

JAN 16 1976

HOUSE FILE 1010

Place On Calendar

By COMMITTEE ON STATE GOVERNMENT

*Sen. State Govt. 1-28-76, Pass 2-4-76*

House File 1010  
State Government  
Doderer, Chairperson  
Redmond  
Nystrom

Passed House, Date 1-22-76 (p. 96) Passed Senate, Date 2-9-76 (p. 321)

Vote: Ayes 74 Nays 19 Vote: Ayes 39 Nays 7

Approved 3-1-76

*Re-passed House per Senate amendment Motion to reconsider filed 2/9 (321)  
2-18-76 (p. 435) " withdrawn 2/16 (447)  
73-18*

# A BILL FOR

1 An Act to permit voters registering under Acts of the Sixty-

2 sixth General Assembly, 1975 Session, chapter eighty-one

3 (81), section forty-seven (47), to send their registration

4 forms to the commissioner's office in an envelope, to

5 require registrants to acknowledge awareness of the penalty

6 for fraudulent registration, to remove the requirement that

7 individuals registering to vote make an affidavit affirming

8 the truth of statements made on the registration form and

9 substitute a statement to the same effect, and providing

10 that this Act shall take effect upon publication.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Acts of the Sixty-sixth General Assembly, 1975  
2 Session, chapter eighty-one (81), section forty-seven (47),  
3 is amended to read as follows:

4 SEC. 47. Chapter forty-eight (48), Code 1975, is amended  
5 by inserting after section forty-eight point two (48.2) the  
6 following new section:

7 NEW SECTION. REGISTRATION BY MAIL. As an alternative  
8 to the method of registration prescribed by section forty-  
9 eight point two (48.2) of the Code, any person entitled to  
10 register under that section may submit a completed voter  
11 registration form to the commissioner of registration in the  
12 person's county of residence by postage paid United States  
13 mail, -postage-paid. A registration form or the envelope  
14 bearing one registration form shall be postmarked by the  
15 twenty-fifth day prior to an election or the registration  
16 will not take effect for that election. Within five working  
17 days after receiving a registration by mail, the commissioner  
18 shall send the registrant a receipt of the registration by  
19 first class mail marked "do not forward". If the receipt  
20 is returned by the postal service the commissioner shall treat  
21 the registration as prescribed by section forty-eight point  
22 thirty-one (48.31), subsection eight (8) of the Code. An  
23 improperly addressed or delivered registration form shall  
24 be forwarded to the appropriate county commissioner of  
25 registration within two working days after it is received  
26 by any other official.

27 Sec. 2. Section forty-eight point six (48.6), subsection  
28 nine (9), Code 1975, as amended by Acts of the Sixty-sixth  
29 General Assembly, 1975 Session, chapter eighty-one (81),  
30 section fifty (50), is amended by striking the subsection  
31 and inserting in lieu thereof the following:

32 9. A statement in substantially the following form:

33 "I state that I am or will be an eligible elector at any  
34 election at which I attempt to vote and that all of the  
35 information I have given upon this voter registration form

1 is true. I hereby authorize cancellation of any prior  
 2 registration to vote in this or any other jurisdiction and  
 3 my eligibility to vote in any jurisdiction where voter  
 4 registration is not required. I am aware that fraudulently  
 5 registering, or attempting to do so, is a felony under Iowa  
 6 law."

7 Sec. 3. Section forty-eight point six (48.6), Code 1975,  
 8 as amended by Acts of the Sixty-sixth General Assembly, 1975  
 9 Session, chapter eighty-one (81), section fifty (50), is  
 10 amended by striking subsection ten (10).

11 Sec. 4. This Act, being deemed of immediate importance,  
 12 shall take effect and be in force from and after its publica-  
 13 tion in The Hawkeye <sup>3/8</sup>, a newspaper published in  
 14 Burlington, Iowa, and in the Muscatine Journal <sup>3/5</sup>, a  
 15 newspaper published in Muscatine, Iowa.

16 EXPLANATION

17 This bill corrects two problems which have arisen in  
 18 connection with the 1975 voter registration by mail  
 19 legislation.

20 The requirement that a registrant complete an affidavit  
 21 (which by definition means it must be notarized) defeated  
 22 much of the purpose of registration by mail. This bill  
 23 substitutes a simple statement for the affidavit. Giving  
 24 false information on a registration to vote remains a crime  
 25 under another section, and the registrant will be required  
 26 to acknowledge awareness of that fact.

27 A number of registrants under the 1975 law mailed their  
 28 registration forms in an envelope, rather than mailing the  
 29 form itself as a postal card. This bill makes it clear that  
 30 such mailing does not invalidate the registration.

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32 *Certification of Publication 3/15 (1152)*

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LSB 3142  
pb/rh/31

H-5015

1 Amend House File 1010 as follows:

2 1. Page 1, by inserting after line 26 the  
3 following:

4 "All voter registration forms designed for use  
5 under this section shall be individually serially  
6 numbered. Any individual who requests and receives  
7 from the commissioner more than one such blank form  
8 shall sign a receipt in a form prescribed by the state  
9 commissioner, upon which shall be recorded the number  
10 of blank forms and the serial number, or the range  
11 of serial numbers from lowest to highest, of the forms  
12 received by the individual signing the receipt."

13 2. Title, line 4, by inserting after the word  
14 "envelope," the words "requiring that voter  
15 registration by mail forms be serially numbered and  
16 that individuals obtaining more than one such blank  
17 form acknowledge receipt thereof by serial number,".

H-5015 FILED - *Withdrawn 1/22* BY SCHROEDER of Pottawattamie  
JANUARY 21, 1976

H-5008

1 Amend House File 1010, page 2, by striking lines  
2 11 through 15 and inserting in lieu thereof the  
3 following:

4 "Sec. 4. This Act, being deemed of immediate  
5 importance, shall take effect and be in force from  
6 and after its publication in The Hawk-Eye, a newspaper  
7 published in Burlington, Iowa, and in the Muscatine  
8 Journal, a newspaper published in Muscatine, Iowa."

H-5008 FILED - *Adopted 1/22* BY MONROE of Des Moines  
JANUARY 20, 1976 DRAKE of Muscatine

H-5032

1 Amend House File 1010 as follows:

2 1. Page 1, line 14, by striking the words "bearing  
3 one registration form" and inserting in lieu thereof  
4 the words "containing one or more registration forms  
5 for the use of individual registrants who are related  
6 to each other within the first degree of consanguinity  
7 or affinity and who reside at the same address".

8 2. Page 1, line 16, by inserting after the word  
9 "election." the words "A separate registration form  
10 shall be signed by each individual registrant."

H-5032 FILED, ~~LOST~~ *Adopted 1/22 (p. 95)* BY HINES of Story  
JANUARY 22, 1976 SCHROEDER of Pottawattamie

H-5013

1 Amend House File 1010 as follows:

2 1. Page 1, line 12, by striking the words  
3 "postage paid".

H-5013 FILED, FAILED (85) BY SCHROEDER of Pottawattamie  
JANUARY 21, 1976

S-5094

1 Amend House File 1010 as amended and passed  
2 by the House, as follows:  
3 1. Page 2, line 6, by adding after the word  
4 "law," the following: "The statement shall carry  
5 the signature of a witness of legal age who resides  
6 in the registrant's precinct and who shall be ident-  
7 ified by his or her home address."

S-5094 FILED & LOST (21-27 p. 301)  
FEBRUARY 6, 1976

BY FORREST V. SCHWENGELS  
WILLIAM N. PLYMAT

S-5099

1 Amend House File 1010 as amended and passed  
2 by the House as follows:  
3 1. Page 2, line 6, by adding after the word  
4 "law." the following: "At the time the registra-  
5 tion is signed by the eligible elector it shall  
6 also be signed by a mobile registrar, employee of  
7 the commissioner's office, or other eligible elec-  
8 tor."

S-5099 FILED & ADOPTED *as amended*  
FEBRUARY 9, 1976 *by 5100 (p. 320)* BY FORREST V. SCHWENGELS  
WILLIAM N. PLYMAT  
CLIFTON C. LAMBORN  
GEORGE R. KINLEY  
MINNETTE DODERER

HOUSE FILE 1010

S-5100

1 Amend S-5099, Schwengels et al. to House File  
2 1010, as amended and passed by the House as follows.  
3 1. Page 1, line 3 by striking the figure "6"  
4 and inserting in lieu thereof the figure "11".

S-5100 FILED & ADOPTED (p. 320)  
FEBRUARY 9, 1976

BY FORREST V. SCHWENGELS

SENATE AMENDMENT TO HOUSE FILE 1010

H-5230

1 Amend House File 1010 as amended and passed  
2 by the House as follows:  
3 1. Page 2, line 11, by adding after the word  
4 "law." the following: "At the time the registra-  
5 tion is signed by the eligible elector it shall  
6 also be signed by a mobile registrar, employee of  
7 the commissioner's office, or other eligible elec-  
8 tor."

H-5230 FILED  
RECEIVED FROM SENATE  
FEBRUARY 17, 1976

*House concurred 2/18 (p. 435)*

## HOUSE FILE 1010

## AN ACT

TO PERMIT VOTERS REGISTERING UNDER ACTS OF THE SIXTY-SIXTH GENERAL ASSEMBLY, 1975 SESSION, CHAPTER EIGHTY-ONE (81), SECTION FORTY-SEVEN (47), TO SEND THEIR REGISTRATION FORMS TO THE COMMISSIONER'S OFFICE IN AN ENVELOPE, TO REQUIRE REGISTRANTS TO ACKNOWLEDGE AWARENESS OF THE PENALTY FOR FRAUDULENT REGISTRATION, TO REMOVE THE REQUIREMENT THAT INDIVIDUALS REGISTERING TO VOTE MAKE AN AFFIDAVIT AFFIRMING THE TRUTH OF STATEMENTS MADE ON THE REGISTRATION FORM AND SUBSTITUTE A STATEMENT TO THE SAME EFFECT, AND PROVIDING THAT THIS ACT SHALL TAKE EFFECT UPON PUBLICATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter eighty-one (81), section forty-seven (47), is amended to read as follows:

SEC. 47. Chapter forty-eight (48), Code 1975, is amended by inserting after section forty-eight point two (48.2) the following new section:

NLW SECTION. REGISTRATION BY MAIL. As an alternative to the method of registration prescribed by section forty-eight point two (48.2) of the Code, any person entitled to register under that section may submit a completed voter registration form to the commissioner of registration in the person's county of residence by postage paid United States mail, postage-paid. A registration form or the envelope containing one or more registration forms for the use of individual registrants who are related to each other within the first degree of consanguinity or affinity and who reside at the same address shall be postmarked by the twenty-fifth day prior to an election or the registration will not take

effect for that election. A separate registration form shall be signed by each individual registrant. Within five working days after receiving a registration by mail, the commissioner shall send the registrant a receipt of the registration by first class mail marked "do not forward". If the receipt is returned by the postal service the commissioner shall treat the registration as prescribed by section forty-eight point thirty-one (48.31), subsection eight (8) of the Code. An improperly addressed or delivered registration form shall be forwarded to the appropriate county commissioner of registration within two working days after it is received by any other official.

Sec. 2. Section forty-eight point six (48.6), subsection nine (9), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter eighty-one (81), section fifty (50), is amended by striking the subsection and inserting in lieu thereof the following:

9. A statement in substantially the following form:

"I state that I am or will be an eligible elector at any election at which I attempt to vote and that all of the information I have given upon this voter registration form is true. I hereby authorize cancellation of any prior registration to vote in this or any other jurisdiction and my eligibility to vote in any jurisdiction where voter registration is not required. I am aware that fraudulently registering, or attempting to do so, is a felony under Iowa law." At the time the registration is signed by the eligible elector it shall also be signed by a mobile registrar, employee of the commissioner's office, or other eligible elector.

Sec. 3. Section forty-eight point six (48.6), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter eighty-one (81), section fifty (50), is amended by striking subsection ten (10).

Sec. 4. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Hawk Eye, a newspaper published in Burlington, Iowa, and in the Muscatine Journal, a newspaper published in Muscatine, Iowa.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1010, Sixty-sixth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved 3/1, 1976

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ROBERT D. RAY  
Governor