

3-17-95 Do Pass
4/10/95 Referred to Local Gov.

JAN 26 1995

HOUSE FILE 88
BY COON

LOCAL GOVERNMENT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the purchase of voting machines and electronic
2 voting systems by a county.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 88

1 Section 1. Section 52.2, Code 1995, is amended to read as
2 follows:

3 52.2 PURCHASE.

4 The board of supervisors of any county may, by a majority
5 vote, authorize, purchase, and order the use of either voting
6 machines or an electronic voting system in any one or more
7 voting precincts within ~~said~~ the county until otherwise
8 ordered by ~~said~~ the board of supervisors. The board of
9 supervisors shall not purchase voting machines or an
10 electronic voting system that has not first been approved by
11 the board of examiners for voting machines and electronic
12 voting systems pursuant to section 52.5. Voting machines and
13 an electronic voting system may be used concurrently at
14 different precincts within any county, but not at the same
15 precinct.

16 Sec. 2. Section 52.5, unnumbered paragraph 3, Code 1995,
17 is amended to read as follows:

18 The state commissioner may employ a competent person or
19 persons to assist the examiners in their evaluation of the
20 equipment and to advise the examiners as to the sufficiency of
21 the equipment. Consultant fees shall be paid by the person
22 who requested the certification. Following the examination
23 and testing of the voting machine or system the examiners
24 shall report to the state commissioner describing the testing
25 and examination of the machine or system and upon the capacity
26 of the machine or system to register the will of voters, its
27 accuracy and efficiency, and with respect to its mechanical
28 perfections and imperfections. Their report shall be filed in
29 the office of the state commissioner and shall state whether
30 in their opinion the kind of machine or system so examined can
31 be safely used by voters at elections under the conditions
32 prescribed in this chapter. If the report states that the
33 machine or system can be so used, it shall be deemed approved
34 by the examiners, and machines or systems of its kind may be
35 adopted for use at elections as provided in this section. Any

1 form of voting machine or system not so approved cannot be
2 purchased by a county or used at any election. Before actual
3 use by a county of a particular electronic voting system which
4 has been approved for use in this state, the state
5 commissioner shall formulate, with the advice and assistance
6 of the examiners, and adopt rules governing the development of
7 vote counting programs and all procedures used in actual
8 counting of votes by means of that system.

9
EXPLANATION

10 This bill prohibits voting machines and electronic voting
11 systems from being purchased by a county unless first approved
12 by the board of examiners for voting machines and electronic
13 voting systems.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35