

House File 2486

H-8260

1 Amend the amendment, H-8256, to House File 2486, as passed by
2 the House, as follows:

3 1. By striking page 1, line 4, through page 27, line 1, and
4 inserting:

5 <Sec. _____. Section 43.14, subsection 1, paragraph g, Code
6 2020, is amended by striking the paragraph.

7 Sec. _____. Section 45.5, subsection 1, paragraph f, Code
8 2020, is amended by striking the paragraph.

9 Sec. _____. Section 47.1, subsection 2, Code 2020, is amended
10 to read as follows:

11 2. a. The state commissioner of elections may exercise
12 emergency powers over any election being held in a district
13 in which either a natural or other disaster or extremely
14 inclement weather has occurred. The state commissioner's
15 decision to alter any conduct for an election using emergency
16 powers must be approved by the legislative council. If the
17 legislative council does not approve the secretary of state's
18 use of emergency powers to conduct an election, the legislative
19 council may choose to present and approve its own election
20 procedures or choose to take no further action. The state
21 commissioner of elections may also exercise emergency powers
22 during an armed conflict involving United States armed forces,
23 or mobilization of those forces, or if an election contest
24 court finds that there were errors in the conduct of an
25 election making it impossible to determine the result.

26 b. If an emergency exists in all precincts of a county,
27 the number of polling places shall not be reduced by more than
28 thirty-five percent. The polling places allowed to open shall
29 be equitably distributed in the county based on the ratio of
30 regular polling places located in unincorporated areas in the
31 county to regular polling places in incorporated areas in the
32 county.

33 Sec. _____. Section 49.57, subsection 6, Code 2020, is amended
34 to read as follows:

35 6. A portion of the ballot shall include the words "Official

1 ballot", the unique identification number or name assigned by
2 the commissioner to the ballot style, the date of the election,
3 and the impression or likeness of the county seal of the county
4 of the commissioner who has caused the ballot to be printed
5 pursuant to [section 49.51](#).

6 Sec. _____. Section 54.5, subsection 2, Code 2020, is amended
7 to read as follows:

8 2. The state central committee shall also file a list of
9 the names and addresses of the party's presidential electors
10 and alternate electors, one from each congressional district
11 and two from the state at large, not later than 5:00 p.m.
12 on the eighty-first day before the general election. A
13 political party may elect up to two alternate electors at the
14 party's state convention. Additionally, the party's state
15 central committee may nominate one alternate elector for each
16 congressional district.

17 Sec. _____. Section 54.5, Code 2020, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 2A. Each elector nominee and alternate
20 elector nominee of a political party or group of petitioners
21 shall execute the following pledge, which shall accompany
22 the submission of the corresponding names to the state
23 commissioner:

24 If selected for the position of elector, I agree to serve
25 and to mark my ballots for president and vice president for
26 the nominees for those offices of the party (or group of
27 petitioners) that nominated me.

28 Sec. _____. Section 54.7, Code 2020, is amended to read as
29 follows:

30 **54.7 Meeting — certificate.**

31 1. The presidential electors and alternate electors shall
32 meet in the capitol, at the seat of government, on the first
33 Monday after the second Wednesday in December next following
34 their election.

35 2. If, at the time of such meeting, any elector for any

1 ~~cause is absent, those present shall at once proceed to~~
2 ~~elect, from the citizens of the state, a substitute elector or~~
3 ~~electors, and certify the choice so made to the governor, and~~
4 ~~the governor shall immediately cause the person or persons so~~
5 ~~selected to be notified thereof~~ the state commissioner shall
6 appoint an individual to substitute for the elector as follows:
7 a. If the alternate elector is present to vote, by
8 appointing the alternate elector for the vacant position.
9 b. If the alternate elector is not present to vote, by
10 appointing an elector chosen by lot from among the other
11 alternate electors present to vote who were nominated by the
12 same political party or group of petitioners.
13 c. If the number of alternate electors present to vote is
14 insufficient to fill a vacant position pursuant to paragraphs
15 "a" and "b", by appointing any immediately available citizen
16 of the state who is qualified to serve as an elector and
17 chosen through nomination by a plurality vote of the remaining
18 electors, including nomination and vote by a single elector if
19 only one remains.
20 d. If there is a tie between at least two nominees to
21 substitute as an elector in a vote conducted under paragraph
22 "c", by appointing an elector chosen by lot from among those
23 nominees.
24 e. If all elector positions are vacant and cannot be filled
25 through the processes set forth in paragraphs "a", "b", "c", and
26 "d", by appointing a single presidential elector with remaining
27 vacant positions filled pursuant to the method set forth in
28 paragraph "c" and, if necessary, paragraph "d".
29 3. To qualify to substitute for an elector under subsection
30 2, an individual who has not executed the pledge required for
31 elector nominees and alternate elector nominees under section
32 54.5 shall execute the following pledge:
33 I agree to serve and to mark my ballots for president and vice
34 president consistent with the pledge of the individual whose
35 elector position I have succeeded.

1 Sec. _____. Section 54.8, Code 2020, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **54.8 Elector voting — certificate of governor.**

4 1. At the time designated for elector voting and after all
5 vacant positions have been filled under section 54.7, the state
6 commissioner shall provide each elector with a presidential
7 and a vice presidential ballot. The elector shall mark the
8 elector's presidential and vice presidential ballots with
9 the elector's votes for the offices of president and vice
10 president, respectively, along with the elector's signature and
11 the elector's legibly printed name.

12 2. Except as otherwise provided by law of this state outside
13 of this chapter, each elector shall present both completed
14 ballots to the state commissioner who shall examine the ballots
15 and accept and cast all ballots of electors whose votes are
16 consistent with their pledges executed under section 54.5
17 or 54.7. Except as otherwise provided by law of this state
18 outside of this chapter, the state commissioner shall not
19 accept and shall not count an elector's presidential and vice
20 presidential ballots if the elector has not marked both ballots
21 or has marked one ballot in violation of the elector's pledge.

22 3. An elector who refuses to present a ballot, presents
23 an unmarked ballot, or presents a ballot marked in violation
24 of the elector's pledge executed under section 54.5 or 54.7
25 vacates the office of elector. The state commissioner shall
26 declare the creation of the vacancy and fill the vacancy
27 pursuant to section 54.7.

28 4. The state commissioner shall distribute ballots to
29 and collect ballots from a substitute elector and repeat the
30 process set forth in this section for examining ballots,
31 declaring and filling vacant positions as required, and
32 recording appropriately completed ballots from the substituted
33 electors until all of the state's electoral votes have been
34 cast and recorded.

35 5. The governor shall duly certify the results, under the

1 seal of the state, to the United States secretary of state, and
2 as required by Act of Congress related to such elections.

3 Sec. _____. NEW SECTION. **54.8A Elector replacement —**
4 **associated certificates.**

5 1. After the vote of this state's electors is completed,
6 if the final list of electors differs from any list that the
7 governor previously included on a certificate of ascertainment
8 prepared and transmitted under 3 U.S.C. §6, the state
9 commissioner shall immediately prepare an amended certificate
10 of ascertainment and transmit the amended certificate to the
11 governor for the governor's signature.

12 2. The governor shall immediately deliver the signed
13 amended certificate of ascertainment to the state commissioner
14 and a signed duplicate original of the amended certificate
15 of ascertainment to all individuals entitled to receive this
16 state's certificate of ascertainment, indicating that the
17 amended certificate of ascertainment is to be substituted for
18 the certificate of ascertainment previously submitted.

19 3. The state commissioner shall prepare a certificate
20 of vote. The electors on the final list shall sign the
21 certificate. The state commissioner shall process and
22 transmit the signed certificate with the amended certificate of
23 ascertainment under 3 U.S.C. §§9 through 11.

24 Sec. _____. Section 331.552, subsection 4, Code 2020, is
25 amended to read as follows:

26 4. Keep the official county seal provided by the county.
27 The official seal shall be an impression seal on the face of
28 which shall appear the name of the county, the word "county",
29 which may be abbreviated, ~~the word "treasurer" which may be~~
30 ~~abbreviated,~~ and the word "Iowa".

31 Sec. _____. **AFFIDAVIT OF CANDIDACY — 2020 GENERAL ELECTION**
32 **NOMINEES.** For the 2020 general election, a candidate nominated
33 for county hospital trustee or township trustee shall file
34 with the county commissioner a signed, notarized affidavit of
35 candidacy and nomination petition, if applicable, by 5:00 p.m.

1 not less than sixty-nine days before the general election. An
2 affidavit of candidacy shall include the information required
3 under section 44.3.>

4 2. Title page, by striking line 1 and inserting <An Act
5 relating to the conduct of elections, including emergency
6 powers, procedures relating to electors, and the use of a
7 county seal on materials related to elections.>

8 3. By renumbering as necessary.>

KAUFMANN of Cedar

HUNTER of Polk