

JAN 13 1999

STATE GOVERNMENT

HOUSE FILE
BY FALLON

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Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to voting by requiring employers to post notice
 2 of an employee's right to be absent from work to vote, by
 3 requiring that absentee ballots be mailed to the voter's
 4 registration address, by prohibiting political persons from
 5 receiving, handling, or delivering absentee ballots, by
 6 amending the requirements for establishment and operation of
 7 satellite absentee voting stations, by requiring notification
 8 concerning payment of postage due on an absentee ballot, and
 9 by requiring the commissioner to record the method of delivery
 10 of absentee ballots.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 47

1 Section 1. Section 49.109, Code 1999, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. An employer shall post notice of
4 the right to be absent from work to vote pursuant to this
5 section and of the process the employee must follow to be
6 allowed an absence from work to vote. The notice must be
7 posted in a location visible and accessible to employees. The
8 notice shall include a statement that no penalty will be
9 assessed against the person and no deduction will be made from
10 the person's regular salary or wages on account of such
11 absence.

12 Sec. 2. Section 53.8, subsection 1, Code 1999, is amended
13 to read as follows:

14 1. Upon receipt of an application for an absentee ballot
15 and immediately after the absentee ballots are printed, the
16 commissioner shall mail an absentee ballot to the applicant
17 within twenty-four hours, except as otherwise provided in
18 subsection 3. The ballot shall be mailed to the applicant at
19 the address listed on the applicant's voter registration,
20 unless the applicant indicates that the applicant is away from
21 the county. The absentee ballot shall be enclosed in an
22 unsealed envelope bearing a serial number and affidavit. The
23 absentee ballot and unsealed envelope shall be enclosed in or
24 with a carrier envelope which bears the same serial number as
25 the unsealed envelope. The absentee ballot, unsealed
26 envelope, and carrier envelope shall be enclosed in a third
27 envelope to be sent to the registered voter.

28 Sec. 3. Section 53.9, Code 1999, is amended to read as
29 follows:

30 53.9 PROHIBITED PERSONS.

31 No A person required to file reports under chapter 56, and
32 no a person acting as an actual or implied agent for a person
33 required to file reports under chapter 56, shall not receive,
34 handle, or deliver absentee ballots on behalf of voters. This
35 prohibition does-not-apply-to precludes such persons from

1 being a voter's designee under section 53.17, and precludes an
2 unvoted ballot from being sent to such a person under section
3 53.2.

4 Sec. 4. Section 53.11, unnumbered paragraph 2, Code 1999,
5 is amended to read as follows:

6 Satellite absentee voting stations shall be established
7 throughout the cities and county at the direction of the
8 commissioner or upon receipt of a petition signed by not less
9 than one-hundred fifty eligible electors requesting that a
10 satellite absentee voting station be established at a location
11 to be described on the petition. A satellite absentee voting
12 station established by petition must be open at least one-day
13 two days for a minimum of six hours each day. A satellite
14 absentee voting station ~~established-at-the-direction-of-the~~
15 ~~commissioner-or-by-petition-may~~ shall remain open until five
16 p.m. on the day before the election.

17 Sec. 5. Section 53.17, subsection 1, Code 1999, is amended
18 to read as follows:

19 1. The sealed carrier envelope may be delivered by the
20 registered voter or the voter's designee to the commissioner's
21 office no later than the time the polls are closed on election
22 day. The person who delivers a carrier envelope to the
23 commissioner's office shall sign a receipt presented by the
24 commissioner. The commissioner shall attach the signed
25 receipt to the carrier envelope.

26 Sec. 6. Section 53.17, subsection 2, unnumbered paragraph
27 1, Code 1999, is amended to read as follows:

28 The sealed carrier envelope may be mailed to the
29 commissioner. The carrier envelope shall indicate that
30 greater postage than ordinary first class mail may be required
31 and that the commissioner will pay any insufficient postage
32 due. The commissioner shall pay any insufficient postage due
33 on a carrier envelope bearing ordinary first class postage and
34 accept the ballot.

35 Sec. 7. Section 53.18, Code 1999, is amended to read as

1 follows:

2 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION.

3 Upon receipt of the absentee ballot, the commissioner shall
4 at once record the number appearing on the application and
5 return carrier envelope, and the time of receipt of such
6 ballot, and whether the ballot was returned by personal
7 delivery by the voter or the voter's designee or by mail. The
8 commissioner shall attach the elector's application to the
9 unopened envelope. Absentee ballots shall be stored in a
10 secure place until they are delivered to the absentee and
11 special voters.

12 EXPLANATION

13 The bill requires an employer to post notice of an
14 employee's right to be absent from work to vote if, because of
15 the employee's work schedule, the employee does not have three
16 consecutive hours away from work in which to vote.

17 The bill also requires that an absentee ballot be mailed to
18 the person's voter registration address unless the person is
19 away from the county.

20 The bill prohibits political persons (i.e., political
21 candidates, their agents, and political parties) from
22 receiving (by mail or in person), handling, or delivering
23 absentee ballots, whether voted or unvoted. The bill also
24 specifically prohibits political persons from being a voter's
25 designee to receive, handle, or deliver the ballot for the
26 voter.

27 The bill changes from 100 to 50 the number of signatures
28 required to establish a satellite absentee voting station.
29 The bill also requires that satellite absentee voting stations
30 be open for at least two days. The stations are to be open
31 until 5 p.m. on the day before the election.

32 The bill requires persons delivering absentee ballots to
33 the election office to sign a receipt that will be attached to
34 the absentee ballot carrier envelope and retained by the
35 election office. The bill also requires the county auditor to

1 record whether a voted absentee ballot was delivered to the
2 election office by mail, voter's designee, or voter.

3 The bill requires that carrier envelopes for absentee
4 ballots contain a statement informing the voter that the
5 commissioner will pay any insufficient postage due on a
6 carrier envelope bearing ordinary first class postage.

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