

FEB 11 1998  
STATE GOVERNMENT

HOUSE FILE 2231  
BY HEATON

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

**A BILL FOR**

1 An Act relating to voter registration deadlines and voter  
2 registration by mail.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*HF 2231*

1 Section 1. Section 48A.5, subsection 6, Code 1997, is  
2 amended to read as follows:

3 6. The deadlines for voter registration shall not apply to  
4 a person who has been discharged from military service within  
5 thirty sixty days preceding the date of an election. The  
6 person shall present to the precinct election official a copy  
7 of the person's discharge papers. The person shall complete a  
8 voter registration form and give it to the official before  
9 being permitted to vote.

10 Sec. 2. Section 48A.8, Code 1997, is amended to read as  
11 follows:

12 48A.8 REGISTRATION BY MAIL.

13 An eligible elector may register to vote by completing a  
14 mail registration form. The form may be mailed or delivered  
15 by the registrant or the registrant's designee to the  
16 commissioner in the county where the person resides. A  
17 separate registration form shall be signed by each individual  
18 registrant. An eligible elector who registers by mail is  
19 required to vote in person at the polling place at the first  
20 election following registration in which the voter casts a  
21 vote. However, this does not apply to mail registration forms  
22 received from a motor vehicle driver's license station or from  
23 any voter registration agency, to persons voting pursuant to  
24 section 53.22, or to persons voting pursuant to section 53.45.

25 Sec. 3. Section 48A.9, subsection 1, Code 1997, is amended  
26 to read as follows:

27 1. Registration closes at five p.m. eleven thirty days  
28 before each election ~~except-primary-and-general-elections.~~  
29 ~~For-primary-and-general-elections,-registration-closes-at-five~~  
30 ~~p.m.-ten-days-before-the-election.~~ An eligible elector may  
31 register during the time registration is closed in the  
32 elector's precinct but the registration shall not become  
33 effective until registration opens again in the elector's  
34 precinct.

35 Sec. 4. Section 48A.9, subsection 3, Code 1997, is amended

1 to read as follows:

2 3. A registration form submitted by mail shall be  
3 considered on time if it is postmarked no later than the  
4 fifteenth-day thirty-five days before the election, even if it  
5 is received by the commissioner after the deadline, or if the  
6 registration form is received by the commissioner no later  
7 than five p.m. on the last day to register to vote for an  
8 election, even if it is postmarked after the fifteenth thirty-  
9 fifth day before the election.

10 Sec. 5. Section 53.2, unnumbered paragraph 1, Code  
11 Supplement 1997, is amended to read as follows:

12 Any registered voter, under the circumstances specified in  
13 section 53.1, may on any day, except election day, and not  
14 more than seventy days prior to the date of the election,  
15 apply in person for an absentee ballot at the commissioner's  
16 office or at any location designated by the commissioner, or  
17 make written application to the commissioner for an absentee  
18 ballot. The state commissioner shall prescribe a form for  
19 absentee ballot applications. However, if a registered voter  
20 submits an application that includes all of the information  
21 required in this section, the prescribed form is not required.  
22 Absentee ballot applications may include instructions to send  
23 the application directly to the county commissioner of  
24 elections. However, no absentee ballot application shall be  
25 preaddressed or printed with instructions to send the  
26 applications to anyone other than the appropriate  
27 commissioner. If an eligible elector applies in person for an  
28 absentee ballot, the commissioner shall provide the elector  
29 with a voter registration form and shall inform the elector  
30 that the elector will not be allowed to vote absentee until  
31 the voter has voted in person at the polling place.

32 Sec. 6. Section 53.2, unnumbered paragraph 6, Code  
33 Supplement 1997, is amended to read as follows:

34 If an application for an absentee ballot is received from  
35 an eligible elector who is not a registered voter the

1 commissioner shall send a registration form under section  
2 48A.8 ~~and an absentee ballot to the eligible elector. If the~~  
3 ~~application is received so late that it is unlikely that the~~  
4 ~~registration form can be returned in time to be effective on~~  
5 ~~election day,~~ The commissioner shall enclose with the  
6 ~~absentee ballot~~ registration form a notice ~~to that effect,~~  
7 informing the voter of the registration time limits in section  
8 48A.9 and informing the voter that if the elector registers by  
9 mail, the elector will not be allowed to vote absentee until  
10 the voter has voted in person at the polling place. The  
11 commissioner shall record on the elector's application that  
12 the elector is not currently registered to vote. If the  
13 registration form is properly returned by the time provided by  
14 section 48A.9, the commissioner shall record on the elector's  
15 application the date of receipt of the registration form and  
16 enter a notation of the registration on the registration  
17 records.

18 Sec. 7. Section 53.45, subsection 1, Code 1997, is amended  
19 to read as follows:

20 1. As provided in this section, the commissioner shall  
21 provide special absentee ballots to be used for state general  
22 elections. A special absentee ballot shall only be provided  
23 to an eligible elector who completes an application stating  
24 ~~both of the following~~ that to the best of the eligible  
25 elector's belief:

26 a. ~~The~~ the eligible elector will be residing or stationed  
27 or working outside the continental United States.

28 b. ~~The eligible elector will be unable to vote and return~~  
29 ~~a regular absentee ballot by normal mail delivery within the~~  
30 ~~period provided for regular absentee ballots.~~

31 The application for a special absentee ballot shall not be  
32 filed earlier than ninety days prior to the general election.  
33 The special absentee ballot shall list the offices and  
34 measures, if known, scheduled to appear on the general  
35 election ballot. The eligible elector may use the special

1 absentee ballot to write in the name of any eligible candidate  
2 for each office and may vote on any measure.

3 Sec. 8. Section 53.49, Code 1997, is amended to read as  
4 follows:

5 53.49 APPLICABLE TO ARMED FORCES AND OTHER CITIZENS.

6 The provisions of this division as to absent voting shall  
7 apply only to absent voters in the armed forces of the United  
8 States as defined for the purpose of absentee voting in  
9 section 53.37. The provisions of sections 53.1 to 53.36,  
10 shall apply to all other qualified voters not members of the  
11 armed forces of the United States.

12 EXPLANATION

13 This bill provides that an elector who registers to vote by  
14 mail shall not be allowed to vote absentee until the elector  
15 has voted in person at the polling place at the first election  
16 held after registration in which the voter chooses to vote.

17 This does not apply to mail registrations received from a  
18 motor vehicle driver's license station, a voter registration  
19 agency, from confined persons voting absentee, or from persons  
20 working, stationed, or residing outside of the United States  
21 at the time of the election.

22 The bill changes the voter registration deadline to 30 days  
23 before all elections. Currently, the deadline is 10 days  
24 before a general or primary election and 11 days before all  
25 other elections. A corresponding amendment is made to provide  
26 that the registration deadline does not apply to military  
27 personnel discharged within 60 days preceding an election.

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