

MAR 6 1997
STATE GOVERNMENT

HOUSE FILE 491
BY LAMBERTI

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

A BILL FOR

1 An Act relating to the penalty for commission of an offense
2 pertaining to voting.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 491

1 Section 1. Section 722.4, Code 1997, is amended to read as
2 follows:

3 722.4 BRIBERY OF ELECTOR.

4 A person who offers, promises or gives anything of value or
5 benefit to any elector for the purpose of influencing the
6 elector's vote, in any election authorized by law, or any
7 elector who receives anything of value or any benefit knowing
8 that it was given for such purpose, commits ~~an-aggravated~~
9 misdemeanor a class "D" felony.

10 Sec. 2. Section 722.5, Code 1997, is amended to read as
11 follows:

12 722.5 IMPROPER VOTING.

13 Any person who does any of the following commits a ~~serious~~
14 misdemeanor class "D" felony:

15 1. Votes more than once in any election which may be held
16 by virtue of any law of this state.

17 2. Votes at any election authorized by law, knowing
18 oneself not to be qualified.

19 3. Uses fraudulent identification in order to appear
20 qualified to vote at any election authorized by law, knowing
21 oneself not to be qualified.

22 Sec. 3. Section 722.6, Code 1997, is amended to read as
23 follows:

24 722.6 BRIBERY OF ELECTION OFFICIALS.

25 A person who offers, promises or gives anything of value or
26 any benefit to any precinct election official authorized by
27 law, or to any executive officer attending the same,
28 conditioned on some act done or omitted to be done contrary to
29 the person's official duty in relation to such election,
30 commits ~~an-aggravated-misdemeanor~~ a class "D" felony.

31 Sec. 4. Section 722.7, unnumbered paragraph 1, Code 1997,
32 is amended to read as follows:

33 A precinct election official who knowingly does any of the
34 following commits a ~~serious-misdemeanor~~ class "D" felony:

35 Sec. 5. Section 722.8, Code 1997, is amended to read as

1 follows:

2 722.8 DURESS TO PREVENT VOTING.

3 A person who unlawfully and by force, or threats of force,
4 prevents or endeavors to prevent an elector from giving the
5 elector's vote at any public election commits an-aggravated
6 misdemeanor a class "D" felony.

7 Sec. 6. Section 722.9, Code 1997, is amended to read as
8 follows:

9 722.9 DURESS TO PROCURE VOTING.

10 A person who procures, or endeavors to procure the vote of
11 an elector for or against any candidate or for or against any
12 issue by means of violence, threats of violence or by any
13 means of duress commits an-aggravated-misdemeanor a class "D"
14 felony.

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EXPLANATION

16 This bill changes from serious misdemeanor to class "D"
17 felony the offense of improper voting, including using
18 fraudulent identification to enable a person to vote; and
19 misconduct by an election official.

20 The bill also changes from aggravated misdemeanor to class
21 "D" felony the offense of bribery of an elector, bribery of an
22 election official, and the use of duress to prevent a person
23 from voting or to force a person to cast a vote.

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