

FEB 6 2001

STATE GOVERNMENT

HOUSE FILE 204

BY WARNSTADT

Passed House, Date _____ Passed Senate, Date _____

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

Approved _____

A BILL FOR

1 An Act relating to destruction of ballots not voted and providing
2 for the Act's applicability.

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

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HF 204

1 Section 1. Section 50.9, Code 2001, is amended to read as
2 follows:

3 50.9 RETURN OF BALLOTS NOT VOTED.

4 Ballots not voted, or spoiled by voters while attempting to
5 vote, shall be returned by the precinct election officials to
6 the commissioner, and a receipt taken for the ballots. The
7 ballots for a federal office shall be preserved for twenty-two
8 months following ~~elections-for-federal-offices-and-for-six~~
9 ~~months-following-elections-for-all-other-offices~~ the election.
10 The ballots for elections for all other offices shall not be
11 destroyed until the day following the final day to contest the
12 election, or the day after final determination of any pending
13 contest of the election, whichever is later.

14 Sec. 2. APPLICABILITY. This Act applies to elections
15 occurring on or after the effective date of this Act.

16 EXPLANATION

17 Current law provides that ballots not voted or those
18 spoiled by voters in elections for all but federal offices
19 shall be preserved for six months following the election.
20 This bill provides that such ballots for such elections may be
21 destroyed the day following the deadline to contest the
22 election or the day after the final determination of any
23 pending contest of that election, whichever is later. The
24 bill applies to elections occurring on or after the effective
25 date of the bill.

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