

FEB 25 1997
STATE GOVERNMENT

HOUSE FILE 353
BY CHIODO

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

A BILL FOR

1 An Act relating to absentee ballots and the canvassing of such
2 ballots.

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 353

1 Section 1. Section 53.18, Code 1997, is amended to read as
2 follows:

3 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION.

4 Upon receipt of the absentee ballot, the commissioner shall
5 at once record the number appearing on the application and
6 return carrier envelope and time of receipt of such ballot
7 and. The commissioner shall open the sealed carrier envelope
8 and remove the affidavit envelope. The commissioner shall
9 attach the elector's application to the unopened affidavit
10 envelope. Absentee ballots shall be stored in a secure place
11 until they are delivered to the absentee and special voters.

12 Sec. 2. Section 53.23, subsections 3, 4, and 6, Code 1997,
13 are amended to read as follows:

14 3. The commissioner shall set the convening time for the
15 board, allowing a reasonable amount of time to complete
16 counting all absentee ballots by ten p.m. on election day.
17 The convening time for the board shall be no earlier than one
18 day before the election. The commissioner may direct the
19 board to meet on the day prior to the election day the board
20 is set to convene solely for the purpose of reviewing the
21 absentee voters' affidavits appearing on the sealed ballot
22 envelopes if in the commissioner's judgment this procedure is
23 necessary due to the number of absentee ballots received, but
24 under no circumstances shall ~~a-sealed-ballot~~ an envelope
25 containing a ballot be opened before the board convenes ~~on~~
26 election-day to count the absentee ballots.

27 4. The room where members of the special precinct election
28 board are engaged in counting absentee ballots ~~during-the~~
29 ~~hours-the-polls-are-open~~ shall be policed so as to prevent any
30 person other than those whose presence is authorized by this
31 subsection from obtaining information about the progress of
32 the count. The only persons who may be admitted to that room
33 are the members of the board, one challenger representing each
34 political party, one observer representing any nonparty
35 political organization or any candidate nominated by petition

1 pursuant to chapter 45 or any other nonpartisan candidate in a
2 city or school election appearing on the ballot of the
3 election in progress, one observer representing persons
4 supporting a public measure appearing on the ballot and one
5 observer representing persons opposed to such measure, and the
6 commissioner or the commissioner's designee. It shall be
7 unlawful for any of these persons to communicate or attempt to
8 communicate, directly or indirectly, information regarding the
9 progress of the count at any time before the polls are closed.

10 6. The special precinct election board shall not release
11 the results of its tabulation on election day until all of the
12 ballots it is required to count on as of that day have been
13 counted, nor release the tabulation of challenged ballots
14 accepted and counted under chapter 50 until that count has
15 been completed.

16 EXPLANATION

17 This bill allows the county commissioner of elections to
18 open, upon receipt, the sealed carrier envelope which carries
19 the affidavit envelope containing an absentee ballot.

20 The bill also allows canvassing of absentee ballots to
21 begin the day before the election. Currently, the canvassing
22 of absentee ballots must begin on election day.

23

24

25

26

27

28

29

30

31

32

33

34

35