

House File 692

S-3119

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~~ paragraphs
9 "b" and "c" of this subsection, or section 48A.26A, within seven
10 working days of receipt of a voter registration form or change
11 of information in a voter registration record the commissioner
12 shall send an acknowledgment to the registrant at the mailing
13 address shown on the registration form. The acknowledgment
14 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 NOMINATIONS BY PETITION

12 Sec. 42. Section 43.20, subsection 1, Code 2019, is amended
13 by striking the subsection and inserting in lieu thereof the
14 following:

15 1. Nomination papers shall be signed by eligible electors as
16 provided in section 45.1.

17 Sec. 43. Section 45.1, subsections 1, 2, 3, 4, 5, 6, 8, and
18 9, Code 2019, are amended to read as follows:

19 1. Nominations for candidates for president and vice
20 president, governor and lieutenant governor, and ~~for other~~
21 ~~statewide elected offices~~ United States senator may be made by
22 nomination petitions signed by not less than ~~one thousand five~~
23 ~~hundred~~ four thousand eligible electors ~~residing in, including~~
24 at least two hundred eligible electors from not less than ten
25 counties of the state.

26 2. Nominations for candidates for a representative in
27 the United States house of representatives may be made by
28 nomination petitions signed by not less than ~~the number of~~
29 ~~eligible electors equal to the number of signatures required in~~
30 [subsection 1](#) ~~divided by the number of congressional districts.~~
31 ~~Signers of the petition shall be eligible electors who are~~
32 ~~residents of the congressional district~~ two thousand eligible
33 electors who are residents of the congressional district,
34 including seventy-seven eligible electors from at least
35 one-half of the counties in the congressional district.

1 3. Nominations for candidates for the state senate may
2 be made by nomination petitions signed by not less than ~~one~~
3 two hundred eligible electors who are residents of the senate
4 district.

5 4. Nominations for candidates for the state house of
6 representatives may be made by nomination petitions signed
7 by not less than ~~fifty~~ one hundred eligible electors who are
8 residents of the representative district.

9 5. Nominations for candidates for offices filled by the
10 voters of a whole county may be made by nomination petitions
11 signed by at least two hundred eligible electors who are
12 residents of the county ~~equal in number to at least one percent~~
13 ~~of the number of registered voters in the county on July 1 in~~
14 ~~the year preceding the year in which the office will appear on~~
15 ~~the ballot, or by at least two hundred fifty eligible electors~~
16 ~~who are residents of the county, whichever is less.~~

17 6. Nominations for candidates for the office of county
18 supervisor elected by the voters of a supervisor district may
19 be made by nomination petitions signed by at least two hundred
20 eligible electors who are residents of the supervisor district
21 ~~equal in number to at least one percent of the number of~~
22 ~~registered voters in the supervisor district on July 1 in the~~
23 ~~year preceding the year in which the office will appear on the~~
24 ~~ballot, or by at least one hundred fifty eligible electors who~~
25 ~~are residents of the supervisor district, whichever is less.~~

26 8. Nominations for candidates for elective offices in
27 cities where the council has adopted nominations under this
28 chapter may be submitted as follows:

29 a. Except as otherwise provided in [subsection 9](#), in cities
30 having a population of ~~three thousand five hundred~~ twenty
31 thousand or greater according to the most recent federal
32 decennial census, nominations may be made by nomination papers
33 signed by not less than ~~twenty-five~~ one hundred eligible
34 electors who are residents of the city or ward.

35 b. In cities having a population of ~~one hundred~~ five

1 thousand or greater, but less than ~~three thousand five hundred~~
2 twenty thousand, according to the most recent federal decennial
3 census, nominations may be made by nomination papers signed by
4 not less than ~~ten~~ fifty eligible electors who are residents of
5 the city or ward.

6 c. In cities having a population ~~less than one hundred one~~
7 thousand or greater, but less than five thousand, according
8 to the most recent federal decennial census, nominations may
9 be made by nomination papers signed by not less than five
10 twenty-five eligible electors who are residents of the city.

11 d. In cities having a population less than one thousand,
12 according to the most recent federal decennial census,
13 nominations may be made by nomination papers signed by not less
14 than ten eligible electors who are residents of the city.

15 9. Nominations for ~~candidates, other than partisan~~
16 ~~candidates, for elective offices~~ the office of mayor, alderman
17 at large, and ward alderman in special charter cities subject
18 to [section 43.112](#) may be ~~submitted as follows:~~ made by
19 nomination papers signed by not less than one hundred eligible
20 electors residing in the city.

21 a. ~~For the office of mayor and alderman at large,~~
22 ~~nominations may be made by nomination papers signed by eligible~~
23 ~~electors residing in the city equal in number to at least two~~
24 ~~percent of the total vote received by all candidates for mayor~~
25 ~~at the last preceding city election.~~

26 b. ~~For the office of ward alderman, nominations may be made~~
27 ~~by nomination papers signed by eligible electors residing in~~
28 ~~the ward equal in number to at least two percent of the total~~
29 ~~vote received by all candidates for ward alderman in that ward~~
30 ~~at the last preceding city election.~~

31 Sec. 44. Section 45.1, Code 2019, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 02. Nominations for candidates for
34 statewide offices other than those listed in subsection 1 may
35 be made by nomination petitions signed by not less than two

1 thousand five hundred eligible electors, including at least one
2 hundred twenty-five eligible electors from not less than ten
3 counties of the state.

4 DIVISION VIII

5 CONDUCT OF ELECTIONS

6 Sec. 45. Section 39.2, subsection 4, paragraphs a, b, and c,
7 Code 2019, are amended to read as follows:

8 a. For a county, ~~on the day of the general election, on~~
9 ~~the day of the regular city election, on the date of a special~~
10 ~~election held to fill a vacancy in the same county, or on the~~
11 ~~first Tuesday in March in an odd-numbered year,~~ the first
12 Tuesday in May March, ~~or the first~~ second Tuesday in August
13 ~~of each year~~ September, ~~or the first Tuesday after the first~~
14 Monday in November. For a county, in an even-numbered year,
15 the first Tuesday in March or the second Tuesday in September.

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

24 c. For a school district or merged area, in the odd-numbered
25 year, the first Tuesday in February March, ~~the first Tuesday in~~
26 ~~April,~~ the last second Tuesday in June September, ~~or the second~~
27 first Tuesday after the first Monday in September November.
28 For a school district or merged area, in the even-numbered
29 year, the first Tuesday in February, ~~the first Tuesday in~~
30 ~~April~~ March, ~~or the second Tuesday in September,~~ ~~or the second~~
31 ~~Tuesday in December.~~

32 Sec. 46. Section 39.12, Code 2019, is amended to read as
33 follows:

34 **39.12 Failure to vacate.**

35 An elected official who has been elected to another elective

1 office to which [section 39.11](#) applies shall choose only one
2 office in which to serve. The official shall resign from all
3 but one of the offices to which [section 39.11](#) applies before
4 the beginning of the term of the office to which the person
5 was most recently elected. Failure to submit the required
6 resignation will result in a vacancy in ~~all~~ the first elective
7 ~~offices~~ office to which the person was elected.

8 Sec. 47. Section 43.11, subsection 1, Code 2019, is amended
9 to read as follows:

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

14 Sec. 48. Section 43.16, subsection 2, paragraph b, Code
15 2019, is amended to read as follows:

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

20 Sec. 49. Section 43.23, Code 2019, is amended to read as
21 follows:

22 **43.23 Death or withdrawal of primary candidate.**

23 1. If a person who has filed nomination papers with the
24 state commissioner as a candidate in a primary election dies
25 or withdraws up to the seventy-sixth day before the primary
26 election, the appropriate convention or central committee of
27 that person's political party may designate one ~~additional~~
28 primary election candidate for the nomination that person
29 was seeking, if the designation is submitted to the state
30 commissioner in writing by 5:00 p.m. on the seventy-first day
31 before the date of the primary election. The name of any
32 candidate so submitted shall be included in the appropriate
33 certificate or certificates furnished by the state commissioner
34 under [section 43.22](#).

35 2. If a person who has filed nomination papers with the

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

11 Sec. 50. Section 43.30, subsection 2, Code 2019, is amended
12 to read as follows:

13 2. The commissioner shall make sample ballots available to
14 the public upon request. The sample ballots shall be clearly
15 marked as sample ballots. A reasonable fee may be charged for
16 printing costs if a person requests multiple copies of sample
17 ballots. The commissioner shall not distribute sample ballots
18 except as provided in this subsection.

19 Sec. 51. Section 43.36, Code 2019, is amended to read as
20 follows:

21 **43.36 Australian ballot.**

22 The Australian ballot system as now used in this state,
23 except as herein modified, shall be used at said primary
24 election. The endorsement of the precinct election officials
25 and the ~~facsimile of the commissioner's signature~~ county
26 seal shall appear upon the ballots as provided for general
27 elections.

28 Sec. 52. Section 43.78, subsection 2, Code 2019, is amended
29 to read as follows:

30 2. The name of any candidate designated to fill a vacancy
31 on the general election ballot in accordance with subsection
32 1, paragraph "a", "b", or "c" shall be submitted in writing
33 to the state commissioner not later than 5:00 p.m. on the
34 ~~seventy-third~~ seventy-sixth day before the date of the general
35 election.

1 Sec. 53. Section 43.79, Code 2019, is amended to read as
2 follows:

3 **43.79 Death of candidate after time for withdrawal.**

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

22 Sec. 54. Section 44.1, Code 2019, is amended to read as
23 follows:

24 **44.1 Political nonparty organizations.**

25 Any convention or caucus of eligible electors representing
26 a political organization which is not a political party as
27 defined by law, may, for the state, or for any division or
28 municipality thereof, or for any county, or for any subdivision
29 thereof, for which such convention or caucus is held, make one
30 nomination of a candidate for each office to be filled therein
31 at the general election. However, in order to qualify for
32 any nomination made for a statewide elective office by such
33 a political organization there shall be in attendance at the
34 convention or caucus where the nomination is made a minimum of
35 ~~two hundred fifty~~ five hundred eligible electors including at

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

26 Sec. 55. Section 44.4, Code 2019, is amended to read as
27 follows:

28 **44.4 Nominations and objections — time and place of filing.**

29 1. a. Nominations made pursuant to [this chapter](#) and
30 chapter 45 which are required to be filed in the office of the
31 state commissioner shall be filed in that office not more than
32 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
33 eighty-first day before the ~~date of the general election to be~~
34 held in November first Tuesday after the first Monday in June
35 in each even-numbered year. Nominations made for a special

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

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

26 2. a. Objections to the legal sufficiency of a certificate
27 of nomination or nomination petition or to the eligibility
28 of a candidate may be filed by any person who would have the
29 right to vote for a candidate for the office in question.

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

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

34 (2) Those filed with the commissioner, not less than
35 sixty-four days before the date of the election, except as

1 provided in subparagraph (3).

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

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

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

13 Sec. 56. Section 44.9, subsections 1 and 2, Code 2019, are
14 amended to read as follows:

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

18 2. In the office of the appropriate commissioner, ~~at least~~
19 ~~sixty-four days before the date of the election, except as~~
20 ~~otherwise provided in subsection 6~~ as provided in section
21 43.76.

22 Sec. 57. Section 47.2, Code 2019, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 7. The county commissioner shall not
25 participate in an absentee ballot drive or collection effort in
26 cooperation with a candidate, candidate's committee, political
27 party, or nonparty political organization.

28 Sec. 58. NEW SECTION. 47.12 **Electronic poll books —**
29 **mandatory.**

30 Each county commissioner of elections shall, by February 26,
31 2020, ensure that each election precinct uses an electronic
32 poll book.

33 Sec. 59. Section 48A.9, subsection 1, Code 2019, is amended
34 to read as follows:

35 1. Registration closes at 5:00 p.m. eleven days before each

1 ~~election except general elections. For general elections,~~
2 ~~registration closes at 5:00 p.m. ten days before the election.~~
3 An eligible elector may register during the time registration
4 is closed in the elector's precinct but the registration shall
5 not become effective until registration opens again in the
6 elector's precinct, except as otherwise provided in section
7 48A.7A.

8 Sec. 60. NEW SECTION. **49.2 Oversight by the state**
9 **commissioner.**

10 The state commissioner, or a designee of the state
11 commissioner, may, at the discretion of the state commissioner,
12 oversee the activities of a county commissioner of elections
13 during a period beginning sixty days before an election and
14 ending sixty days after an election. For the purposes of this
15 section, "oversee" means to observe election-related activity,
16 correct any activity not in accordance with law, and issue a
17 written notice and instructions pursuant to section 39A.6 for
18 any technical infractions that are observed.

19 Sec. 61. Section 49.21, Code 2019, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 4. The commissioner shall remove or obscure
22 from the view of voters any published material displaying the
23 name of a candidate or elected official other than a ballot or
24 sample ballot or envelope.

25 Sec. 62. NEW SECTION. **49.42B Form of official ballot —**
26 **candidates for president and vice president.**

27 When candidates for president and vice president of the
28 United States appear on the ballot, the following statement
29 shall appear directly above the section of the ballot listing
30 such candidates:

31 [A ballot cast for the named candidates for president
32 and vice president of the United States is considered to be
33 cast for the slate of presidential electors nominated by
34 the political party, nonparty political organization, or
35 independent candidate.]

1 Sec. 63. NEW SECTION. **49.49 Certain sample ballots**
2 **prohibited.**

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

6 Sec. 64. Section 49.51, Code 2019, is amended to read as
7 follows:

8 **49.51 Commissioner to control printing.**

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

25 Sec. 65. Section 49.57, subsection 6, Code 2019, is amended
26 to read as follows:

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

33 Sec. 66. Section 49.58, subsection 1, Code 2019, is amended
34 to read as follows:

35 1. If any candidate nominated by a political party,

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

15 Sec. 67. Section 49.73, subsection 2, Code 2019, is amended
16 to read as follows:

17 2. a. The commissioner shall not shorten voting hours for
18 any election if there is filed in the commissioner's office, at
19 least twenty-five days before the election, a petition signed
20 by at least fifty eligible electors of the school district
21 or city, as the case may be, requesting that the polls be
22 opened not later than 7:00 a.m. All polling places where the
23 candidates of or any public question submitted by any one
24 political subdivision are being voted upon shall be opened at
25 the same hour, except that this requirement shall not apply
26 to merged areas established under [chapter 260C](#). The hours at
27 which the respective precinct polling places are to open shall
28 not be changed after publication of the notice required by
29 section 49.53. The polling places shall be closed at ~~9:00 p.m.~~
30 ~~for state primary and general elections and other partisan~~
31 ~~elections, and for any other election held concurrently~~
32 ~~therewith, and at 8:00 p.m. for all other elections.~~

33 b. The legislative services agency shall place on the
34 internet site of the agency information regarding the opening
35 and closing times of polling places until and including

1 November 7, 2023. This paragraph is repealed effective July
2 1, 2024.

3 Sec. 68. Section 49.82, Code 2019, is amended to read as
4 follows:

5 **49.82 Voter to receive one ballot — endorsement.**

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

18 Sec. 69. Section 49A.6, Code 2019, is amended to read as
19 follows:

20 **49A.6 Certification — sample ballot.**

21 The state commissioner of elections shall, not less than
22 ~~sixty-nine~~ sixty-three days preceding any election at which a
23 constitutional amendment or public measure is to be submitted
24 to a vote of the entire people of the state, transmit to the
25 county commissioner of elections of each county a certified
26 copy of the amendment or measure and a sample of the ballot to
27 be used in such cases, prepared in accordance with law.

28 Sec. 70. Section 50.44, Code 2019, is amended to read as
29 follows:

30 **50.44 Tie vote.**

31 1. If Except as otherwise provided in this subsection,
32 if more than the requisite number of persons, including
33 presidential electors, are found to have an equal and the
34 highest number of votes, the election of one of them shall be
35 determined by lot. The name of each of such candidates shall

1 be written on separate pieces of paper, as nearly uniform in
2 size and material as possible, and placed in a receptacle so
3 that the names cannot be seen. In the presence of the board of
4 canvassers, one of them shall publicly draw one of such names,
5 and such person shall be declared elected. The result of such
6 drawing shall be entered upon the abstract of votes and duly
7 recorded, and a certificate of election issued to such person,
8 as provided in [this chapter](#).

9 2. If more than the requisite number of candidates for
10 United States senator or representative to the United States
11 house of representatives are found to have an equal and highest
12 number of votes, a special election shall be held sixty-six
13 days after the final canvass or recount, whichever is later,
14 in which each such candidate shall be the only candidates on
15 the ballot.

16 3. If more than the requisite number of candidates for
17 a statewide elected office, member of the general assembly,
18 member of a board of supervisors, or a partisan office to
19 be filled by a vote of the residents of a whole county, are
20 found to have an equal and highest number of votes, a special
21 election shall be held consistent with section 69.14, in which
22 each such candidate shall be the only candidates on the ballot.

23 4. If more than the requisite number of presidential
24 electors are found to have an equal and the highest number of
25 votes, the presidential electors shall be assigned one-half
26 to each candidate. If there is an odd number of presidential
27 electors, the remaining elector shall be assigned by lot.

28 Sec. 71. Section 50.48, subsection 3, Code 2019, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. c. In addition to the persons listed in
31 paragraph "a", the candidate requesting the recount and the
32 apparent winning candidate may each submit a request to a
33 commissioner from a county other than the county conducting the
34 recount to be present at the recount. Such a commissioner may
35 report any irregularities observed by the commissioner at any

1 time after the election to the state commissioner.

2 Sec. 72. Section 50.48, subsection 4, paragraph b, Code
3 2019, is amended to read as follows:

4 b. Any member of the recount board may at any time during
5 the recount proceedings for an election for a statewide
6 elected official as defined in section 68B.2 or a United States
7 senator extend the recount of votes cast for the office or
8 nomination in question to any other precinct or precincts in
9 the same county, or from which the returns were reported to
10 the commissioner responsible for conducting the election,
11 without the necessity of posting additional bond. The recount
12 proceedings for an election for any other office shall include
13 all precincts in which a ballot for the election was cast.

14 Sec. 73. NEW SECTION. 50.52 Enforcement.

15 Members of local law enforcement agencies and the state
16 patrol are authorized to take all reasonable actions to prevent
17 violations of this chapter.

18 Sec. 74. Section 53.2, subsection 4, paragraph b, Code 2019,
19 is amended to read as follows:

20 b. If insufficient information has been provided, including
21 the absence of a voter verification number, either on the
22 prescribed form or on an application created by the applicant,
23 the commissioner shall, ~~by the best means available, obtain~~
24 ~~the additional necessary information~~ within twenty-four hours
25 after the receipt of the absentee ballot request, contact the
26 applicant by telephone and electronic mail, if such information
27 has been provided by the applicant. If the commissioner is
28 unable to contact the applicant by telephone or electronic
29 mail, the commissioner shall send a notice to the applicant
30 at the address where the applicant is registered to vote, or
31 to the applicant's mailing address if it is different from
32 the residence address. If the applicant has requested the
33 ballot to be sent to an address that is not the applicant's
34 residential or mailing address, the commissioner shall send an
35 additional notice to the address where the applicant requested

1 the ballot to be sent. A commissioner shall not use the voter
2 registration system to obtain additional necessary information.
3 A voter requesting or casting a ballot pursuant to section
4 53.22 shall not be required to provide a voter verification
5 number. The state commissioner shall adopt rules to implement
6 this section.

7 Sec. 75. Section 53.2, subsection 4, Code 2019, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *d.* If an applicant does not have current
10 access to the applicant's voter verification number, the
11 commissioner shall verify the applicant's identity prior to
12 supplying the voter verification number by asking the applicant
13 to provide at least two of the following facts about the
14 applicant:

- 15 (1) Date of birth.
- 16 (2) The last four digits of the applicant's social security
17 number, if applicable.
- 18 (3) Residential address.
- 19 (4) Mailing address.
- 20 (5) Middle name.
- 21 (6) Voter verification number as defined in paragraph "c".

22 Sec. 76. Section 53.10, subsection 2, paragraph a, Code
23 2019, is amended to read as follows:

24 *a.* Each person who wishes to vote by absentee ballot at
25 the commissioner's office shall first sign an application
26 for a ballot including the following information: name,
27 current address, voter verification number, and the election
28 for which the ballot is requested. The person may report a
29 change of address or other information on the person's voter
30 registration record at that time. Prior to furnishing a
31 ballot, the commissioner shall verify the person's identity
32 as provided in section 49.78. The registered voter shall
33 immediately mark the ballot; enclose the ballot in a secrecy
34 envelope, if necessary, and seal it in the envelope marked
35 with the affidavit; subscribe to the affidavit on the reverse

1 side of the envelope; and return the absentee ballot to the
2 commissioner. The commissioner shall record the numbers
3 appearing on the application and affidavit envelope along with
4 the name of the registered voter.

5 Sec. 77. Section 53.10, subsection 2, Code 2019, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. c. If an unregistered person offering to
8 vote an absentee ballot pursuant to this section prior to
9 the deadline in section 48A.9 does not have an Iowa driver's
10 license, an Iowa nonoperator's identification card, or a voter
11 identification number assigned to the voter by the state
12 commissioner pursuant to section 47.7, subsection 2, the person
13 may satisfy identity and residence requirements as provided in
14 section 49.78. This section shall also apply to a registered
15 voter casting a ballot pursuant to this section who has not yet
16 received a voter verification number.

17 Sec. 78. Section 53.11, subsection 1, paragraph a, Code
18 2019, is amended to read as follows:

19 a. Not more than twenty-nine days before the date of
20 an election, satellite absentee voting stations ~~may be~~
21 ~~established throughout the cities and county at the direction~~
22 ~~of the commissioner and~~ shall be established upon receipt
23 of a petition signed by not less than one hundred eligible
24 electors requesting that a satellite absentee voting station be
25 established at a location to be described on the petition, and
26 may be established at the direction of the commissioner in the
27 case of a special election. However, if a special election is
28 scheduled in the county on a date that falls between the date
29 of the regular city election and the date of the city runoff
30 election, the commissioner is not required to establish a
31 satellite absentee voting station for the city runoff election.

32 Sec. 79. Section 53.11, subsection 2, paragraph e, Code
33 2019, is amended to read as follows:

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

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

13 b. If the commissioner receives the return envelope
14 containing the completed absentee ballot after the deadline
15 in paragraph "a", the commissioner shall submit the affidavit
16 to the absentee and special voters precinct board for review.
17 If the absentee and special voters precinct determines that
18 the affidavit is incomplete, the commissioner shall, within
19 twenty-four hours of the determination, notify the voter.

20 (1) If the affidavit lacks the signature of the registered
21 voter, the commissioner shall notify the voter that the voter
22 may complete the affidavit in person at the office of the
23 commissioner not later than noon on the Monday following the
24 election, or if the law authorizing the election specifies that
25 the votes be canvassed earlier than the Monday following the
26 election, before the canvass of the election.

27 (2) If the affidavit appears to have been signed by someone
28 other than the registered voter, the commissioner shall
29 notify the voter that the voter may complete the affidavit in
30 person at the office of the commissioner by providing proof of
31 identity as provided in section 49.78 not later than noon on
32 the Monday following the election, or if the law authorizing
33 the election specifies that the votes be canvassed earlier than
34 the Monday following the election, before the canvass of the
35 election.

1 3. If the affidavit envelope or the return envelope marked
2 with the affidavit contains a defect that would cause the
3 absentee ballot to be rejected by the absentee and special
4 voters precinct board, the commissioner shall immediately
5 notify the voter of that fact and that the voter's absentee
6 ballot shall not be counted unless the voter requests and
7 returns a replacement ballot in the time permitted under
8 section 53.17, subsection 2. ~~For the purposes of this section,~~
9 ~~a return envelope marked with the affidavit shall be considered~~
10 ~~to contain a defect if it appears to the commissioner that~~
11 ~~the signature on the envelope has been signed by someone~~
12 ~~other than the registered voter, in comparing the signature~~
13 ~~on the envelope to the signature on record of the registered~~
14 ~~voter named on the envelope. A signature or marking made~~
15 ~~in accordance with section 39.3, subsection 17, shall not~~
16 ~~be considered a defect for purposes of this section.~~ The
17 voter may request a replacement ballot in person, in writing,
18 or over the telephone. The same serial number that was
19 assigned to the records of the original absentee ballot
20 application shall be used on the envelope and records of the
21 replacement ballot. The envelope marked with the affidavit and
22 containing the completed replacement ballot shall be marked
23 "Replacement ballot". The envelope marked with the affidavit
24 and containing the original ballot shall be marked "Defective"
25 and the replacement ballot shall be attached to such envelope
26 containing the original ballot and shall be stored in a secure
27 place until they are delivered to the absentee and special
28 voters precinct board, notwithstanding sections 53.26 and
29 53.27.

30 Sec. 82. Section 53.18, Code 2019, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 04. For the purposes of this section, a
33 return envelope marked with the affidavit shall be considered
34 incomplete if it lacks the registered voter's signature or it
35 appears to the commissioner that the signature on the envelope

1 has been signed by someone other than the registered voter,
2 in comparing the signature on the envelope to the signature
3 on record of the registered voter named on the envelope. A
4 signature or marking made in accordance with section 39.3,
5 subsection 17, shall not cause an affidavit to be considered
6 incomplete.

7 Sec. 83. Section 53.22, subsection 3, Code 2019, is amended
8 to read as follows:

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

25 Sec. 84. Section 53.22, subsection 6, paragraph a, Code
26 2019, is amended to read as follows:

27 a. If the registered voter becomes a patient, tenant, or
28 resident of a hospital, assisted living program, or health
29 care facility outside the county where the voter is registered
30 to vote ~~within three days before the date of any election~~
31 after the deadline to make a written application for an
32 absentee ballot as provided in section 53.2 or on election
33 day, the voter may designate a person to deliver and return
34 the absentee ballot. The designee may be any person the voter
35 chooses except that no candidate for any office to be voted

1 upon for the election for which the ballot is requested may
2 deliver a ballot under this subsection. The request for an
3 absentee ballot may be made by telephone to the office of the
4 commissioner not later than four hours before the close of the
5 polls. If the requester is found to be a registered voter of
6 that county, the ballot shall be delivered by mail or by the
7 person designated by the voter. An application form shall be
8 included with the absentee ballot and shall be signed by the
9 voter and returned with the ballot.

10 Sec. 85. Section 53.22, Code 2019, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 9. A person voting pursuant to this section
13 shall not be subject to signature verification pursuant to
14 section 53.18.

15 Sec. 86. Section 58.1, Code 2019, is amended to read as
16 follows:

17 **58.1 Notice — grounds.**

18 The contestant for the office of governor shall, within
19 ~~thirty~~ fourteen days after the proclamation of the result of
20 the election, deliver to the presiding officer of each house
21 of the general assembly a notice of intent to contest, and a
22 specification of the grounds of such contest, as provided in
23 chapter 62.

24 Sec. 87. Section 58.4, subsections 1 and 2, Code 2019, are
25 amended to read as follows:

26 1. The names of members of each house, except the presiding
27 officer and the majority and minority leaders, written on
28 similar paper tickets, shall be placed in a box, the names of
29 the senators in their presence by their secretary, and the
30 names of the representatives in their presence by their clerk.

31 2. The secretary of the senate in the presence of the
32 senate, and the clerk of the house of representatives in
33 the presence of the house, shall draw from their respective
34 boxes the names of ~~seven~~ five members each. The majority and
35 minority leaders of each house shall also serve on the contest

1 court.

2 Sec. 88. Section 68A.405, subsection 1, paragraph a,
3 subparagraph (3), Code 2019, is amended to read as follows:

4 (3) "*Published material*" means any newspaper, magazine,
5 shopper, outdoor advertising facility, poster, direct mailing,
6 brochure, internet site, campaign sign, or any other form of
7 printed or electronic general public political advertising.
8 "*Published material*" includes television, video, or motion
9 picture advertising, automated telephone calls, or text
10 messages.

11 Sec. 89. NEW SECTION. 68A.507 Deceptive names prohibited.

12 No person shall place on any published material, as defined
13 in section 68A.405, a name or abbreviation of a name intended
14 to cause a voter to believe that the person represents a
15 political party or nonparty political organization of which the
16 person is not a candidate.

17 Sec. 90. Section 69.9, Code 2019, is amended to read as
18 follows:

19 **69.9 Person removed not eligible.**

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

22 Sec. 91. Section 69.14, Code 2019, is amended to read as
23 follows:

24 **69.14 Special election to fill vacancies.**

25 1. A special election to fill a vacancy shall be held for a
26 representative in Congress, when Congress is in session or will
27 convene prior to the next general election, or for a senator or
28 representative in the general assembly, ~~when the body in which~~
29 ~~such vacancy exists is in session, or~~ the general assembly will
30 convene prior to the next general election, and the governor
31 shall order, not later than five days from the date the vacancy
32 exists, a special election, giving not less than forty days'
33 notice of such election.

34 2. In the event the special election is to fill a vacancy
35 in the general assembly while it is in session or within

1 forty-five days of the convening of any session, ~~the time limit~~
2 ~~provided in this section shall not apply~~ and the governor
3 shall order ~~such~~, not later than five days after the day the
4 vacancy occurs, a special election ~~at the earliest practical~~
5 ~~time~~, giving at least ~~eighteen~~ twenty-one, but no more than
6 forty-two, days' notice of the special election. Any special
7 election called under ~~this section~~ must be held on a Tuesday
8 and shall not be held on the same day as a school election
9 within the district.

10 Sec. 92. Section 445.5, subsection 1, Code 2019, is amended
11 by adding the following new paragraph:

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

15 Sec. 93. SATELLITE ABSENTEE VOTING LOCATION REPORTS.

16 1. Each county commissioner of elections shall complete
17 a report to be submitted to the general assembly on each
18 state-owned building in the county that may be petitioned for a
19 satellite absentee voting location. The report shall address
20 all of the following:

21 a. The impact on the safety of the public, including
22 students where applicable, using the building other than for
23 satellite voting.

24 b. The impact on the function and public use of the
25 building and state-owned property caused by hosting a satellite
26 absentee voting location, including but not limited to hours of
27 operation, space removed from public use, parking, and building
28 access.

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

31 d. The impact of electioneering laws on first amendment
32 rights of the Constitution of the United States in state-owned
33 buildings.

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

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DIVISION IX

CONFLICTS OF INTEREST

Sec. 94. Section 314.2, Code 2019, is amended by striking the section and inserting in lieu thereof the following:

314.2 Conflicts of interest.

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

Sec. 95. EFFECTIVE DATE. This division of this Act takes effect January 1, 2023.

DIVISION X

VOTER REGISTRATION

Sec. 96. Section 47.7, Code 2019, is amended by adding the following new subsections:

NEW SUBSECTION. 3. The state registrar of voters shall develop a form to be distributed to the governing body of each institution of higher education under the state board of regents, community college, and accredited private institution as defined in section 261.9, subsection 1, indicating whether a graduating student will reside outside Iowa, reside within Iowa and optionally, at what address, or move outside Iowa but vote in Iowa pursuant to chapter 53, subchapter II. The state registrar of voters shall mark as inactive the record in the statewide voter registration file of any graduating student indicating that the student will reside outside Iowa after graduation, unless the student will vote in Iowa pursuant to chapter 53, subchapter II, and shall provide information on how to update voter registration information to any student indicating a change of address within the state. Each institution of higher education shall require each graduating student to complete such a form prior to graduating. The form may be integrated into current application requirements for

1 graduation issued by an institution of higher education.

2 NEW SUBSECTION. 4. The state registrar of voters shall use
3 information from the electronic registration information center
4 to update information in the statewide voter registration
5 system, including but not limited to the following reports:

6 a. In-state duplicates.

7 b. In-state updates.

8 c. Cross-state matches.

9 d. Deceased.

10 e. Eligible but unregistered.

11 f. National change of address.

12 Sec. 97. Section 48A.10A, subsection 1, Code 2019, is
13 amended to read as follows:

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

28 Sec. 98. Section 48A.26B, Code 2019, is amended to read as
29 follows:

30 **48A.26B Form of acknowledgment.**

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

1 election days.

2 Sec. 99. Section 48A.27, subsection 4, paragraph c,
3 subparagraph (2), Code 2019, is amended to read as follows:

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

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

22 Sec. 100. Section 48A.28, subsections 1 and 2, Code 2019,
23 are amended to read as follows:

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

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

35 b. A commissioner participating in the national change of

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

18 Sec. 101. Section 48A.28, subsection 3, Code 2019, is
19 amended by striking the subsection.

20 Sec. 102. Section 48A.29, subsection 1, paragraph b, Code
21 2019, is amended to read as follows:

22 *b.* The notice shall contain a statement in substantially the
23 following form:

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

1 you do not vote in some election in (name of county) County,
2 Iowa, on or before (date of second general election following
3 the date of the notice) your name will be removed from the list
4 of voters in that county.

5 Sec. 103. Section 48A.29, subsection 3, paragraph b, Code
6 2019, is amended to read as follows:

7 b. The notice shall contain a statement in substantially the
8 following form:

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

27 Sec. 104. Section 48A.30, subsection 1, paragraph g, Code
28 2019, is amended to read as follows:

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

32 Sec. 105. Section 48A.37, subsection 2, Code 2019, is
33 amended to read as follows:

34 2. Electronic records shall include a status code
35 designating whether the records are active, inactive,

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

23 Sec. 106. NEW SECTION. **48A.39A Voter list maintenance**
24 **reports.**

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

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

34 Sec. 107. Section 260C.14, Code 2019, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 25. Require each graduating student to
2 complete a form created by the state registrar of voters
3 pursuant to section 47.7, subsection 3, prior to graduating.
4 The board shall direct the community college to promptly return
5 the completed forms to the state registrar of voters.

6 Sec. 108. Section 261.2, Code 2019, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 13. Require any postsecondary institution
9 whose students are eligible for or who receive financial
10 assistance under programs administered by the commission to
11 require each graduating student to complete a form created
12 by the state registrar of voters pursuant to section 47.7,
13 subsection 3, prior to graduating. The commission shall
14 require each such postsecondary institution to promptly return
15 the completed forms to the state registrar of voters.

16 Sec. 109. Section 262.9, Code 2019, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 39. Direct the institutions of higher
19 education under its control to require each graduating student
20 to complete a form created by the state registrar of voters
21 pursuant to section 47.7, subsection 3, prior to graduating.
22 The board shall direct each institution to promptly return the
23 completed forms to the state registrar of voters.

24 DIVISION XI

25 BALLOT ORDER

26 Sec. 110. Section 49.31, subsection 1, paragraph b, Code
27 2019, is amended to read as follows:

28 **b.** (1) The commissioner shall determine the order of
29 ~~political parties and nonparty political organizations~~
30 candidates on the ballot as provided in this paragraph. The
31 sequence order shall be the same for each office on the ballot
32 and for each precinct in the county voting in the election.

33 (2) The state commissioner shall compile a list of each
34 county in the state in alphabetical order and assign a number
35 to each county such that the first county listed is number

1 one, the second county listed is number two, and continuing
2 in descending order in the same manner. The commissioner
3 shall put in alphabetical order the top two political parties
4 receiving the highest votes from the most recent election.

5 (3) The commissioner of each county assigned an even number
6 pursuant to subparagraph (2) shall arrange the ballot as
7 follows:

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

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

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

4 (a) The candidates of the second political party by
5 alphabetical order pursuant to subparagraph (2) shall appear
6 first on the ballot for the first general election at which the
7 president of the United States is to be elected following the
8 effective date of this Act and second on the ballot for the
9 first general election at which the governor will be elected
10 following the effective date of this Act and second on the
11 ballot for the second general election at which the president
12 of the United States is to be elected following the effective
13 date of this Act and first on the ballot for the second general
14 election at which the governor will be elected following the
15 effective date of this Act, and thereafter alternating with the
16 candidates of the first political party by alphabetical order
17 pursuant to subparagraph (2).

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

32 (c) The commissioner shall determine the order of
33 candidates of nonparty political organizations on the ballot.
34 The order shall be the same for each office on the ballot and
35 for each precinct in the county voting in the election.

1 Sec. 111. Section 49.31, subsection 2, paragraph b, Code
2 2019, is amended to read as follows:

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

20

DIVISION XII

21

MUNICIPAL ELECTIONS

22 Sec. 112. Section 44.9, subsection 3, Code 2019, is amended
23 to read as follows:

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

27 Sec. 113. Section 50.48, subsection 7, Code 2019, is amended
28 to read as follows:

29 7. If the election is ~~an election held by a city which~~
30 ~~is not the final election for the office in question~~ a city
31 primary election held pursuant to section 376.7, the recount
32 shall progress according to the times provided by this
33 subsection. If this subsection applies the canvass shall be
34 held by the second day after the election, the request for
35 a recount must be made by the third day after the election,

1 the board shall convene to conduct the recount by the sixth
2 day after the election, and the report shall be filed by the
3 ~~eleventh~~ eighth day after the election.

4 Sec. 114. Section 50.48, Code 2019, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 8. When a city council has chosen a runoff
7 election pursuant to section 376.9, the recount shall progress
8 according to the times provided by this subsection. If this
9 subsection applies, the canvass shall be conducted pursuant
10 to section 50.24. The request for a recount must be made
11 by the day after the canvass, and the board shall convene
12 for the first time not later than the first Friday following
13 the canvass. The report shall be filed not later than the
14 fourteenth day after the election.

15 Sec. 115. Section 260C.12, subsection 1, as amended by
16 2017 Iowa Acts, chapter 155, section 2, is amended to read as
17 follows:

18 1. The board of directors of the merged area shall organize
19 at the first regular meeting following the regular school
20 election or at a special meeting called by the secretary of the
21 board to organize the board in advance of the first regular
22 meeting ~~following the regular school election~~ after the canvass
23 for the regular school election. Organization of the board
24 shall be effected by the election of a president and other
25 officers from the board membership as board members determine.
26 The board of directors shall appoint a secretary and a
27 treasurer who shall each give bond as prescribed in section
28 291.2 and who shall each receive the salary determined by the
29 board. The secretary and treasurer shall perform duties under
30 chapter 291 and additional duties the board of directors deems
31 necessary. However, the board may appoint one person to serve
32 as the secretary and treasurer. If one person serves as the
33 secretary and treasurer, only one bond is necessary for that
34 person. The frequency of meetings other than organizational
35 meetings shall be as determined by the board of directors but

1 the president or a majority of the members may call a special
2 meeting at any time.

3 Sec. 116. Section 260C.15, subsection 5, as amended by
4 2017 Iowa Acts, chapter 155, section 4, is amended to read as
5 follows:

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

22 Sec. 117. Section 277.4, subsection 3, Code 2019, is amended
23 to read as follows:

24 3. The secretary of the school board shall accept the
25 petition for filing if on its face it appears to have the
26 requisite number of signatures and if it is timely filed. The
27 secretary of the school board shall note upon each petition
28 and affidavit accepted for filing the date and time that the
29 petition was filed. The secretary of the school board shall
30 deliver all nomination petitions, together with the complete
31 text of any public measure being submitted by the board to the
32 electorate, to the county commissioner of elections on the day
33 following the last day on which nomination petitions can be
34 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

35 Sec. 118. Section 279.1, subsection 1, Code 2019, is amended

1 to read as follows:

2 1. The board of directors of each school corporation shall
3 meet and organize at the first regular meeting or at a special
4 meeting called by the secretary of the board to organize the
5 board in advance of the first regular meeting after the canvass
6 for the regular school election at some suitable place to be
7 designated by the secretary. Notice of the place and hour of
8 the meeting shall be given by the secretary to each member and
9 member-elect of the board.

10 Sec. 119. Section 279.7, subsection 3, Code 2019, is amended
11 to read as follows:

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

20 Sec. 120. Section 376.5, Code 2019, is amended to read as
21 follows:

22 **376.5 Publication of ballot.**

23 Notice containing a copy of the ballot for each regular,
24 special, primary, or runoff city election must be published by
25 the county commissioner of elections as provided in section
26 362.3, except that notice of a regular, primary, or runoff
27 election may be published not less than four days before the
28 date of the election. The published ~~ballot~~ notice must contain
29 the names of all candidates, and may not contain any party
30 designations. The published ~~ballot~~ notice must contain any
31 question to be submitted to the voters.

32 Sec. 121. Section 376.7, Code 2019, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 3. If the city holding a primary
35 election is located in more than one county, the controlling

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

22 Sec. 122. Section 376.9, subsection 1, Code 2019, is amended
23 to read as follows:

24 1. A runoff election may be held only for positions unfilled
25 because of failure of a sufficient number of candidates to
26 receive a majority vote in the regular city election. When a
27 council has chosen a runoff election in lieu of a primary, the
28 county board of supervisors shall publicly canvass the tally
29 lists of the vote cast in the regular city election, following
30 the procedures prescribed in [section 50.24](#), ~~at a meeting to be~~
31 ~~held on the second day following the regular city election, and~~
32 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
33 who do not receive a majority of the votes cast for an office,
34 but who receive the highest number of votes cast for that
35 office in the regular city election, to the extent of twice

1 the number of unfilled positions, are candidates in the runoff
2 election.

3 Sec. 123. 2017 Iowa Acts, chapter 155, section 45, is
4 amended to read as follows:

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

6 1. Notwithstanding the provisions of [section 260C.11](#)
7 designating a term of four years for members of a board of
8 directors of a merged area, the term of office for a seat on a
9 board of directors filled at the regular school election held
10 on:

11 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
12 the board's organizational meeting held pursuant to section
13 260C.12, subsection 1.

14 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
15 the board's organizational meeting held pursuant to section
16 260C.12, subsection 1.

17 2. Notwithstanding the provisions of section 273.8,
18 subsection 1, designating a term of four years for members of
19 a board of directors of an area education agency, the term of
20 office for a seat on a board of directors filled by election
21 in:

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

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

24 3. Notwithstanding the provisions of [section 274.7](#)
25 designating a term of four years for members of a board of
26 directors of a school district, the term of office for a seat
27 on a board of directors filled at the regular school election
28 held on:

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

31 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
32 the board's organizational meeting held pursuant to section
33 279.1.

34
35

DIVISION XIII
ABSENTEE BALLOT COUNTING

1 Sec. 124. Section 49.128, subsection 3, Code 2019, is
2 amended to read as follows:

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

5 Sec. 125. Section 49.128, Code 2019, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 6. The commissioner shall place on
8 file in the commissioner's office a report, and shall file
9 a copy of the report with the state commissioner, regarding
10 absentee ballot tracking and counting no later than December 1
11 following each general election. The report shall be in a form
12 prescribed by the state commissioner.

13 Sec. 126. Section 53.17, subsection 1, paragraph b, Code
14 2019, is amended to read as follows:

15 **b.** The sealed return envelope may be mailed to the
16 commissioner by the registered voter or by the voter's
17 designee. If mailed by the voter's designee, the envelope
18 must be mailed within seventy-two hours of retrieving it from
19 the voter or within time to be postmarked or, if applicable,
20 to have the ~~intelligent-mail~~ postal service barcode traced to
21 a date of entry into the federal mail system not later than
22 the day before the election, as provided in section 53.17A,
23 whichever is earlier.

24 Sec. 127. Section 53.17, subsection 2, Code 2019, is amended
25 to read as follows:

26 2. In order for the ballot to be counted, the return
27 envelope must be received in the commissioner's office before
28 the polls close on election day or be clearly postmarked by an
29 officially authorized postal service or bear ~~an intelligent~~
30 ~~mail~~ a postal service barcode traceable to a date of entry
31 into the federal mail system not later than the day before the
32 election, as provided in section 53.17A, and received by the
33 commissioner not later than noon on the Monday following the
34 election.

35 Sec. 128. Section 53.17, subsection 4, paragraph f, Code

1 2019, is amended to read as follows:

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

13 Sec. 129. NEW SECTION. **53.17A Absentee ballot tracking.**

14 1. For the purposes of this chapter:

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

20 *b.* "*Tracking information database*" means a database
21 administered by the United States postal service that is
22 accessible to the commissioner and contains information
23 regarding letters or flat packages.

24 2. *a.* Prior to implementing for the first time,
25 discontinuing the usage of, or reimplementing the usage
26 of a postal service barcode and tracking information, the
27 commissioner shall send notice to the state commissioner prior
28 to October 1, 2020, for an election taking place in 2020 after
29 that date, and by October 1 of each year thereafter.

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

34 *c.* The state commissioner shall adopt rules regarding
35 the statewide implementation of a postal service barcode and

1 tracking information database, including procedures to be
2 followed when usage of a postal service barcode or the tracking
3 information database is negatively impacted. Each commissioner
4 shall use a postal service barcode and tracking information
5 database consistent with rules of the state commissioner.
6 Every commissioner shall send notice to the state commissioner
7 and implement the use of a postal service barcode and tracking
8 information database prior to October 1, 2020.

9 3. a. An absentee ballot received after the polls close
10 on election day but prior to the official canvass shall be
11 counted if the commissioner determines that the ballot entered
12 the federal mail system by the deadline specified in section
13 53.17 or 53.22. The date of entry of such an absentee ballot
14 into the federal mail system shall only be verified as provided
15 in paragraph "b".

16 b. (1) If the postmark indicates that the absentee ballot
17 entered the federal mail system by the deadline specified
18 in section 53.17 or 53.22, the ballot shall be included for
19 canvass by the absentee and special voters precinct board.

20 (2) If the postmark is illegible, missing, or dated on or
21 after election day, the commissioner shall attempt to verify
22 the ballot's date of entry into the federal mail system by
23 querying the postal service barcode in the tracking information
24 database. If the tracking information database indicates that
25 the absentee ballot entered the federal mail system by the
26 deadline specified in section 53.17 or 53.22, the ballot shall
27 be included for canvass by the absentee and special voters
28 precinct board. The commissioner shall provide a report to
29 the absentee and special voters precinct board regarding the
30 information available in the tracking information database.

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

35 (4) (a) If neither the postmark nor the postal service

1 Sec. 131. Section 53.17, subsection 1, paragraph b, Code
2 2019, as amended by this Act, is amended by striking the
3 paragraph and inserting in lieu thereof the following:

4 *b.* The sealed return envelope may be mailed to the
5 commissioner by the registered voter or by the voter's
6 designee. If mailed by the voter's designee, the envelope must
7 be mailed within seventy-two hours of retrieving it from the
8 voter.

9 Sec. 132. Section 53.17, subsection 2, Code 2019, as
10 amended by this Act, is amended by striking the subsection and
11 inserting in lieu thereof the following:

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

15 Sec. 133. Section 53.17, subsection 4, paragraph f, Code
16 2019, as amended by this Act, is amended by striking the
17 paragraph and inserting in lieu thereof the following:

18 *f.* A statement that the completed absentee ballot will
19 be delivered to the commissioner's office within seventy-two
20 hours of retrieving it from the voter or before the closing of
21 the polls on election day, whichever is earlier, or that the
22 completed absentee ballot will be mailed to the commissioner
23 within seventy-two hours of retrieving it from the voter.

24 Sec. 134. Section 53.22, subsection 6, paragraph b, Code
25 2019, as amended by this Act, is amended by striking the
26 paragraph and inserting in lieu thereof the following:

27 *b.* Absentee ballots voted under this subsection shall be
28 delivered to the commissioner no later than the time the polls
29 are closed on election day. If the ballot is returned by mail
30 the return envelope must be received by the time the polls
31 close.

32 Sec. 135. REPEAL. Section 53.17A, as enacted by this Act,
33 is repealed.

34 Sec. 136. EFFECTIVE DATE. This division of this Act takes
35 effect May 1, 2023.>

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

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON