
13 are located within such county commissioner's county. If the
14 controlling commissioner is so designated, section 50.24,
15 subsections 3A and 3B, as enacted by 2017 Iowa Acts, ch. 155,
16 828, shall not apply. For the purposes of this paragraph, the
17 number of registered voters shall be the number of registered
18 voters in the political subdivision of a county not having the
19 greatest taxable base on May 1 immediately preceding the first
20 day of the filing period for candidates for the election. If
21 May 1 falls on a day when the county commissioner's office is
22 closed for business, the county commissioner shall use the
23 number of registered voters on the next day that the county
24 commissioner's office is open for business to determine the
25 number of registered voters.

26 Sec. 55. Section 47.2, Code 2019, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 7. The county commissioner shall not
29 participate in an absentee ballot drive or collection effort in
30 cooperation with a candidate, candidate's committee, political
31 party, or nonparty political organization. However, when a
32 county commissioner is a candidate for election, such a county
33 commissioner may participate in an absentee ballot drive or
34 collection effort, but shall not aid any other candidate,
35 candidate's committee, political party, or nonparty political

1 organization.

2 Sec. 56. NEW SECTION. **47.12 Electronic poll books —**
3 **mandatory.**

4 Each county commissioner of elections shall, by February 26,
5 2020, ensure that each election precinct uses an electronic
6 poll book.

7 Sec. 57. Section 48A.9, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. Registration closes at 5:00 p.m. eleven days before each
10 election ~~except general elections. For general elections,~~
11 ~~registration closes at 5:00 p.m. ten days before the election.~~
12 An eligible elector may register during the time registration
13 is closed in the elector's precinct but the registration shall
14 not become effective until registration opens again in the
15 elector's precinct, except as otherwise provided in section
16 48A.7A.

17 Sec. 58. NEW SECTION. **49.2 Oversight by the state**
18 **commissioner.**

19 The state commissioner, or a designee of the state
20 commissioner, may, at the discretion of the state commissioner,
21 oversee the activities of a county commissioner of elections
22 during a period beginning sixty days before an election and
23 ending sixty days after an election. For the purposes of this
24 section, "oversee" means to observe election-related activity,
25 correct any activity not in accordance with law, and issue a
26 written notice and instructions pursuant to section 39A.6 for
27 any technical infractions that are observed.

28 Sec. 59. Section 49.21, Code 2019, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 4. The commissioner shall remove or obscure
31 from the view of voters any published material displaying the
32 name of a candidate or elected official other than a ballot or
33 sample ballot or envelope.

34 Sec. 60. NEW SECTION. **49.42B Form of official ballot —**
35 **candidates for president and vice president.**

1 When candidates for president and vice president of the
2 United States appear on the ballot, the following statement
3 shall appear directly above the section of the ballot listing
4 such candidates:

5 [A ballot cast for the named candidates for president
6 and vice president of the United States is considered to be
7 cast for the slate of presidential electors nominated by
8 the political party, nonparty political organization, or
9 independent candidate.]

10 Sec. 61. NEW SECTION. **49.49 Certain sample ballots**
11 **prohibited.**

12 The commissioner and state commissioner of elections shall
13 not distribute or authorize the distribution of sample ballots
14 to voters other than as provided in sections 49.53 and 52.29.

15 Sec. 62. Section 49.51, Code 2019, is amended to read as
16 follows:

17 **49.51 Commissioner to control printing.**

18 The commissioner shall have charge of the printing of the
19 ballots to be used for any election held in the county, unless
20 the commissioner delegates that authority as permitted by this
21 section. The commissioner may delegate this authority only
22 to another commissioner who is responsible under [section 47.2](#)
23 for conducting the elections held for a political subdivision
24 which lies in more than one county, and only with respect to
25 printing of ballots containing only public questions or the
26 names of candidates to be voted upon by the registered voters
27 of that political subdivision. Only one ~~facsimile signature~~
28 county seal, that of the county of the commissioner under
29 whose direction the ballot is printed, shall appear on the
30 ballot. It is the duty of the commissioner to insure that the
31 arrangement of any ballots printed under the commissioner's
32 direction conforms to all applicable requirements of this
33 chapter.

34 Sec. 63. Section 49.57, subsection 6, Code 2019, is amended
35 to read as follows:

1 6. A portion of the ballot shall include the words "Official
2 ballot", the unique identification number or name assigned by
3 the commissioner to the ballot style, the date of the election,
4 and ~~a facsimile of the signature~~ the county seal of the county
5 of the commissioner who has caused the ballot to be printed
6 pursuant to [section 49.51](#).

7 Sec. 64. Section 49.58, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. If any candidate nominated by a political party,
10 as defined in [section 43.2](#), for the office of senator or
11 representative in the Congress of the United States, governor,
12 attorney general, or senator or representative in the general
13 assembly dies during the period beginning on the ~~eighty-eighth~~
14 eighty-first day and ending at the time the polls close on the
15 ~~last day before~~ of the general election, or if any candidate
16 so nominated for the office of county supervisor dies during
17 the period beginning on the ~~seventy-third~~ seventy-fourth day
18 and ending at the time the polls close on the ~~last day before~~
19 of the general election, the vote cast at the general election
20 for that office shall not be canvassed as would otherwise be
21 required by [chapter 50](#). Instead, a special election shall be
22 held on the first Tuesday after the second Monday in December,
23 for the purpose of electing a person to fill that office.

24 Sec. 65. Section 49.73, subsection 2, Code 2019, is amended
25 to read as follows:

26 2. a. The commissioner shall not shorten voting hours for
27 any election if there is filed in the commissioner's office, at
28 least twenty-five days before the election, a petition signed
29 by at least fifty eligible electors of the school district
30 or city, as the case may be, requesting that the polls be
31 opened not later than 7:00 a.m. All polling places where the
32 candidates of or any public question submitted by any one
33 political subdivision are being voted upon shall be opened at
34 the same hour, except that this requirement shall not apply
35 to merged areas established under [chapter 260C](#). The hours at

1 which the respective precinct polling places are to open shall
2 not be changed after publication of the notice required by
3 section 49.53. The polling places shall be closed at ~~9:00 p.m.~~
4 ~~for state primary and general elections and other partisan~~
5 ~~elections, and for any other election held concurrently~~
6 ~~therewith, and at 8:00 p.m. for all other elections.~~

7 b. The legislative services agency shall place on the
8 internet site of the agency information regarding the opening
9 and closing times of polling places until and including
10 November 7, 2023. This paragraph is repealed effective July
11 1, 2024.

12 Sec. 66. Section 49.82, Code 2019, is amended to read as
13 follows:

14 **49.82 Voter to receive one ballot — endorsement.**

15 When an empty voting booth is available, one of the precinct
16 election officials shall endorse the official's initials on
17 each ballot the voter will receive. The initials shall be
18 placed so that they may be seen when the ballot is properly
19 folded or enclosed in a secrecy folder. The name or signature
20 of the commissioner shall not appear on the ballot except as
21 part of the list of candidates when the commissioner is a
22 candidate for election. The official shall give the voter one
23 and only one of each of the ballots to be voted at that election
24 in that precinct, except as provided by [section 49.100](#). No
25 ballot without the required official endorsement shall be
26 placed in the ballot box.

27 Sec. 67. Section 49A.6, Code 2019, is amended to read as
28 follows:

29 **49A.6 Certification — sample ballot.**

30 The state commissioner of elections shall, not less than
31 ~~sixty-nine~~ sixty-three days preceding any election at which a
32 constitutional amendment or public measure is to be submitted
33 to a vote of the entire people of the state, transmit to the
34 county commissioner of elections of each county a certified
35 copy of the amendment or measure and a sample of the ballot to

1 be used in such cases, prepared in accordance with law.

2 Sec. 68. Section 50.44, Code 2019, is amended to read as
3 follows:

4 **50.44 Tie vote.**

5 1. If Except as otherwise provided in this subsection,
6 if more than the requisite number of persons, including
7 presidential electors, are found to have an equal and the
8 highest number of votes, the election of one of them shall be
9 determined by lot. The name of each of such candidates shall
10 be written on separate pieces of paper, as nearly uniform in
11 size and material as possible, and placed in a receptacle so
12 that the names cannot be seen. In the presence of the board of
13 canvassers, one of them shall publicly draw one of such names,
14 and such person shall be declared elected. The result of such
15 drawing shall be entered upon the abstract of votes and duly
16 recorded, and a certificate of election issued to such person,
17 as provided in [this chapter](#).

18 2. If more than the requisite number of candidates for
19 United States senator or representative to the United States
20 house of representatives are found to have an equal and highest
21 number of votes, a special election shall be held sixty-six
22 days after the final canvass or recount, whichever is later,
23 in which each such candidate shall be the only candidates on
24 the ballot.

25 3. If more than the requisite number of candidates for
26 a statewide elected office, member of the general assembly,
27 member of a board of supervisors, or a partisan office to
28 be filled by a vote of the residents of a whole county, are
29 found to have an equal and highest number of votes, a special
30 election shall be held consistent with section 69.14, in which
31 each such candidate shall be the only candidates on the ballot.

32 4. If more than the requisite number of presidential
33 electors are found to have an equal and the highest number of
34 votes, the presidential electors shall be assigned one-half
35 to each candidate. If there is an odd number of presidential

1 electors, the remaining elector shall be assigned by lot.

2 Sec. 69. Section 50.48, subsection 3, Code 2019, is amended
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *c.* In addition to the persons listed in
5 paragraph "a", the candidate requesting the recount and the
6 apparent winning candidate may each submit a request to a
7 commissioner from a county other than the county conducting the
8 recount to be present at the recount. Such a commissioner may
9 report any irregularities observed by the commissioner at any
10 time after the election to the state commissioner.

11 Sec. 70. Section 50.48, subsection 4, paragraph b, Code
12 2019, is amended to read as follows:

13 *b.* Any member of the recount board may at any time during
14 the recount proceedings for an election for a statewide
15 elected official as defined in section 68B.2 or a United States
16 senator extend the recount of votes cast for the office or
17 nomination in question to any other precinct or precincts in
18 the same county, or from which the returns were reported to
19 the commissioner responsible for conducting the election,
20 without the necessity of posting additional bond. The recount
21 proceedings for an election for any other office shall include
22 all precincts in which a ballot for the election was cast.

23 Sec. 71. NEW SECTION. 50.52 Enforcement.

24 Members of local law enforcement agencies and the state
25 patrol are authorized to take all reasonable actions to prevent
26 violations of this chapter.

27 Sec. 72. Section 53.2, subsection 4, paragraph b, Code 2019,
28 is amended to read as follows:

29 *b.* If insufficient information has been provided, including
30 the absence of a voter verification number, either on the
31 prescribed form or on an application created by the applicant,
32 the commissioner shall, ~~by the best means available, obtain~~
33 ~~the additional necessary information~~ within twenty-four hours
34 after the receipt of the absentee ballot request, contact the
35 applicant by telephone and electronic mail, if such information

1 has been provided by the applicant. If the commissioner is
2 unable to contact the applicant by telephone or electronic
3 mail, the commissioner shall send a notice to the applicant
4 at the address where the applicant is registered to vote, or
5 to the applicant's mailing address if it is different from
6 the residence address. If the applicant has requested the
7 ballot to be sent to an address that is not the applicant's
8 residential or mailing address, the commissioner shall send an
9 additional notice to the address where the applicant requested
10 the ballot to be sent. A commissioner shall not use the voter
11 registration system to obtain additional necessary information.
12 A voter requesting or casting a ballot pursuant to section
13 53.22 shall not be required to provide a voter verification
14 number. The state commissioner shall adopt rules to implement
15 this section.

16 Sec. 73. Section 53.2, subsection 4, Code 2019, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. *d.* If an applicant does not have current
19 access to the applicant's voter verification number, the
20 commissioner shall verify the applicant's identity prior to
21 supplying the voter verification number by asking the applicant
22 to provide at least two of the following facts about the
23 applicant:

24 (1) Date of birth.

25 (2) The last four digits of the applicant's social security
26 number, if applicable.

27 (3) Residential address.

28 (4) Mailing address.

29 (5) Middle name.

30 (6) Voter verification number as defined in paragraph "c".

31 Sec. 74. Section 53.10, subsection 2, paragraph a, Code
32 2019, is amended to read as follows:

33 *a.* Each person who wishes to vote by absentee ballot at
34 the commissioner's office shall first sign an application
35 for a ballot including the following information: name,

1 current address, voter verification number, and the election
2 for which the ballot is requested. The person may report a
3 change of address or other information on the person's voter
4 registration record at that time. Prior to furnishing a
5 ballot, the commissioner shall verify the person's identity
6 as provided in section 49.78. The registered voter shall
7 immediately mark the ballot; enclose the ballot in a secrecy
8 envelope, if necessary, and seal it in the envelope marked
9 with the affidavit; subscribe to the affidavit on the reverse
10 side of the envelope; and return the absentee ballot to the
11 commissioner. The commissioner shall record the numbers
12 appearing on the application and affidavit envelope along with
13 the name of the registered voter.

14 Sec. 75. Section 53.10, subsection 2, Code 2019, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *c.* If an unregistered person offering to
17 vote an absentee ballot pursuant to this section prior to
18 the deadline in section 48A.9 does not have an Iowa driver's
19 license, an Iowa nonoperator's identification card, or a voter
20 identification number assigned to the voter by the state
21 commissioner pursuant to section 47.7, subsection 2, the person
22 may satisfy identity and residence requirements as provided in
23 section 49.78. This section shall also apply to a registered
24 voter casting a ballot pursuant to this section who has not yet
25 received a voter verification number.

26 Sec. 76. Section 53.11, subsection 1, paragraph a, Code
27 2019, is amended to read as follows:

28 *a.* Not more than twenty-nine days before the date of
29 an election, satellite absentee voting stations ~~may be~~
30 ~~established throughout the cities and county at the direction~~
31 ~~of the commissioner and~~ shall be established upon receipt
32 of a petition signed by not less than one hundred eligible
33 electors requesting that a satellite absentee voting station
34 be established at a location to be described on the petition.
35 However, if a special election is scheduled in the county on a

1 date that falls between the date of the regular city election
2 and the date of the city runoff election, the commissioner is
3 not required to establish a satellite absentee voting station
4 for the city runoff election.

5 Sec. 77. Section 53.11, subsection 2, paragraph e, Code
6 2019, is amended to read as follows:

7 e. For a special election, no later than ~~thirty-two~~ eighteen
8 days before the special election.

9 Sec. 78. Section 53.11, Code 2019, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 6. The commissioner shall remove or obscure
12 from the view of voters any published material displaying the
13 name of a candidate or elected official other than a ballot or
14 sample ballot or envelope.

15 Sec. 79. Section 53.18, subsections 2 and 3, Code 2019, are
16 amended to read as follows:

17 2. a. If the commissioner receives the return envelope
18 containing the completed absentee ballot by 5:00 p.m. on the
19 Saturday before the election for general elections and by 5:00
20 p.m. on the Friday before the election for all other elections,
21 the commissioner shall review the affidavit marked on the
22 return envelope, if applicable, for completeness or shall open
23 the return envelope to review the affidavit for completeness.
24 ~~If the affidavit is incomplete, the commissioner shall, within~~
25 ~~twenty-four hours of the time the envelope was received,~~
26 ~~notify the voter of that fact and that the voter may complete~~
27 ~~the affidavit in person at the office of the commissioner by~~
28 ~~5:00 p.m. on the day before the election, vote a replacement~~
29 ~~ballot in the manner and within the time period provided in~~
30 ~~subsection 3, or appear at the voter's precinct polling place~~
31 ~~on election day and cast a ballot in accordance with section~~
32 ~~53.19, subsection 3.~~

33 (1) If the affidavit lacks the signature of the registered
34 voter, the commissioner shall, within twenty-four hours of the
35 receipt of the envelope, notify the voter of the deficiency

1 and inform the voter that the voter may vote a replacement
2 ballot as provided in subsection 3, cast a ballot as provided
3 in section 53.19, subsection 3, or complete the affidavit in
4 person at the office of the commissioner not later than noon on
5 the Monday following the election, or if the law authorizing
6 the election specifies that the votes be canvassed earlier than
7 the Monday following the election, before the canvass of the
8 election.

9 (2) If the affidavit appears to have been signed by someone
10 other than the registered voter, the commissioner shall, within
11 twenty-four hours of the receipt of the envelope, notify the
12 voter of the deficiency and inform the voter that the voter may
13 vote a replacement ballot as provided in subsection 3, cast a
14 ballot as provided in section 53.19, subsection 3, or complete
15 the affidavit in person at the office of the commissioner by
16 providing proof of identity as provided in section 49.78 not
17 later than noon on the Monday following the election, or if
18 the law authorizing the election specifies that the votes be
19 canvassed earlier than the Monday following the election,
20 before the canvass of the election.

21 b. If the commissioner receives the return envelope
22 containing the completed absentee ballot after the deadline
23 in paragraph "a", the commissioner shall submit the affidavit
24 to the absentee and special voters precinct board for review.
25 If the absentee and special voters precinct determines that
26 the affidavit is incomplete, the commissioner shall, within
27 twenty-four hours of the determination, notify the voter.

28 (1) If the affidavit lacks the signature of the registered
29 voter, the commissioner shall notify the voter that the voter
30 may complete the affidavit in person at the office of the
31 commissioner not later than noon on the Monday following the
32 election, or if the law authorizing the election specifies that
33 the votes be canvassed earlier than the Monday following the
34 election, before the canvass of the election.

35 (2) If the affidavit appears to have been signed by someone

1 other than the registered voter, the commissioner shall
2 notify the voter that the voter may complete the affidavit in
3 person at the office of the commissioner by providing proof of
4 identity as provided in section 49.78 not later than noon on
5 the Monday following the election, or if the law authorizing
6 the election specifies that the votes be canvassed earlier than
7 the Monday following the election, before the canvass of the
8 election.

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

1 voters precinct board, notwithstanding sections 53.26 and
2 53.27.

3 Sec. 80. Section 53.18, Code 2019, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 04. For the purposes of this section, a
6 return envelope marked with the affidavit shall be considered
7 incomplete if it lacks the registered voter's signature or it
8 appears to the commissioner that the signature on the envelope
9 has been signed by someone other than the registered voter,
10 in comparing the signature on the envelope to the signature
11 on record of the registered voter named on the envelope. A
12 signature or marking made in accordance with section 39.3,
13 subsection 17, shall not cause an affidavit to be considered
14 incomplete.

15 Sec. 81. Section 53.22, subsection 3, Code 2019, is amended
16 to read as follows:

17 3. Any registered voter who becomes a patient, tenant, or
18 resident of a hospital, assisted living program, or health care
19 facility in the county where the voter is registered to vote
20 ~~within three days prior to the date of any election~~ after the
21 deadline to make a written application for an absentee ballot
22 as provided in section 53.2 or on election day may request an
23 absentee ballot during that period or on election day. As an
24 alternative to the application procedure prescribed by section
25 53.2, the registered voter may make the request directly to
26 the officers who are delivering and returning absentee ballots
27 under [this section](#). Alternatively, the request may be made by
28 telephone to the office of the commissioner not later than four
29 hours before the close of the polls. If the requester is found
30 to be a registered voter of that county, these officers shall
31 deliver the appropriate absentee ballot to the registered voter
32 in the manner prescribed by [this section](#).

33 Sec. 82. Section 53.22, subsection 6, paragraph a, Code
34 2019, is amended to read as follows:

35 a. If the registered voter becomes a patient, tenant, or

1 resident of a hospital, assisted living program, or health
2 care facility outside the county where the voter is registered
3 to vote ~~within three days before the date of any election~~
4 after the deadline to make a written application for an
5 absentee ballot as provided in section 53.2 or on election
6 day, the voter may designate a person to deliver and return
7 the absentee ballot. The designee may be any person the voter
8 chooses except that no candidate for any office to be voted
9 upon for the election for which the ballot is requested may
10 deliver a ballot under **this subsection**. The request for an
11 absentee ballot may be made by telephone to the office of the
12 commissioner not later than four hours before the close of the
13 polls. If the requester is found to be a registered voter of
14 that county, the ballot shall be delivered by mail or by the
15 person designated by the voter. An application form shall be
16 included with the absentee ballot and shall be signed by the
17 voter and returned with the ballot.

18 Sec. 83. Section 53.22, Code 2019, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 9. A person voting pursuant to this section
21 shall not be subject to signature verification pursuant to
22 section 53.18.

23 Sec. 84. Section 58.1, Code 2019, is amended to read as
24 follows:

25 **58.1 Notice — grounds.**

26 The contestant for the office of governor shall, within
27 ~~thirty~~ fourteen days after the proclamation of the result of
28 the election, deliver to the presiding officer of each house
29 of the general assembly a notice of intent to contest, and a
30 specification of the grounds of such contest, as provided in
31 chapter 62.

32 Sec. 85. Section 58.4, subsections 1 and 2, Code 2019, are
33 amended to read as follows:

34 1. The names of members of each house, except the presiding
35 officer and the majority and minority leaders, written on

1 similar paper tickets, shall be placed in a box, the names of
2 the senators in their presence by their secretary, and the
3 names of the representatives in their presence by their clerk.

4 2. The secretary of the senate in the presence of the
5 senate, and the clerk of the house of representatives in
6 the presence of the house, shall draw from their respective
7 boxes the names of ~~seven~~ five members each. The majority and
8 minority leaders of each house shall also serve on the contest
9 court.

10 Sec. 86. Section 68A.405, subsection 1, paragraph a,
11 subparagraph (3), Code 2019, is amended to read as follows:

12 (3) "*Published material*" means any newspaper, magazine,
13 shopper, outdoor advertising facility, poster, direct mailing,
14 brochure, internet site, campaign sign, or any other form of
15 printed or electronic general public political advertising.
16 "*Published material*" includes television, video, or motion
17 picture advertising, automated telephone calls, or text
18 messages.

19 Sec. 87. Section 68A.405, subsection 1, Code 2019, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. *i.* An organization that sends a text message
22 described by this section may abbreviate the words "paid for
23 by" as "Pfb:". An organization may use the full name of the
24 organization or the last name of the candidate followed by
25 the organization's committee identification number. If the
26 organization is a political party, the name of the organization
27 may be abbreviated.

28 Sec. 88. NEW SECTION. **68A.507 Deceptive names prohibited.**

29 No person shall place on any published material, as defined
30 in section 68A.405, a name or abbreviation of a name intended
31 to cause a voter to believe that the person represents a
32 political party or nonparty political organization of which the
33 person is not a candidate.

34 Sec. 89. Section 69.9, Code 2019, is amended to read as
35 follows:

1 **69.9 Person removed not eligible.**

2 No person can be appointed to fill a vacancy who has been
3 removed from office ~~within one year next preceding.~~

4 Sec. 90. Section 69.14, Code 2019, is amended to read as
5 follows:

6 **69.14 Special election to fill vacancies.**

7 1. A special election to fill a vacancy shall be held for a
8 representative in Congress, when Congress is in session or will
9 convene prior to the next general election, or for a senator or
10 representative in the general assembly, when the body in which
11 such vacancy exists is in session, or the general assembly will
12 convene prior to the next general election, and the governor
13 shall order, not later than five days from the date the vacancy
14 exists, a special election, giving not less than forty days'
15 notice of such election.

16 2. In the event the special election is to fill a vacancy
17 in the general assembly while it is in session or within
18 forty-five days of the convening of any session, ~~the time limit~~
19 ~~provided in this section shall not apply and the governor~~
20 shall order such, not later than five days after the day the
21 vacancy occurs, a special election at the earliest practical
22 time, giving at least eighteen twenty-one, but no more than
23 forty-two, days' notice of the special election. Any special
24 election called under this section must be held on a Tuesday
25 and shall not be held on the same day as a school election
26 within the district.

27 Sec. 91. Section 445.5, subsection 1, Code 2019, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. *i.* Until November 7, 2023, the hours during
30 which polling places are open on election days. This paragraph
31 is repealed effective July 1, 2024.

32 Sec. 92. SATELLITE ABSENTEE VOTING LOCATION REPORTS.

33 1. Each county commissioner of elections shall complete
34 a report to be submitted to the general assembly on each
35 state-owned building in the county that may be petitioned for a

1 satellite absentee voting location. The report shall address
2 all of the following:

3 a. The impact on the safety of the public, including
4 students where applicable, using the building other than for
5 satellite voting.

6 b. The impact on the function and public use of the
7 building and state-owned property caused by hosting a satellite
8 absentee voting location, including but not limited to hours of
9 operation, space removed from public use, parking, and building
10 access.

11 c. The cost of using state-owned public buildings to host
12 and operate satellite absentee voting locations.

13 d. The impact of electioneering laws on first amendment
14 rights of the Constitution of the United States in state-owned
15 buildings.

16 2. Each report shall be submitted to the general assembly by
17 December 1, 2019.

18 DIVISION VIII

19 CONFLICTS OF INTEREST

20 Sec. 93. Section 314.2, Code 2019, is amended by striking
21 the section and inserting in lieu thereof the following:

22 **314.2 Conflicts of interest.**

23 A state or county official who is a voting member of a
24 governmental entity responsible for awarding a contract
25 pursuant to section 314.1 and is the apparent low bidder for
26 the contract shall not participate in a vote to award the
27 contract and shall include an explanation of the official's
28 conflict in the resolution entered pursuant to section 26.12.

29 Sec. 94. EFFECTIVE DATE. This division of this Act takes
30 effect January 1, 2023.

31 DIVISION IX

32 VOTER REGISTRATION

33 Sec. 95. Section 47.7, Code 2019, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 3. The state registrar of voters shall use

1 information from the electronic registration information center
2 to update information in the statewide voter registration
3 system, including but not limited to the following reports:

- 4 a. In-state duplicates.
- 5 b. In-state updates.
- 6 c. Cross-state matches.
- 7 d. Deceased.
- 8 e. Eligible but unregistered.
- 9 f. National change of address.

10 Sec. 96. Section 48A.10A, subsection 1, Code 2019, is
11 amended to read as follows:

12 1. The state registrar shall compare lists of persons who
13 are registered to vote with the department of transportation's
14 driver's license and nonoperator's identification card files
15 and shall, on an initial basis, issue a voter identification
16 card to each active, registered voter whose name does not
17 appear in the department of transportation's files. The voter
18 identification card shall include the name of the registered
19 voter, a signature line above which the registered voter shall
20 sign the voter identification card, the registered voter's
21 identification number assigned to the voter pursuant to section
22 47.7, subsection 2, ~~and~~ an additional four-digit personal
23 identification number assigned by the state commissioner, and
24 the times during which polling places will be open on election
25 days.

26 Sec. 97. Section 48A.26B, Code 2019, is amended to read as
27 follows:

28 **48A.26B Form of acknowledgment.**

29 The state registrar shall adopt rules pursuant to chapter
30 17A to prescribe the form of written acknowledgments sent to
31 a registrant by a commissioner pursuant to [section 48A.26](#) or
32 [48A.26A](#). An acknowledgment sent after March 1, 2022, shall
33 include the times during which polling places will be open on
34 election days.

35 Sec. 98. Section 48A.27, subsection 4, paragraph c,

1 subparagraph (2), Code 2019, is amended to read as follows:

2 (2) The notice shall contain a statement in substantially
3 the following form:

4 Information received from the United States postal service
5 indicates that you are no longer a resident of, and therefore
6 not eligible to vote in (name of county) County, Iowa. If this
7 information is not correct, and you still live in (name of
8 county) County, please complete and mail the attached postage
9 paid card at least ~~ten days before the primary or general~~
10 ~~election and at least~~ eleven days before any other election at
11 which you wish to vote. If the information is correct and you
12 have moved, please contact a local official in your new area
13 for assistance in registering there. If you do not mail in
14 the card, you may be required to show identification before
15 being allowed to vote in (name of county) County. If you do not
16 return the card, and you do not vote in an election in (name
17 of county) County, Iowa, on or before (date of second general
18 election following the date of the notice) your name will be
19 removed from the list of voters in that county.

20 Sec. 99. Section 48A.28, subsections 1 and 2, Code 2019, are
21 amended to read as follows:

22 1. Each commissioner shall conduct a systematic program
23 that makes a reasonable effort to remove from the official list
24 of registered voters the names of registered voters who have
25 changed residence from their registration addresses. ~~Either or~~
26 ~~both of the methods described in [this section](#) may be used.~~

27 2. a. A commissioner ~~may~~ shall participate in the United
28 States postal service national change of address program, as
29 provided in [section 48A.27](#). The state voter registration
30 commission shall adopt rules establishing specific requirements
31 for participation and use of the national change of address
32 program.

33 b. A commissioner participating in the national change of
34 address program, ~~in the first quarter of each calendar year~~
35 during the January immediately following each presidential

1 election, shall send a notice and preaddressed, postage paid
2 return card by forwardable mail to each registered voter
3 whose name was not reported by the national change of address
4 program and who has not voted in ~~two or more consecutive~~
5 ~~general elections~~ the previous presidential election and has
6 not registered again, or who has not reported a change to an
7 existing registration, ~~or who has not responded to a notice~~
8 ~~from the commissioner or registrar during the period between~~
9 ~~and following the previous two general elections.~~ Registered
10 voters receiving such notice shall be marked inactive. The
11 form and language of the notice and return card shall be
12 specified by the state voter registration commission by rule.
13 A registered voter shall not be sent a notice and return card
14 under [this subsection](#) more frequently than once in a four-year
15 period.

16 Sec. 100. Section 48A.28, subsection 3, Code 2019, is
17 amended by striking the subsection.

18 Sec. 101. Section 48A.29, subsection 1, paragraph b, Code
19 2019, is amended to read as follows:

20 *b.* The notice shall contain a statement in substantially the
21 following form:

22 Information received from the United States postal service
23 indicates that you are no longer a resident of (residence
24 address) in (name of county) County, Iowa. If this information
25 is not correct, and you still live in (name of county) County,
26 please complete and mail the attached postage paid card ~~at~~
27 ~~least ten days before the primary or general election and at~~
28 least eleven days before any ~~other~~ election at which you wish
29 to vote. If the information is correct, and you have moved,
30 please contact a local official in your new area for assistance
31 in registering there. If you do not mail in the card, you may
32 be required to show identification before being allowed to vote
33 in (name of county) County. If you do not return the card, and
34 you do not vote in some election in (name of county) County,
35 Iowa, on or before (date of second general election following

1 the date of the notice) your name will be removed from the list
2 of voters in that county.

3 Sec. 102. Section 48A.29, subsection 3, paragraph b, Code
4 2019, is amended to read as follows:

5 *b.* The notice shall contain a statement in substantially the
6 following form:

7 Information received by this office indicates that you are no
8 longer a resident of (residence address) in (name of county)
9 County, Iowa. If the information is not correct, and you still
10 live at that address, please complete and mail the attached
11 postage paid card ~~at least ten days before the primary or~~
12 ~~general election and~~ at least eleven days before any other
13 election at which you wish to vote. If the information is
14 correct, and you have moved within the county, you may update
15 your registration by listing your new address on the card and
16 mailing it back. If you have moved outside the county, please
17 contact a local official in your new area for assistance in
18 registering there. If you do not mail in the card, you may be
19 required to show identification before being allowed to vote in
20 (name of county) County. If you do not return the card, and you
21 do not vote in some election in (name of county) County, Iowa,
22 on or before (date of second general election following the
23 date of the notice) your name will be removed from the list of
24 registered voters in that county.

25 Sec. 103. Section 48A.30, subsection 1, paragraph g, Code
26 2019, is amended to read as follows:

27 *g.* The registered voter's registration record has been
28 inactive pursuant to [section 48A.28 or 48A.29](#) for two
29 successive consecutive general elections after notice was sent.

30 Sec. 104. Section 48A.37, subsection 2, Code 2019, is
31 amended to read as follows:

32 2. Electronic records shall include a status code
33 designating whether the records are active, inactive,
34 incomplete, pending, or canceled. Inactive records are records
35 of registered voters to whom notices have been sent pursuant

1 to section 48A.28, ~~subsection 3,~~ and who have not returned
2 the card or otherwise responded to the notice, and those
3 records have been designated inactive pursuant to section
4 48A.29. Inactive records are also records of registered
5 voters to whom notices have been sent pursuant to section
6 48A.26A and who have not responded to the notice. Incomplete
7 records are records missing required information pursuant to
8 section 48A.11, subsection 8. Pending records are records of
9 applicants whose applications have not been verified pursuant
10 to [section 48A.25A](#). Canceled records are records that have
11 been canceled pursuant to [section 48A.30](#). All other records
12 are active records. An inactive record shall be made active
13 when the registered voter requests an absentee ballot, votes
14 at an election, registers again, or reports a change of name,
15 address, telephone number, or political party or organization
16 affiliation. An incomplete record shall be made active when
17 a completed application is received from the applicant and
18 verified pursuant to [section 48A.25A](#). A pending record shall
19 be made active upon verification or upon the voter providing
20 identification pursuant to [section 48A.8](#).

21 Sec. 105. NEW SECTION. **48A.39A Voter list maintenance**
22 **reports.**

23 1. The commissioner of registration shall annually
24 submit to the state registrar of voters a report regarding
25 the number of voter registration records marked inactive or
26 canceled pursuant to sections 48A.28 through 48A.30. The state
27 registrar of voters shall publish such reports on the internet
28 site of the state registrar of voters.

29 2. The state registrar of voters shall determine by rule the
30 form and submission deadline of reports submitted pursuant to
31 subsection 1.

32 DIVISION X

33 BALLOT ORDER

34 Sec. 106. Section 49.31, subsection 1, paragraph b, Code
35 2019, is amended to read as follows:

1 b. (1) The commissioner shall determine the order of
2 political parties and nonparty political organizations
3 candidates on the ballot as provided in this paragraph. The
4 sequence order shall be the same for each office on the ballot
5 and for each precinct in the county voting in the election.

6 (2) The state commissioner shall compile a list of each
7 county in the state in alphabetical order and assign a number
8 to each county such that the first county listed is number
9 one, the second county listed is number two, and continuing
10 in descending order in the same manner. The commissioner
11 shall put in alphabetical order the top two political parties
12 receiving the highest votes from the most recent election.

13 (3) The commissioner of each county assigned an even number
14 pursuant to subparagraph (2) shall arrange the ballot as
15 follows:

16 (a) The candidates of the first political party by
17 alphabetical order pursuant to subparagraph (2) shall appear
18 first on the ballot for the first general election at which the
19 president of the United States is to be elected following the
20 effective date of this Act and second on the ballot for the
21 first general election at which the governor will be elected
22 following the effective date of this Act and second on the
23 ballot for the second general election at which the president
24 of the United States is to be elected following the effective
25 date of this Act and first on the ballot for the second general
26 election at which the governor will be elected following the
27 effective date of this Act, and thereafter alternating with the
28 candidates of the second political party by alphabetical order
29 pursuant to subparagraph (2).

30 (b) The candidates of the second political party by
31 alphabetical order pursuant to subparagraph (2) shall appear
32 second on the ballot for the first general election at which
33 the president of the United States is to be elected following
34 the effective date of this Act and first on the ballot for
35 the first general election at which the governor will be

1 elected following the effective date of this Act and first
2 on the ballot for the second general election at which the
3 president of the United States is to be elected following the
4 effective date of this Act and second on the ballot for the
5 second general election at which the governor will be elected
6 following the effective date of this Act, and thereafter
7 alternating with the candidates of the first political party by
8 alphabetical order pursuant to subparagraph (2).

9 (4) The commissioner of each county assigned an odd number
10 pursuant to subparagraph (2) shall arrange the ballot as
11 follows:

12 (a) The candidates of the second political party by
13 alphabetical order pursuant to subparagraph (2) shall appear
14 first on the ballot for the first general election at which the
15 president of the United States is to be elected following the
16 effective date of this Act and second on the ballot for the
17 first general election at which the governor will be elected
18 following the effective date of this Act and second on the
19 ballot for the second general election at which the president
20 of the United States is to be elected following the effective
21 date of this Act and first on the ballot for the second general
22 election at which the governor will be elected following the
23 effective date of this Act, and thereafter alternating with the
24 candidates of the first political party by alphabetical order
25 pursuant to subparagraph (2).

26 (b) The candidates of the first political party by
27 alphabetical order pursuant to subparagraph (2) shall appear
28 second on the ballot for the first general election at which
29 the president of the United States is to be elected following
30 the effective date of this Act and first on the ballot for
31 the first general election at which the governor will be
32 elected following the effective date of this Act and first
33 on the ballot for the second general election at which the
34 president of the United States is to be elected following the
35 effective date of this Act and second on the ballot for the

1 second general election at which the governor will be elected
2 following the effective date of this Act, and thereafter
3 alternating with the candidates of the second political party
4 by alphabetical order pursuant to subparagraph (2).

5 (c) The commissioner shall determine the order of
6 candidates of nonparty political organizations on the ballot.
7 The order shall be the same for each office on the ballot and
8 for each precinct in the county voting in the election.

9 Sec. 107. Section 49.31, subsection 2, paragraph b, Code
10 2019, is amended to read as follows:

11 b. The Notwithstanding any provision of subsection 1,
12 paragraph "b", to the contrary, the commissioner shall then
13 arrange the surnames of each political party's candidates for
14 each office to which two or more persons are to be elected at
15 large alphabetically for the respective offices for the first
16 precinct on the list; thereafter, for each political party and
17 for each succeeding precinct, the names appearing first for
18 the respective offices in the last preceding precinct shall
19 be placed last, so that the names that were second before the
20 change shall be first after the change. The commissioner may
21 also rotate the names of candidates of a political party in the
22 reverse order of that provided in this subsection or alternate
23 the rotation so that the candidates of different parties shall
24 not be paired as they proceed through the rotation. The
25 procedure for arrangement of names on ballots provided in this
26 section shall likewise be substantially followed in elections
27 in political subdivisions of less than a county.

28 DIVISION XI

29 MUNICIPAL ELECTIONS

30 Sec. 108. Section 44.9, subsection 3, Code 2019, is amended
31 to read as follows:

32 3. In the office of the proper school board secretary, at
33 least ~~thirty-five~~ forty-two days before the day of a regularly
34 scheduled school election.

35 Sec. 109. Section 50.48, subsection 7, Code 2019, is amended

1 to read as follows:

2 7. If the election is ~~an election held by a city which~~
3 ~~is not the final election for the office in question~~ a city
4 primary election held pursuant to section 376.7, the recount
5 shall progress according to the times provided by this
6 subsection. If ~~this subsection~~ applies the canvass shall be
7 held by the second day after the election, the request for
8 a recount must be made by the third day after the election,
9 the board shall convene to conduct the recount by the sixth
10 day after the election, and the report shall be filed by the
11 ~~eleventh~~ eighth day after the election.

12 Sec. 110. Section 50.48, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 8. When a city council has chosen a runoff
15 election pursuant to section 376.9, the recount shall progress
16 according to the times provided by this subsection. If this
17 subsection applies, the canvass shall be conducted pursuant
18 to section 50.24. The request for a recount must be made
19 by the day after the canvass, and the board shall convene
20 for the first time not later than the first Friday following
21 the canvass. The report shall be filed not later than the
22 fourteenth day after the election.

23 Sec. 111. Section 260C.12, subsection 1, as amended by
24 2017 Iowa Acts, chapter 155, section 2, is amended to read as
25 follows:

26 1. The board of directors of the merged area shall organize
27 at the first regular meeting following the regular school
28 election or at a special meeting called by the secretary of the
29 board to organize the board in advance of the first regular
30 meeting ~~following the regular school election~~ after the canvass
31 for the regular school election. Organization of the board
32 shall be effected by the election of a president and other
33 officers from the board membership as board members determine.
34 The board of directors shall appoint a secretary and a
35 treasurer who shall each give bond as prescribed in section

1 291.2 and who shall each receive the salary determined by the
2 board. The secretary and treasurer shall perform duties under
3 chapter 291 and additional duties the board of directors deems
4 necessary. However, the board may appoint one person to serve
5 as the secretary and treasurer. If one person serves as the
6 secretary and treasurer, only one bond is necessary for that
7 person. The frequency of meetings other than organizational
8 meetings shall be as determined by the board of directors but
9 the president or a majority of the members may call a special
10 meeting at any time.

11 Sec. 112. Section 260C.15, subsection 5, as amended by
12 2017 Iowa Acts, chapter 155, section 4, is amended to read as
13 follows:

14 5. The votes cast in the election shall be canvassed and
15 abstracts of the votes cast shall be certified as required by
16 section 277.20. In each county whose commissioner of elections
17 is responsible under [section 47.2](#) for conducting elections
18 held for a merged area, the county board of supervisors shall
19 ~~convene on the last Monday in November or at the last regular~~
20 ~~board meeting in November,~~ on the second Monday or Tuesday
21 after the day of the election to canvass the abstracts of votes
22 cast and declare the results of the voting. The commissioner
23 shall at once issue certificates of election to each person
24 declared elected, and shall certify to the merged area board in
25 substantially the manner prescribed by [section 50.27](#) the result
26 of the voting on any public question submitted to the voters
27 of the merged area. Members elected to the board of directors
28 of a merged area shall qualify by taking the oath of office
29 prescribed in [section 277.28](#).

30 Sec. 113. Section 277.4, subsection 3, Code 2019, is amended
31 to read as follows:

32 3. The secretary of the school board shall accept the
33 petition for filing if on its face it appears to have the
34 requisite number of signatures and if it is timely filed. The
35 secretary of the school board shall note upon each petition

1 and affidavit accepted for filing the date and time that the
2 petition was filed. The secretary of the school board shall
3 deliver all nomination petitions, together with the complete
4 text of any public measure being submitted by the board to the
5 electorate, to the county commissioner of elections on the day
6 following the last day on which nomination petitions can be
7 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

8 Sec. 114. Section 279.1, subsection 1, Code 2019, is amended
9 to read as follows:

10 1. The board of directors of each school corporation shall
11 meet and organize at the first regular meeting or at a special
12 meeting called by the secretary of the board to organize the
13 board in advance of the first regular meeting after the canvass
14 for the regular school election at some suitable place to be
15 designated by the secretary. Notice of the place and hour of
16 the meeting shall be given by the secretary to each member and
17 member-elect of the board.

18 Sec. 115. Section 279.7, subsection 3, Code 2019, is amended
19 to read as follows:

20 3. In the case of a special election as provided in this
21 section to fill a vacancy occurring among the elective officers
22 or members of a school board before the expiration of a full
23 term, the person so elected shall qualify within ten days
24 ~~thereafter~~ from the final canvass of the election by the county
25 board in the manner required by [section 277.28](#) and shall hold
26 office for the residue of the unexpired term and until a
27 successor is elected, or appointed, and qualified.

28 Sec. 116. Section 376.5, Code 2019, is amended to read as
29 follows:

30 **376.5 Publication of ballot.**

31 Notice containing a copy of the ballot for each regular,
32 special, primary, or runoff city election must be published by
33 the county commissioner of elections as provided in section
34 362.3, except that notice of a regular, primary, or runoff
35 election may be published not less than four days before the

1 date of the election. The published ~~ballot~~ notice must contain
2 the names of all candidates, and may not contain any party
3 designations. The published ~~ballot~~ notice must contain any
4 question to be submitted to the voters.

5 Sec. 117. Section 376.7, Code 2019, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 3. If the city holding a primary
8 election is located in more than one county, the controlling
9 commissioner for that city under section 47.2, subsection
10 2, shall conduct a second canvass on the first Monday or
11 Tuesday after the day of the election. However, if a recount
12 is requested pursuant to section 50.48, the controlling
13 commissioner shall conduct the second canvass within two
14 business days after the conclusion of the recount proceeding.
15 Each commissioner conducting a canvass for the city pursuant
16 to section 50.24, subsection 1, shall transmit abstracts for
17 the offices of that city to the controlling commissioner for
18 that city, along with individual tallies for each write-in
19 candidate. At the second canvass, the county board of
20 supervisors of the county of the controlling commissioner shall
21 canvass the abstracts received pursuant to this subsection and
22 shall prepare a combined city abstract stating the number of
23 votes cast in the city for each office. The combined city
24 abstract shall further indicate the name of each person who
25 received votes for each office on the ballot, and the number of
26 votes each person received for that office. The votes of all
27 write-in candidates who each received less than five percent
28 of the total votes cast in the city for an office shall be
29 reported collectively under the heading "scattering".

30 Sec. 118. Section 376.9, subsection 1, Code 2019, is amended
31 to read as follows:

32 1. A runoff election may be held only for positions unfilled
33 because of failure of a sufficient number of candidates to
34 receive a majority vote in the regular city election. When a
35 council has chosen a runoff election in lieu of a primary, the

1 county board of supervisors shall publicly canvass the tally
2 lists of the vote cast in the regular city election, following
3 the procedures prescribed in [section 50.24](#), ~~at a meeting to be~~
4 ~~held on the second day following the regular city election, and~~
5 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
6 who do not receive a majority of the votes cast for an office,
7 but who receive the highest number of votes cast for that
8 office in the regular city election, to the extent of twice
9 the number of unfilled positions, are candidates in the runoff
10 election.

11 Sec. 119. 2017 Iowa Acts, chapter 155, section 45, is
12 amended to read as follows:

13 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

14 1. Notwithstanding the provisions of [section 260C.11](#)
15 designating a term of four years for members of a board of
16 directors of a merged area, the term of office for a seat on a
17 board of directors filled at the regular school election held
18 on:

19 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
20 the board's organizational meeting held pursuant to section
21 260C.12, subsection 1.

22 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
23 the board's organizational meeting held pursuant to section
24 260C.12, subsection 1.

25 2. Notwithstanding the provisions of section 273.8,
26 subsection 1, designating a term of four years for members of
27 a board of directors of an area education agency, the term of
28 office for a seat on a board of directors filled by election
29 in:

30 a. September 2015 shall expire November 30, 2019.

31 b. September 2017 shall expire November 30, 2021.

32 3. Notwithstanding the provisions of [section 274.7](#)
33 designating a term of four years for members of a board of
34 directors of a school district, the term of office for a seat
35 on a board of directors filled at the regular school election

1 held on:

2 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the
3 board's organizational meeting held pursuant to section 279.1.

4 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
5 the board's organizational meeting held pursuant to section
6 279.1.

7 DIVISION XII

8 ABSENTEE BALLOT COUNTING

9 Sec. 120. Section 49.128, subsection 3, Code 2019, is
10 amended to read as follows:

11 3. The commissioner shall file a copy of ~~the~~ a certification
12 or report under this section with the state commissioner.

13 Sec. 121. Section 49.128, Code 2019, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 6. The commissioner shall place on
16 file in the commissioner's office a report, and shall file
17 a copy of the report with the state commissioner, regarding
18 absentee ballot tracking and counting no later than December 1
19 following each general election. The report shall be in a form
20 prescribed by the state commissioner.

21 Sec. 122. Section 53.17, subsection 1, paragraph b, Code
22 2019, is amended to read as follows:

23 b. The sealed return envelope may be mailed to the
24 commissioner by the registered voter or by the voter's
25 designee. If mailed by the voter's designee, the envelope
26 must be mailed within seventy-two hours of retrieving it from
27 the voter or within time to be postmarked or, if applicable,
28 to have the ~~intelligent mail~~ postal service barcode traced to
29 a date of entry into the federal mail system not later than
30 the day before the election, as provided in section 53.17A,
31 whichever is earlier.

32 Sec. 123. Section 53.17, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. In order for the ballot to be counted, the return
35 envelope must be received in the commissioner's office before

1 the polls close on election day or be clearly postmarked by an
2 officially authorized postal service or bear ~~an intelligent~~
3 ~~mail~~ a postal service barcode traceable to a date of entry
4 into the federal mail system not later than the day before the
5 election, as provided in section 53.17A, and received by the
6 commissioner not later than noon on the Monday following the
7 election.

8 Sec. 124. Section 53.17, subsection 4, paragraph f, Code
9 2019, is amended to read as follows:

10 *f.* A statement that the completed absentee ballot will
11 be delivered to the commissioner's office within seventy-two
12 hours of retrieving it from the voter or before the closing of
13 the polls on election day, whichever is earlier, or that the
14 completed absentee ballot will be mailed to the commissioner
15 within seventy-two hours of retrieving it from the voter or
16 within time to be postmarked or, if applicable, to have the
17 ~~intelligent mail~~ postal service barcode traced to a date of
18 entry into the federal mail system not later than the day
19 before the election, as provided in section 53.17A, whichever
20 is earlier.

21 Sec. 125. NEW SECTION. **53.17A Absentee ballot tracking.**

22 1. For the purposes of this chapter:

23 *a.* "*Postal service barcode*" means a barcode purchased by the
24 sender and supplied by the United States postal service that is
25 used to sort and track letters and flat packages and is printed
26 on an absentee ballot return envelope at the direction of the
27 commissioner before the envelope is sent to the voter.

28 *b.* "*Tracking information database*" means a database
29 administered by the United States postal service that is
30 accessible to the commissioner and contains information
31 regarding letters or flat packages.

32 2. *a.* Prior to implementing for the first time,
33 discontinuing the usage of, or reimplementing the usage
34 of a postal service barcode and tracking information, the
35 commissioner shall send notice to the state commissioner prior

1 to October 1, 2020, for an election taking place in 2020 after
2 that date, and by October 1 of each year thereafter.

3 *b.* The commissioner shall not implement or discontinue
4 the use of a postal service barcode or tracking information
5 database during an election after an absentee ballot has been
6 mailed for that election pursuant to section 53.8.

7 *c.* The state commissioner shall adopt rules regarding
8 the statewide implementation of a postal service barcode and
9 tracking information database, including procedures to be
10 followed when usage of a postal service barcode or the tracking
11 information database is negatively impacted. Each commissioner
12 shall use a postal service barcode and tracking information
13 database consistent with rules of the state commissioner.
14 Every commissioner shall send notice to the state commissioner
15 and implement the use of a postal service barcode and tracking
16 information database prior to October 1, 2020.

17 3. *a.* An absentee ballot received after the polls close
18 on election day but prior to the official canvass shall be
19 counted if the commissioner determines that the ballot entered
20 the federal mail system by the deadline specified in section
21 53.17 or 53.22. The date of entry of such an absentee ballot
22 into the federal mail system shall only be verified as provided
23 in paragraph "b".

24 *b.* (1) If the postmark indicates that the absentee ballot
25 entered the federal mail system by the deadline specified
26 in section 53.17 or 53.22, the ballot shall be included for
27 canvass by the absentee and special voters precinct board.

28 (2) If the postmark is illegible, missing, or dated on or
29 after election day, the commissioner shall attempt to verify
30 the ballot's date of entry into the federal mail system by
31 querying the postal service barcode in the tracking information
32 database. If the tracking information database indicates that
33 the absentee ballot entered the federal mail system by the
34 deadline specified in section 53.17 or 53.22, the ballot shall
35 be included for canvass by the absentee and special voters

1 precinct board. The commissioner shall provide a report to
2 the absentee and special voters precinct board regarding the
3 information available in the tracking information database.

4 (3) If there is a discrepancy between the date indicated by
5 the postmark and the postal service barcode, the earlier of the
6 two shall determine the date of entry of the absentee ballot
7 into the federal mail system.

8 (4) (a) If neither the postmark nor the postal service
9 barcode indicates that the absentee ballot entered the federal
10 mail system by the deadline specified in section 53.17 or
11 53.22, the absentee ballot shall be sent to the absentee
12 and special voters precinct board pursuant to subparagraph
13 division (b) with the numeric value assigned to the postal
14 service barcode and a full report from the tracking information
15 database.

16 (b) Up to five absentee and special voters precinct board
17 members from each political party for partisan elections,
18 or any two members of the board for nonpartisan elections,
19 shall review the postal service barcode and tracking database
20 information report of each absentee ballot submitted pursuant
21 to subparagraph division (a) and certify that the tracking
22 information database report corresponds to the absentee ballot
23 by initialing the report and the absentee ballot envelope.
24 If the board concludes that the postal service barcode and
25 tracking information database report verify that the absentee
26 ballot entered the federal mail system by the deadline
27 specified in section 53.17 or 53.22, the ballot shall be
28 counted. Otherwise, the ballot shall not be counted.

29 Sec. 126. Section 53.22, subsection 6, paragraph b, Code
30 2019, is amended to read as follows:

31 b. Absentee ballots voted under [this subsection](#) shall be
32 delivered to the commissioner no later than the time the polls
33 are closed on election day. If the ballot is returned by mail
34 the return envelope must be received by the time the polls
35 close, or be clearly postmarked by an officially authorized

1 postal service or bear ~~an intelligent mail~~ a postal service
2 barcode traceable to a date of entry into the federal mail
3 system not later than the day before the election, as provided
4 in section 53.17A, and received by the commissioner no later
5 than the time established for the canvass by the board of
6 supervisors for that election.

7 DIVISION XIII

8 FUTURE CHANGES TO ABSENTEE BALLOT COUNTING

9 Sec. 127. Section 53.17, subsection 1, paragraph b, Code
10 2019, as amended by this Act, is amended by striking the
11 paragraph and inserting in lieu thereof the following:

12 *b.* The sealed return envelope may be mailed to the
13 commissioner by the registered voter or by the voter's
14 designee. If mailed by the voter's designee, the envelope must
15 be mailed within seventy-two hours of retrieving it from the
16 voter.

17 Sec. 128. Section 53.17, subsection 2, Code 2019, as
18 amended by this Act, is amended by striking the subsection and
19 inserting in lieu thereof the following:

20 2. In order for the ballot to be counted, the return
21 envelope must be received in the commissioner's office before
22 the polls close on election day.

23 Sec. 129. Section 53.17, subsection 4, paragraph f, Code
24 2019, as amended by this Act, is amended by striking the
25 paragraph and inserting in lieu thereof the following:

26 *f.* A statement that the completed absentee ballot will
27 be delivered to the commissioner's office within seventy-two
28 hours of retrieving it from the voter or before the closing of
29 the polls on election day, whichever is earlier, or that the
30 completed absentee ballot will be mailed to the commissioner
31 within seventy-two hours of retrieving it from the voter.

32 Sec. 130. Section 53.22, subsection 6, paragraph b, Code
33 2019, as amended by this Act, is amended by striking the
34 paragraph and inserting in lieu thereof the following:

35 *b.* Absentee ballots voted under this subsection shall be

1 delivered to the commissioner no later than the time the polls
2 are closed on election day. If the ballot is returned by mail
3 the return envelope must be received by the time the polls
4 close.

5 Sec. 131. REPEAL. Section 53.17A, as enacted by this Act,
6 is repealed.

7 Sec. 132. EFFECTIVE DATE. This division of this Act takes
8 effect May 1, 2023.>

9 2. Title page, by striking lines 1 and 2 and inserting
10 <An Act relating to the conduct of state and local elections,
11 providing penalties, and including effective date elections
12 provisions.>