

JAN 13 2006
Place On Calendar

HOUSE FILE 2050
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 501)

Passed House, Date 1/24/06 Passed Senate, Date 2/22/06
Vote: Ayes 96 Nays 0 Vote: Ayes 50 Nays 0
Approved March 2, 2006

A BILL FOR

1 An Act relating to elections by making changes concerning
2 requirements for entrances to certain polling places,
3 arrangement of names on the ballot for nonpartisan offices,
4 and election registers, and including effective and
5 applicability date provisions.

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

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

HF 2050

1 Section 1. Section 49.10, subsection 4, Code 2005, is
2 amended to read as follows:

3 4. No A single room or area of any building or facility
4 ~~shall~~ may be fixed as the polling place for more than one
5 precinct ~~unless there are separate entrances each.~~ The
6 location of each polling place shall be clearly marked within
7 the room or area on the days on which elections are held as
8 the ~~entrance to~~ location of the polling place of a particular
9 precinct, and suitable arrangements ~~are~~ shall be made within
10 the room or area to prevent direct access from the polling
11 place of any precinct to the polling place of any other
12 precinct. When the commissioner has fixed such a polling
13 place for any precinct it shall remain the polling place at
14 all subsequent elections, except elections for which the
15 precinct is merged with another precinct as permitted by
16 section 49.11, until the boundaries of the precinct are
17 changed or the commissioner fixes a new polling place, except
18 that the polling place shall be changed to a point within the
19 boundaries of the precinct at any time not less than sixty
20 days before the next succeeding election that a building or
21 facility suitable for such use becomes available within the
22 precinct.

23 Sec. 2. Section 49.31, subsection 2, unnumbered paragraph
24 2, Code 2005, is amended to read as follows:

25 On the general election ballot the names of candidates for
26 the nonpartisan offices listed in section 39.21 shall be
27 arranged by drawing lots for position. The ~~board of~~
28 ~~supervisors~~ commissioner shall hold the drawing ~~at its first~~
29 meeting on the first business day following the deadline for
30 ~~receipt of objections and withdrawals by candidates~~ filing of
31 nomination certificates or petitions with the commissioner for
32 the general election pursuant to section 44.4.

33 Sec. 3. Section 49.77, subsections 1 and 2, Code 2005, are
34 amended to read as follows:

35 1. The board members of their respective precincts shall

1 have charge of the ballots and furnish them to the voters.
2 Any person desiring to vote shall sign a voter's declaration
3 provided by the officials, in substantially the following
4 form:

5 VOTER'S DECLARATION OF ELIGIBILITY

6 I do solemnly swear or affirm that I am a resident of the
7 precinct, ward or township, city of, county
8 of, Iowa.

9 I am a registered voter. I have not voted and will not
10 vote in any other precinct in said election.

11 I understand that any false statement in this declaration
12 is a criminal offense punishable as provided by law.

13

14 Signature of Voter

15

16 Address

17

18 Telephone

19 Approved:

20

21 Board Member

22 At the discretion of the commissioner, this declaration may
23 be printed on each page of the election register and the voter
24 shall sign the election register next to the voter's printed
25 name. The voter's signature in the election register shall be
26 considered the voter's signed declaration of eligibility
27 affidavit. The state commissioner of elections shall
28 prescribe by rule an alternate method for providing the
29 information in subsection 2 for those counties where the
30 declaration of eligibility is printed in the election
31 register. The state voter registration system shall be
32 designed to allow for the affidavit to be printed on each page
33 of the election register and to allow sufficient space for the
34 voter's signature.

35 2. One of the precinct election officials shall announce

1 the voter's name aloud for the benefit of any persons present
2 pursuant to section 49.104, subsection 2, 3, or 5. Any If the
3 declaration of eligibility is not printed on each page of the
4 election register, any of those persons may upon request view
5 the signed declarations of eligibility and may review the
6 signed declarations on file so long as the person does not
7 interfere with the functions of the precinct election
8 officials. If the declaration of eligibility is printed on
9 the election register, the precinct election official shall
10 make available for viewing a listing of those voters who have
11 signed declarations of eligibility. Any of those persons
12 present pursuant to section 49.104, subsection 2, 3, or 5, may
13 upon request view the listing of those voters who have signed
14 declarations of eligibility, so long as the person does not
15 interfere with the functions of the precinct election
16 officials.

17 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act,
18 being deemed of immediate importance, takes effect upon
19 enactment and applies to elections held after the effective
20 date of this Act.

21 EXPLANATION

22 This bill makes changes relating to the conduct of
23 elections.

24 The bill removes the requirement that a room or area
25 containing a polling place for more than one precinct maintain
26 separate entrances.

27 The bill provides that on general election ballots the
28 names of candidates for nonpartisan offices shall be drawn by
29 lot by the county commissioner of elections, rather than the
30 board of supervisors. The bill also provides that the drawing
31 shall be conducted on the first business day following the
32 deadline for filing candidate nomination certificates or
33 petitions with the county commissioner of elections.

34 The bill allows a county commissioner of elections to print
35 the affidavit of eligibility on each page of the election

1 register, and the signature of the voter in the register next
2 to the voter's printed name serves as that voter's declaration
3 of eligibility. The state commissioner of elections is
4 required to adopt rules providing an alternative method for
5 observers allowed at the polling place to view a listing of
6 those voters who have signed on the election register. The
7 bill also provides that the state voter registration system
8 shall be designed to accommodate affidavits and declarations
9 of eligibility being printed and signed on the election
10 register.

11 The bill takes effect upon enactment and applies to
12 elections held after the effective date.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2050

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 501)

(As Amended and Passed by the House January 24, 2006)

Passed House, Date _____ Passed Senate, Date _____

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

Approved _____

A BILL FOR

1 An Act relating to elections by making changes concerning
2 requirements for entrances to certain polling places,
3 arrangement of names on the ballot for nonpartisan offices,
4 and election registers, and including effective and
5 applicability date provisions.

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

7

8

House Amendments _____

9

10

11

12

13

14

15

16

17

18

19

20

21

1 Section 1. Section 49.10, subsection 4, Code 2005, is
2 amended to read as follows:

3 4. ~~No~~ A single room or area of any building or facility
4 ~~shall~~ may be fixed as the polling place for more than one
5 precinct ~~unless there are separate entrances each.~~ The
6 location of each polling place shall be clearly marked within
7 the room or area on the days on which elections are held as
8 the ~~entrance to~~ location of the polling place of a particular
9 precinct, and suitable arrangements ~~are~~ shall be made within
10 the room or area to prevent direct access from the polling
11 place of any precinct to the polling place of any other
12 precinct. When the commissioner has fixed such a polling
13 place for any precinct it shall remain the polling place at
14 all subsequent elections, except elections for which the
15 precinct is merged with another precinct as permitted by
16 section 49.11, until the boundaries of the precinct are
17 changed or the commissioner fixes a new polling place, except
18 that the polling place shall be changed to a point within the
19 boundaries of the precinct at any time not less than sixty
20 days before the next succeeding election that a building or
21 facility suitable for such use becomes available within the
22 precinct.

23 Sec. 2. Section 49.31, subsection 2, unnumbered paragraph
24 2, Code 2005, is amended to read as follows:

25 On the general election ballot the names of candidates for
26 the nonpartisan offices listed in section 39.21 shall be
27 arranged by drawing lots for position. The ~~board of~~
28 ~~supervisors~~ commissioner shall hold the drawing ~~at its first~~
29 meeting on the first business day following the deadline for
30 ~~receipt of objections and withdrawals by candidates~~ filing of
31 nomination certificates or petitions with the commissioner for
32 the general election pursuant to section 44.4. If a candidate
33 withdraws, dies, or is removed from the ballot after the
34 ballot position of names has been determined, such candidate's
35 name shall be removed from the ballot, and the order of the

1 remaining names shall not be changed.

2 Sec. 3. Section 49.77, subsections 1 and 2, Code 2005, are
3 amended to read as follows:

4 1. The board members of their respective precincts shall
5 have charge of the ballots and furnish them to the voters.
6 Any person desiring to vote shall sign a voter's declaration
7 provided by the officials, in substantially the following
8 form:

9 VOTER'S DECLARATION OF ELIGIBILITY

10 I do solemnly swear or affirm that I am a resident of the
11 precinct, ward or township, city of, county
12 of, Iowa.

13 I am a registered voter. I have not voted and will not
14 vote in any other precinct in said election.

15 I understand that any false statement in this declaration
16 is a criminal offense punishable as provided by law.

17

18 Signature of Voter

19

20 Address

21

22 Telephone

23 Approved:

24

25 Board Member

26 At the discretion of the commissioner, this declaration may
27 be printed on each page of the election register and the voter
28 shall sign the election register next to the voter's printed
29 name. The voter's signature in the election register shall be
30 considered the voter's signed declaration of eligibility
31 affidavit. The state commissioner of elections shall
32 prescribe by rule an alternate method for providing the
33 information in subsection 2 for those counties where the
34 declaration of eligibility is printed in the election
35 register. The state voter registration system shall be

1 designed to allow for the affidavit to be printed on each page
2 of the election register and to allow sufficient space for the
3 voter's signature.

4 2. One of the precinct election officials shall announce
5 the voter's name aloud for the benefit of any persons present
6 pursuant to section 49.104, subsection 2, 3, or 5. Any If the
7 declaration of eligibility is not printed on each page of the
8 election register, any of those persons may upon request view
9 the signed declarations of eligibility and may review the
10 signed declarations on file so long as the person does not
11 interfere with the functions of the precinct election
12 officials. If the declaration of eligibility is printed on
13 the election register, the precinct election official shall
14 make available for viewing a listing of those voters who have
15 signed declarations of eligibility. Any of those persons
16 present pursuant to section 49.104, subsection 2, 3, or 5, may
17 upon request view the listing of those voters who have signed
18 declarations of eligibility, so long as the person does not
19 interfere with the functions of the precinct election
20 officials.

21 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act,
22 being deemed of immediate importance, takes effect upon
23 enactment and applies to elections held after the effective
24 date of this Act.

25
26
27
28
29
30
31
32
33
34
35

**EIGHTY-FIRST GENERAL ASSEMBLY
2006 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

JANUARY 24, 2006

HOUSE FILE 2050

H-8002

1 Amend House File 2050 as follows:

2 1. Page 1, line 32, by inserting after the word
3 and figure "section 44.4." the following: "If a
4 candidate withdraws, dies, or is removed from the
5 ballot after the ballot position of names has been
6 determined, such candidate's name shall be removed
7 from the ballot, and the order of the remaining names
8 shall not be changed."

By JACOBS of Polk
GASKILL of Wapello

H-8002 FILED JANUARY 23, 2006

SUCCESS
SF 2050

HSB 501
STATE GOVERNMENT

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON ELGIN)

Passed House, Date _____ Passed Senate, Date _____

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

Approved _____

A BILL FOR

1 An Act relating to elections by making changes concerning
2 requirements for entrances to certain polling places,
3 arrangement of names on the ballot for nonpartisan offices,
4 and election registers, and including effective and
5 applicability date provisions.

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

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

1 Section 1. Section 49.10, subsection 4, Code 2005, is
2 amended to read as follows:

3 4. No A single room or area of any building or facility
4 ~~shall~~ may be fixed as the polling place for more than one
5 precinct ~~unless-there-are-separate-entrances-each.~~ The
6 location of each polling place shall be clearly marked within
7 the room or area on the days on which elections are held as
8 the ~~entrance-to~~ location of the polling place of a particular
9 precinct, and suitable arrangements ~~are~~ shall be made within
10 the room or area to prevent direct access from the polling
11 place of any precinct to the polling place of any other
12 precinct. When the commissioner has fixed such a polling
13 place for any precinct it shall remain the polling place at
14 all subsequent elections, except elections for which the
15 precinct is merged with another precinct as permitted by
16 section 49.11, until the boundaries of the precinct are
17 changed or the commissioner fixes a new polling place, except
18 that the polling place shall be changed to a point within the
19 boundaries of the precinct at any time not less than sixty
20 days before the next succeeding election that a building or
21 facility suitable for such use becomes available within the
22 precinct.

23 Sec. 2. Section 49.31, subsection 2, unnumbered paragraph
24 2, Code 2005, is amended to read as follows:

25 On the general election ballot the names of candidates for
26 the nonpartisan offices listed in section 39.21 shall be
27 arranged by drawing lots for position. The ~~board-of~~
28 ~~supervisors~~ commissioner shall hold the drawing ~~at-its-first~~
29 meeting on the first business day following the deadline for
30 ~~receipt-of-objections-and-withdrawals-by-candidates~~ filing of
31 nomination certificates or petitions with the commissioner for
32 the general election pursuant to section 44.4.

33 Sec. 3. Section 49.77, subsections 1 and 2, Code 2005, are
34 amended to read as follows:

35 1. The board members of their respective precincts shall

1 have charge of the ballots and furnish them to the voters.
2 Any person desiring to vote shall sign a voter's declaration
3 provided by the officials, in substantially the following
4 form:

5 VOTER'S DECLARATION OF ELIGIBILITY

6 I do solemnly swear or affirm that I am a resident of the
7 precinct, ward or township, city of, county
8 of, Iowa.

9 I am a registered voter. I have not voted and will not
10 vote in any other precinct in said election.

11 I understand that any false statement in this declaration
12 is a criminal offense punishable as provided by law.

13

14 Signature of Voter

15

16 Address

17

18 Telephone

19 Approved:

20

21 Board Member

22 At the discretion of the commissioner, this declaration may
23 be printed on each page of the election register and the voter
24 shall sign the election register next to the voter's printed
25 name. The voter's signature in the election register shall be
26 considered the voter's signed declaration of eligibility
27 affidavit. The state commissioner of elections shall
28 prescribe by rule an alternate method for providing the
29 information in subsection 2 for those counties where the
30 declaration of eligibility is printed in the election
31 register. The state voter registration system shall be
32 designed to allow for the affidavit to be printed on each page
33 of the election register and to allow sufficient space for the
34 voter's signature.

35 2. One of the precinct election officials shall announce

1 the voter's name aloud for the benefit of any persons present
2 pursuant to section 49.104, subsection 2, 3, or 5. Any If the
3 declaration of eligibility is not printed on each page of the
4 election register, any of those persons may upon request view
5 the signed declarations of eligibility and may review the
6 signed declarations on file so long as the person does not
7 interfere with the functions of the precinct election
8 officials. If the declaration of eligibility is printed on
9 the election register, the precinct election official shall
10 make available for viewing a listing of those voters who have
11 signed declarations of eligibility. Any of those persons
12 present pursuant to section 49.104, subsection 2, 3, or 5, may
13 upon request view the listing of those voters who have signed
14 declarations of eligibility, so long as the person does not
15 interfere with the functions of the precinct election
16 officials.

17 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act,
18 being deemed of immediate importance, takes effect upon
19 enactment and applies to elections held after the effective
20 date of this Act.

21 EXPLANATION

22 This bill makes changes relating to the conduct of
23 elections.

24 The bill removes the requirement that a room or area
25 containing a polling place for more than one precinct maintain
26 separate entrances.

27 The bill provides that on general election ballots the
28 names of candidates for nonpartisan offices shall be drawn by
29 lot by the county commissioner of elections, rather than the
30 board of supervisors. The bill also provides that the drawing
31 shall be conducted on the first business day following the
32 deadline for filing candidate nomination certificates or
33 petitions with the county commissioner of elections.

34 The bill allows a county commissioner of elections to print
35 the affidavit of eligibility on each page of the election

1 register, and the signature of the voter in the register next
2 to the voter's printed name serves as that voter's declaration
3 of eligibility. The state commissioner of elections is
4 required to adopt rules providing an alternative method for
5 observers allowed at the polling place to view a listing of
6 those voters who have signed on the election register. The
7 bill also provides that the state voter registration system
8 shall be designed to accommodate affidavits and declarations
9 of eligibility being printed and signed on the election
10 register.

11 The bill takes effect upon enactment and applies to
12 elections held after the effective date.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Bill history text for HF 2051

DATE .
Mnth.DA.YR.

ACTION TEXT

=====
By State Government.

A bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date. Effective 3-01-06.

- Jan. 13 06 Introduced, placed on calendar. H.J. 67.
- Jan. 24 06 Passed House, ayes 95, nays none. H.J. 119.
- Jan. 24 06 Immediate message. H.J. 121.
- Jan. 25 06 Message from House. S.J. 115.
- Jan. 25 06 Read first time, referred to State Government. S.J. 115.
- Jan. 25 06 Subcommittee, Wood, Zieman, Danielson, and Ward. S.J. 124.
- Feb. 06 06 Committee report, recommending passage. S.J. 195.
- Feb. 22 06 Passed Senate, ayes 50, nays none. S.J. 315.
- Feb. 22 06 Immediate message. S.J. 316.
- Feb. 22 06 Message from Senate. H.J. 351.
- Feb. 27 06 Reported correctly enrolled, signed by Speaker and President. H.J. 402.
- Feb. 27 06 Sent to Governor. H.J. 402.
- Mar. 02 06 Signed by Governor. H.J. 452.

HOUSE FILE 2050

AN ACT

RELATING TO ELECTIONS BY MAKING CHANGES CONCERNING
REQUIREMENTS FOR ENTRANCES TO CERTAIN POLLING PLACES,
ARRANGEMENT OF NAMES ON THE BALLOT FOR NONPARTISAN
OFFICES, AND ELECTION REGISTERS, AND INCLUDING
EFFECTIVE AND APPLICABILITY DATE PROVISIONS.

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

Section 1. Section 49.10, subsection 4, Code 2005, is amended to read as follows:

4. No A single room or area of any building or facility shall may be fixed as the polling place for more than one precinct unless-there-are-separate-entrances-each. The location of each polling place shall be clearly marked within the room or area on the days on which elections are held as the entrance-to location of the polling place of a particular precinct, and suitable arrangements are shall be made within the room or area to prevent direct access from the polling place of any precinct to the polling place of any other precinct. When the commissioner has fixed such a polling place for any precinct it shall remain the polling place at all subsequent elections, except elections for which the precinct is merged with another precinct as permitted by section 49.11, until the boundaries of the precinct are changed or the commissioner fixes a new polling place, except that the polling place shall be changed to a point within the boundaries of the precinct at any time not less than sixty days before the next succeeding election that a building or

facility suitable for such use becomes available within the precinct.

Sec. 2. Section 49.31, subsection 2, unnumbered paragraph 2, Code 2005, is amended to read as follows:

On the general election ballot the names of candidates for the nonpartisan offices listed in section 39.21 shall be arranged by drawing lots for position. The ~~board-of supervisors~~ commissioner shall hold the drawing ~~at-its-first meeting on the first business day following the deadline for receipt-of-objections-and-withdrawals-by-candidates~~ filing of nomination certificates or petitions with the commissioner for the general election pursuant to section 44.4. If a candidate withdraws, dies, or is removed from the ballot after the ballot position of names has been determined, such candidate's name shall be removed from the ballot, and the order of the remaining names shall not be changed.

Sec. 3. Section 49.77, subsections 1 and 2, Code 2005, are amended to read as follows:

1. The board members of their respective precincts shall have charge of the ballots and furnish them to the voters. Any person desiring to vote shall sign a voter's declaration provided by the officials, in substantially the following form:

VOTER'S DECLARATION OF ELIGIBILITY

I do solemnly swear or affirm that I am a resident of the precinct, ward or township, city of, county of, Iowa.

I am a registered voter. I have not voted and will not vote in any other precinct in said election.

I understand that any false statement in this declaration is a criminal offense punishable as provided by law.

.....
Signature of Voter
.....
Address

.....
Telephone

Approved:

.....
Board Member

At the discretion of the commissioner, this declaration may be printed on each page of the election register and the voter shall sign the election register next to the voter's printed name. The voter's signature in the election register shall be considered the voter's signed declaration of eligibility affidavit. The state commissioner of elections shall prescribe by rule an alternate method for providing the information in subsection 2 for those counties where the declaration of eligibility is printed in the election register. The state voter registration system shall be designed to allow for the affidavit to be printed on each page of the election register and to allow sufficient space for the voter's signature.

2. One of the precinct election officials shall announce the voter's name aloud for the benefit of any persons present pursuant to section 49.104, subsection 2, 3, or 5. Any if the declaration of eligibility is not printed on each page of the election register, any of those persons may upon request view the signed declarations of eligibility and may review the signed declarations on file so long as the person does not interfere with the functions of the precinct election officials. If the declaration of eligibility is printed on the election register, the precinct election official shall make available for viewing a listing of those voters who have signed declarations of eligibility. Any of those persons present pursuant to section 49.104, subsection 2, 3, or 5, may upon request view the listing of those voters who have signed declarations of eligibility, so long as the person does not interfere with the functions of the precinct election officials.

Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act, being deemed of immediate importance, takes effect upon enactment and applies to elections held after the effective date of this Act.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2050, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor