

FEB 21 1996  
STATE GOVERNMENT

HOUSE FILE 2296  
BY EDDIE

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the voting powers of certain persons whose  
2 children participate in open enrollment.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*HF 2296*

1 Section 1. Section 48A.5, subsection 2, paragraph d, Code  
2 1995, is amended to read as follows:

3 d. Not Except as provided in section 277.8, not claim the  
4 right to vote in more than one place. A registrant shall be  
5 presumed to revoke any earlier claim of residence for voter  
6 registration purposes.

7 Sec. 2. Section 48A.11, Code 1995, is amended by adding  
8 the following new subsection:

9 NEW SUBSECTION. 3A. In addition to the voter registration  
10 form required under subsection 1, the voter registration  
11 commission shall prescribe by rule an open enrollment voter  
12 registration form for a registered voter who is the parent or  
13 guardian of a child participating in open enrollment pursuant  
14 to section 282.18. In addition to the information required  
15 for the voter registration form in subsection 1, the form  
16 shall also require a listing of the county in which and  
17 address at which the school of attendance of the child is  
18 located and verification of participation in open enrollment  
19 from the school district of attendance of the child.

20 Sec. 3. Section 48A.17, Code 1995, is amended to read as  
21 follows:

22 48A.17 REGISTRATION AT COMMISSIONER'S OFFICE.

23 A person who meets the qualifications to vote may appear in  
24 person at the office of the county commissioner of  
25 registration and apply to register to vote. Notwithstanding  
26 other locations for voter registration provided by law, a  
27 person may submit a completed open enrollment registration  
28 form only at the office of the county commissioner of  
29 registration of the residence of the person. The county  
30 commissioner of registration shall forward a certified copy of  
31 the completed open enrollment registration form to the  
32 respective county commissioner of registration of the county  
33 in which the school of attendance of the child is located, if  
34 different from the county of residence. Except as otherwise  
35 provided in this section, references to voter registration

1 forms in this title include open enrollment voter registration  
2 forms.

3 Sec. 4. Section 49.9, Code 1995, is amended to read as  
4 follows:

5 49.9 PROPER PLACE OF VOTING.

6 No Except as provided in section 277.8, no person shall  
7 vote in any precinct but that of the person's residence.

8 Sec. 5. Section 49.27, Code 1995, is amended by adding the  
9 following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. This section applies to voting  
11 by a parent or guardian of a child participating in open  
12 enrollment under section 282.18, in the manner provided in  
13 section 277.8.

14 Sec. 6. NEW SECTION. 277.8 VOTING BY PARENT OR GUARDIAN  
15 OF OPEN ENROLLMENT CHILD.

16 A parent or guardian of a child participating in open  
17 enrollment pursuant to section 282.18 who has filed an open  
18 enrollment registration form in the manner provided in section  
19 48A.17 may vote in the precinct for the location of the school  
20 in which the child is enrolled on measures authorized in  
21 section 278.1, subsections 1 through 4 and 7 through 9,  
22 unnumbered paragraph 1, and may vote to elect officers of the  
23 district under section 277.1. For all other elections called  
24 by the board of directors of a school district, the parent or  
25 guardian shall vote in the district of residence.

26 EXPLANATION

27 This bill permits the parent or guardian of a child  
28 participating in open enrollment to have the power to vote in  
29 the precinct in which the public school that the child is  
30 enrolled in is located, to (1) direct a change of textbooks,  
31 (2) direct the sale, lease, or other disposition of any  
32 schoolhouse or site or other property belonging to the  
33 corporation, (3) determine additional branches that shall be  
34 taught, (4) instruct the board that school buildings may or  
35 may not be used for meetings of public interest, (5) authorize

1 a change to either five or seven directors of the board, (6)  
2 authorize the establishment or abandonment of director  
3 districts or a change of boundaries of director districts, and  
4 (7) change the name of the school district, without affecting  
5 its corporate existence, rights, or obligations.

6 For all other elections called by the school board, the  
7 parent or guardian shall vote in the district of residence.  
8 The bill requires the voter registration committee to provide  
9 for a new voter registration form for a registered voter who  
10 is the parent or guardian of a child participating in open  
11 enrollment. A person may submit a completed open enrollment  
12 registration form only at the office of the county  
13 commissioner of registration of the residence of the person,  
14 who sends a copy of the registration to the county  
15 commissioner of registration of the county in which the school  
16 of attendance is located.

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