A BILL FOR

1 An Act relating to the administration of elections, and
2 including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 39.5 Petitions — requirements.

In addition to any other information required by law, a petition relating to any elective office, election, or the administration of elections must include the printed name, signature, address, and phone number of the person responsible for circulating the petition page.

Sec. 2. Section 43.36, Code 2020, is amended to read as follows:

43.36 Australian ballot.

The Australian ballot system as now used in this state, except as herein modified, shall be used at said primary election. The endorsement of the precinct election officials and the county auditor's seal shall appear upon the ballots as provided for general elections. The county auditor's seal shall contain the name of the county, the word "county" which may be abbreviated, and the word "Iowa", and the seal may contain the word "auditor" which may be abbreviated, but shall not contain the name of the county auditor or any elected official.

Sec. 3. Section 48A.30, subsection 1, paragraph a, Code 2020, is amended to read as follows:

a. The registered voter dies. For the purposes of this subsection, the commissioner may accept as evidence of death a notice from the state registrar of vital statistics forwarded by the state registrar of voters, a notice from the federal social security administration, a written statement from a person related to the registered voter within the second degree of consanguinity or first degree of affinity, an obituary in a newspaper or that appears on the internet site of a funeral establishment licensed under chapter 156 or by the proper authority of another state, a written statement from an election official or personal representative of the registered voter's estate, or a notice from the county recorder of the county where the registered voter died.

Sec. 4. Section 49.31, subsection 2, paragraph c, Code 2020,
is amended to read as follows:

c. On the general election ballot the names of candidates for the nonpartisan offices listed in section 39.21 shall be arranged by drawing lots for position. The commissioner shall hold the drawing on the first business day following the deadline for filing of nomination certificates or petitions with the commissioner for the general election pursuant to section 44.4 sixty-eighth day before the general election. If a candidate withdraws, dies, or is removed from the ballot after the ballot position of names has been determined, such candidate's name shall be removed from the ballot, and the order of the remaining names shall not be changed.

Sec. 5. Section 49.51, Code 2020, is amended to read as follows:

49.51 Commissioner to control printing.

The commissioner shall have charge of the printing of the ballots to be used for any election held in the county. The ballot shall include the seal of the county auditor under whose direction the ballot is printed. The county auditor's seal shall contain the name of the county, the word "county" which may be abbreviated, and the word "Iowa", and the seal may contain the word "auditor" which may be abbreviated, but shall not contain the name of the county auditor or any elected official.

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

6. A portion of the ballot shall include the words "Official ballot", the unique identification number or name assigned by the commissioner to the ballot style, the date of the election, and the county auditor's seal of the county of the commissioner who has caused the ballot to be printed pursuant to section 49.51. The county auditor's seal shall contain the name of the county, the word "county" which may be abbreviated, and the word "Iowa", and the seal may contain the word "auditor" which may be abbreviated, but shall not contain the name of the
Sec. 7. Section 49.75, Code 2020, is amended to read as follows:

49.75 Oath.

Before opening the polls, each of the board members shall take the following oath:

I, A. B., do solemnly swear or affirm that I will impartially, and to the best of my knowledge and ability, perform the duties of precinct election official of this election, and will studiously endeavor to prevent fraud, deceit, and abuse in conducting the election.

I understand that as a precinct election official, I have access to certain information that is considered confidential and is protected under Code chapters 22, 48A, and 715C. Due to this protected status, I agree to only release this information in accordance with Iowa law.

Additionally, I understand that the prohibition on sharing confidential information extends before and after the hours that my assigned polling place is open.

Sec. 8. Section 49.78, subsection 4, Code 2020, is amended to read as follows:

4. A person who is registered to vote but is unable to present a form of identification under subsection 2 or 3 may establish identity and residency in the precinct by written oath of a person who is also registered to vote in the precinct. Before signing an oath under this subsection, the attesting registered voter shall present to the precinct election official proof of the voter's identity as provided in subsection 2 or 3. The attesting registered voter's oath shall attest to the stated identity of the person wishing to vote and that the person is a current resident of the precinct. The oath must be signed by the attesting registered voter in the presence of the appropriate precinct election official.

A registered voter who has signed two oaths on election day attesting to a person's identity and residency as provided in
this subsection is prohibited from signing any further oaths as provided in this subsection on that day.

Sec. 9. Section 50.51, subsection 5, Code 2020, is amended to read as follows:

5. In advance of any all other election elections, the state commissioner may shall order an audit of the election in the manner provided in this section.

Sec. 10. Section 53.2, subsection 4, paragraph a, unnumbered paragraph 1, Code 2020, is amended to read as follows:

Each application shall contain To request an absentee ballot, a registered voter shall provide the following information:

Sec. 11. Section 53.2, subsection 4, paragraph b, Code 2020, is amended to read as follows:

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

Sec. 12. Section 53.22, subsection 3, Code 2020, is amended to read as follows:

3. Any registered voter who becomes a patient, tenant, or resident of a hospital, assisted living program, or health care facility in the county where the voter is registered to vote within three days prior to the date of any election after the deadline to make a written application for an absentee ballot pursuant to section 53.2 or on election day may request an absentee ballot during that period or on election day. As an alternative to the application procedure prescribed by section 53.2, the registered voter may make the request directly to the officers who are delivering and returning absentee ballots.
1 under this section. Alternatively, the request may be made by
2 telephone to the office of the commissioner not later than four
3 hours before the close of the polls. If the requester is found
4 to be a registered voter of that county, these officers shall
5 deliver the appropriate absentee ballot to the registered voter
6 in the manner prescribed by this section.
7
8 Sec. 13. Section 53.22, subsection 6, paragraph a, Code
9 2020, is amended to read as follows:
10 a. If the registered voter becomes a patient, tenant, or
11 resident of a hospital, assisted living program, or health
12 care facility outside the county where the voter is registered
13 to vote within three days before the date of any election
14 after the deadline to make a written application for an
15 absentee ballot pursuant to section 53.2 or on election day,
16 the voter may designate a person to deliver and return the
17 absentee ballot. The designee may be any person the voter
18 chooses except that no candidate for any office to be voted
19 upon for the election for which the ballot is requested may
20 deliver a ballot under this subsection. The request for an
21 absentee ballot may be made by telephone to the office of the
22 commissioner not later than four hours before the close of the
23 polls. If the requester is found to be a registered voter of
24 that county, the ballot shall be delivered by mail or by the
25 person designated by the voter. An application form shall be
26 included with the absentee ballot and shall be signed by the
27 voter and returned with the ballot.
28
29 Sec. 14. Section 53.49, Code 2020, is amended to read as
30 follows:
31 53.49 Applicable to armed forces and other citizens.
32 The provisions of this subchapter as to absent voting shall
33 apply only to absent voters in the armed forces of the United
34 States as defined for the purpose of absentee voting in section
35 53.37. The provisions of sections 53.1 through 53.34 53.33
36 shall apply to all other voters not members of the armed forces
37 of the United States.
Sec. 15. Section 99F.7, subsection 11, paragraph a, Code 2020, is amended to read as follows:

a. A license to conduct gambling games in a county shall be issued only if the county electorate approves the conduct of the gambling games as provided in this subsection. The board of supervisors, upon receipt of a valid petition meeting the requirements of section 331.306, and subject to the requirements of paragraph "e", shall direct the commissioner of elections to submit to the registered voters of the county a proposition to approve or disapprove the conduct of gambling games in the county. The proposition shall be submitted at an election held on a date specified in section 39.2, subsection 4, paragraph "a". To be submitted at a general election, the petition must be received by the board of supervisors at least five working days before the last day for candidates for county offices to file nomination papers for the general election pursuant to section 44.4. If a majority of the county voters voting on the proposition favor the conduct of gambling games, the commission may issue one or more licenses as provided in this chapter. If a majority of the county voters voting on the proposition do not favor the conduct of gambling games, a license to conduct gambling games in the county shall not be issued.

Sec. 16. Section 277.4, subsection 4, Code 2020, is amended to read as follows:

4. Any person on whose behalf nomination petitions have been filed under this section may withdraw as a candidate by filing a signed statement to that effect with the secretary at any time prior to 5:00 p.m. on the thirty-fifth day before the election consistent with section 44.9, subsection 5.

Sec. 17. REPEAL. Section 53.34, Code 2020, is repealed. Sec. 18. REPEAL. 2017 Iowa Acts, chapter 155, section 1, is repealed.

Sec. 19. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.
EXPLANATION

The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

This bill relates to the conduct of elections. The bill requires all petitions relating to any elective
office, election, or the administration of elections to include
the printed name, signature, address, and phone number of the
person responsible for circulating each page of the petition.
The bill requires all ballots to include the seal of the
county auditor of the county of the county commissioner of
elections responsible for printing the ballot. The seal of
county auditor shall contain the name of the county, the
word "county", and the word "Iowa", and may contain the word
"auditor". The seal shall not contain the name of the auditor
or any elected official.
The bill allows a county commissioner of registration to
cancel a voter's registration if the commissioner receives
notice of the voter's death from the federal social security
administration.
The bill sets the date for the drawing of lots for the
arrangement of candidates on a nonpartisan ballot to the
sixty-eighth day prior to the general election.
The bill adds provisions regarding the safeguarding of
confidential information to the oath taken by precinct election
officials.
The bill requires a voter who is attesting to the
identity of a registered voter who is unable to produce voter
identification to first provide proof of the attesting voter's
identity.
The bill requires the state commissioner of elections to
order election audits prior to all elections other than general
elections.
The bill requires a county commissioner of elections who
receives an incomplete application for an absentee ballot to
contact the voter and obtain the missing information directly
1 from the voter. The bill removes a provision allowing a county
2 commissioner of elections to obtain such information by the
3 best means available.
4 The bill allows a registered voter who becomes a patient,tenant, or resident of a hospital, assisted living program,
or health care facility in the county where the voter is
7 registered to vote after the deadline for making a written
8 application for an absentee ballot to request an absentee
9 ballot during that period, including election day. Current law
10 allows a person who becomes so confined within three days prior
11 to the date of an election to request an absentee ballot.
12 The bill removes a special deadline for the receipt of
13 petitions for ballot propositions to approve the conduct of
14 gambling games in a county. The bill requires such petitions
15 to be submitted as required for other petitions.
16 The bill changes the withdrawal deadline for candidates for
17 school district office from 35 days before the election to 25
18 days before the election.
19 The bill repeals a section of 2017 Iowa Acts, chapter 155,
20 that was not codified and is inconsistent with current law.
21 The bill removes a provision making the willful false
22 swearing of an affidavit a fraudulent practice. Such conduct
23 remains election misconduct in the first degree.
24 The bill takes effect upon enactment.