

FILED JUN 27

STATE GOVERNMENT  
SENATE FILE 2046

BY GRONSTAL, BOLKCOM,  
and KIBBIE

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the conduct of elections and voter  
2 registration by modifying the age at which an elector is  
3 eligible to register to vote and to vote in a school district  
4 election, providing for special late voter registration to  
5 enable an eligible elector to vote at the polling place on  
6 election day and providing a durational residency requirement  
7 for voting, and allowing ongoing absentee voter status for  
8 general elections.

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

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SF 2046  
STATE GOVERNMENT

1 Section 1. Section 48A.5, subsection 2, paragraph c, Code  
2 2003, is amended to read as follows:

3 c. Be at least eighteen years of age. However, for  
4 purposes of voting in a school district election, an eligible  
5 elector shall be at least seventeen years of age. Completed  
6 registration forms shall be accepted from registrants who are  
7 at least seventeen ~~and-a-half~~ years of age; ~~however, the~~. For  
8 all elections except school district elections, the  
9 registration shall not be effective until the registrant  
10 reaches the age of eighteen.

11 Sec. 2. Section 48A.5, Code 2003, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 3A. If a person is registering under the  
14 provisions of section 48A.9A, the person shall be a resident  
15 of the county in which the election is held for ten days  
16 immediately preceding the election, subject to the provisions  
17 of subsection 3 and section 48A.27, subsection 2, paragraph  
18 "a", subparagraph (3).

19 Sec. 3. Section 48A.9, subsection 1, Code 2003, is amended  
20 to read as follows:

21 1. Registration closes at five p.m. eleven days before  
22 each election except primary and general elections. For  
23 primary and general elections, registration closes at five  
24 p.m. ten days before the election. An eligible elector may  
25 register during the time registration is closed in the  
26 elector's precinct but the registration shall not become  
27 effective until registration opens again in the elector's  
28 precinct unless the elector obtains an affidavit of special  
29 late registration as provided in section 48A.9A.

30 Sec. 4. NEW SECTION. 48A.9A SPECIAL LATE REGISTRATION.

31 1. Notwithstanding the voter registration deadlines in  
32 section 48A.9, an eligible elector may register to vote on any  
33 day after registration has closed in the elector's precinct,  
34 including on election day.

35 2. The commissioner shall record the information required

1 of an eligible elector on the election register for the county  
2 precinct of the eligible elector or shall provide a separate  
3 listing of the information required of an eligible elector to  
4 the county precinct of the eligible elector who registers in  
5 person at the commissioner's office or at any alternative  
6 location designated by the commissioner for special late  
7 registration on any day after registration has closed in the  
8 elector's precinct, including on election day.

9 3. If the commissioner is unable to make available to a  
10 county precinct the information required of an eligible  
11 elector who registers through special late registration  
12 procedures, on the election register of a county precinct or  
13 through the provision of a separate listing of the eligible  
14 electors who register through special late registration  
15 procedures, an eligible elector may obtain from the  
16 commissioner of registration a form of affidavit prescribed by  
17 the state commissioner of elections to serve as evidence of  
18 special late registration. If the affidavit is completed by  
19 the elector and notarized by the commissioner of registration,  
20 the elector is deemed registered under special late  
21 registration procedures and may present the affidavit at the  
22 elector's polling place on election day as proof that the  
23 elector is registered to vote. The election officials of the  
24 elector's precinct shall accept the elector's affidavit of  
25 special late registration and shall proceed as if the  
26 elector's name were listed in the election register.

27 The election officials shall preserve all affidavits  
28 submitted pursuant to this section and forward them to the  
29 commissioner of registration at the time the election register  
30 is returned. A registration under this section is subject to  
31 verification as provided in section 48A.26.

32 4. The commissioner may designate alternative locations,  
33 in addition to the commissioner's office, to provide access to  
34 special late registration procedures. If the precinct polling  
35 place is designated as an alternative location, the

1 commissioner or an employee of the commissioner shall process  
2 special late registrations at a table separate from the  
3 precinct election officials, in order to reduce congestion at  
4 the polling place and to avoid discouraging voters from  
5 casting a ballot.

6 Sec. 5. Section 48A.11, subsection 1, paragraph c, Code  
7 2003, is amended to read as follows:

8 c. The address at which the registrant resides and claims  
9 as the registrant's residence for voting purposes. The  
10 commissioner may require proof of residency if the registrant  
11 is registering pursuant to section 48A.9A. The state  
12 commissioner of elections shall designate which documents are  
13 acceptable to show proof of residency.

14 Sec. 6. Section 48A.26, subsections 1 and 4, Code 2003,  
15 are amended to read as follows:

16 1. Within seven working days of receipt of a voter  
17 registration form or change of information in a voter  
18 registration record the commissioner shall send an  
19 acknowledgment to the registrant at the mailing address shown  
20 on the registration form. However, in the case of special  
21 late registrations, the commissioner shall send the  
22 acknowledgment within ten days of receipt of the special late  
23 registration. The acknowledgment shall be sent by  
24 nonforwardable mail.

25 4. If the acknowledgment is returned as undeliverable by  
26 the United States postal service, the commissioner shall  
27 follow the procedure described in section 48A.29, subsection  
28 1. However, if the acknowledgment mailed for a special late  
29 registration is returned as undeliverable by the postal  
30 service, the commissioner shall cancel the registration and  
31 shall immediately notify the state commissioner of  
32 registration and the county attorney.

33 Sec. 7. Section 48A.26, Code 2003, is amended by adding  
34 the following new subsection:

35 NEW SUBSECTION. 1A. Within ten working days after

1 receiving a special late registration pursuant to section  
2 48A.9A, the commissioner shall send an acknowledgment to the  
3 registrant at the mailing address shown on the registration  
4 form. The acknowledgment shall be sent by nonforwardable  
5 mail.

6 Sec. 8. Section 48A.26, subsection 7, Code 2003, is  
7 amended to read as follows:

8 7. When a person who is at least seventeen ~~and-one-half~~  
9 years of age but less than eighteen years of age registers to  
10 vote, the commissioner shall maintain a record of the  
11 registration so as to clearly indicate that it will not take  
12 effect until the registrant's eighteenth birthday and that the  
13 person is registered and qualifies to vote at any election  
14 held on or after that date. However, for purposes of voting  
15 in a school district election, the registration shall take  
16 effect immediately.

17 Sec. 9. Section 48A.30, subsection 1, Code 2003, is  
18 amended by adding the following new paragraph:

19 NEW PARAGRAPH. g. The acknowledgment of a voter who  
20 registered to vote under the special late registration  
21 provisions is returned pursuant to section 48A.29, subsection  
22 1 or 2.

23 Sec. 10. Section 49.77, Code 2003, is amended by adding  
24 the following new subsection:

25 NEW SUBSECTION. 6. A person whose name does not appear on  
26 the election register of the precinct who registers under  
27 section 48A.9A shall be allowed to cast a ballot and the  
28 precinct election official is not under a duty to require that  
29 the ballot be cast under section 49.81.

30 Sec. 11. Section 49.81, subsection 4, unnumbered paragraph  
31 2, Code 2003, is amended to read as follows:

32 I believe I am a registered voter of this precinct. I  
33 registered to vote in ..... county on or about ..... at  
34 ..... My name at that time was ..... I have not moved to a  
35 different county since that time. I am a United States

1 citizen, at least eighteen years of age or seventeen years of  
2 age in the case of a school district election.

3 .....

4 (signature of voter) (date)

5 Sec. 12. NEW SECTION. 53.3 ONGOING ABSENTEE VOTER.

6 A registered voter applying for an absentee ballot under  
7 section 53.2 using the state commissioner's prescribed form  
8 for absentee ballot applications may request to receive an  
9 absentee ballot for each subsequent general election in which  
10 that person is eligible to vote, and qualifies under section  
11 53.1. The state commissioner shall provide on the prescribed  
12 form a check box for this purpose. For each subsequent  
13 general election, the commissioner shall automatically mail an  
14 absentee ballot to the requesting voter, or automatically  
15 deliver an absentee ballot to a confined person pursuant to  
16 section 53.22. A voter's status as an ongoing absentee voter  
17 shall be terminated upon the request of the voter, by the  
18 commissioner if the voter fails to qualify under section 53.1,  
19 or if the voter fails to vote in a subsequent general  
20 election.

21 Sec. 13. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
22 3, shall not apply to this Act.

23 EXPLANATION

24 This bill relates to the conduct of elections and voter  
25 registration.

26 The bill allows a person at least 17 years of age to  
27 register to vote. The bill also allows an elector who is at  
28 least 17 years of age to vote in school district elections.

29 The bill provides for a special late voter registration  
30 procedure which would enable an eligible elector to vote at  
31 the polling place on election day. The person is required to  
32 have been a resident of the county in which the election is  
33 held for 10 days immediately preceding the election. The  
34 person is also required to show proof of residency when  
35 registering. The state commissioner of elections, i.e., the

1 secretary of state, shall designate which documents are  
2 acceptable to show proof of residency.

3 The bill provides for the issuance of special late  
4 registration affidavits to serve as proof of voting  
5 eligibility if the county commissioner of registration is  
6 unable to make the information required of an eligible elector  
7 available on the election register of a county precinct.

8 The bill requires the county commissioner to mail  
9 acknowledgment to the late registrant within 10 days of  
10 registering. If the acknowledgment is returned as  
11 undeliverable by the postal service, the commissioner is  
12 directed to cancel the registration and immediately notify the  
13 state commissioner of registration and the county attorney.

14 The bill allows an absentee voter to receive absentee  
15 ballots for all subsequent general elections without having to  
16 reapply before each election. A person's status as an ongoing  
17 absentee voter can be terminated by that person, by the county  
18 commissioner of elections if the person fails to qualify as an  
19 absentee voter, or if the voter fails to vote in a subsequent  
20 general election.

21 The bill may include a state mandate as defined in Code  
22 section 25B.3. The bill makes inapplicable Code section  
23 25B.2, subsection 3, which would relieve a political  
24 subdivision from complying with a state mandate if funding for  
25 the cost of the state mandate is not provided or specified.  
26 Therefore, political subdivisions are required to comply with  
27 any state mandate included in the bill.

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