

JAN 24 1997
EDUCATION

HOUSE FILE 79
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 school district open enrollment.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 79

1 Section 1. Section 48A.5, subsection 2, paragraph d, Code
2 1997, 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 1997, 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 state 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 1997, 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 1997, 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 1997, 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 and 8, and the
22 portion of subsection 9 relating to a school district name
23 change, and may vote to elect officers of the district under
24 section 277.1. For all other elections called by the board of
25 directors of a school district, the parent or guardian shall
26 vote in the district of residence.

27 EXPLANATION

28 This bill permits the parent or guardian of a child
29 participating in open enrollment to have the power to vote in
30 the precinct in which the public school that the child is
31 enrolled in is located, to (1) direct a change of textbooks,
32 (2) direct the sale, lease, or other disposition of any
33 schoolhouse or site or other property belonging to the
34 corporation, (3) determine additional branches that shall be
35 taught, (4) instruct the board that school buildings may or

1 may not be used for meetings of public interest, (5) authorize
2 a change to either five or seven directors of the board, (6)
3 authorize the establishment or abandonment of director
4 districts or a change of boundaries of director districts, (7)
5 change the name of the school district, without affecting its
6 corporate existence, rights, or obligations, and (8) elect
7 officers of the district.

8 For all other elections called by the school board, the
9 parent or guardian shall vote in the district of residence.

10 The bill requires the voter registration committee to
11 provide for a new voter registration form for a registered
12 voter who is the parent or guardian of a child participating
13 in open enrollment. A person may submit a completed open
14 enrollment registration form only at the office of the county
15 commissioner of registration of the residence of the person,
16 who sends a copy of the registration to the county
17 commissioner of registration of the county in which the school
18 of attendance is located.

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**HOUSE FILE 79
FISCAL NOTE**

A fiscal note for House File 79 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 79 permits the parent or guardian of a child participating in open enrollment to vote in the precinct in which the public school that the child attends is located.

ASSUMPTIONS

1. The revised open enrollment voter registration policy will first be effective for the 1997 regular school election.
2. Record-keeping required by the adoption of HF 79 will be automated and will require substantial changes in the voter record maintenance systems used by the State of Iowa Registrar of Voters and by individual counties.
3. Two-thirds of Iowa counties will use the State of Iowa's voter system. The remaining one-third of Iowa counties will either maintain their own voter systems or use systems provided by independent vendors.
4. Costs associated with modifying the State of Iowa's voter record maintenance system will be funded by the Registrar as part of the Registrar's mandate to provide an operational voter record maintenance system.
5. Counties using systems other than the State of Iowa's voter system will require software changes incurred at the expense of the individual counties.
6. Local school districts will pay certain costs associated with the conduct of school elections. Among the expenses incurred will be printing the ballot and publishing the notice of election, including a sample ballot. House File 79 will increase the costs to local school districts because voters at a single polling place will require one of several different ballots.

FISCAL IMPACT

The estimated FY 1998 cost impact of HF 79 to the State General Fund is \$150,000.

The cost impact to counties could exceed more than \$1.0 million. Local school districts could incur significantly increased printing and publishing expenses.

SOURCES

Department of General Services

(LSB 1227hh, DAA)

FILED FEBRUARY 25, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR