

JAN 14 2005
STATE GOVERNMENT

HOUSE FILE 65
BY JENKINS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to inspection of final ballot proof copies by
2 candidates for elected office and by judges standing for
3 retention.

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

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HF 65

1 Section 1. Section 43.25, Code 2005, is amended to read as
2 follows:

3 43.25 INSPECTION -- CORRECTION OF ERRORS.

4 Upon receipt of the final ballot proof copies, the
5 commissioner shall notify, in writing, all the candidates
6 named on the ballot that the candidate or the candidate's
7 agent has six business days from the date printed on the
8 notice to inspect the final ballot proof copies. The final
9 ballot proof copies shall be available for inspection at the
10 commissioner's office or on the commissioner's internet
11 website if the commissioner posts the ballot proof copies on
12 the commissioner's internet website. The commissioner shall
13 not return the final ballot proof copies to the printer until
14 after the six-day period expires. The written notification
15 shall be mailed to the candidate's address listed on the
16 affidavit of candidacy.

17 The commissioner shall correct any errors or omissions in
18 the names of candidates and any other errors brought to the
19 commissioner's knowledge before the printing of the ballots.

20 Sec. 2. NEW SECTION. 49.62 INSPECTION PRIOR TO PRINTING
21 OF BALLOTS.

22 1. Upon receipt of the final ballot proof copies, the
23 commissioner shall notify, in writing, all the candidates
24 named on the ballot that the candidate or the candidate's
25 agent has six business days from the date printed on the
26 notice to inspect the final ballot proof copies. The final
27 ballot proof copies shall be available for inspection at the
28 commissioner's office or on the commissioner's internet
29 website if the commissioner posts the ballot proof copies on
30 the commissioner's internet website. The commissioner shall
31 not return the final ballot proof copies to the printer until
32 after the six-day period expires.

33 2. The written notification shall be mailed as follows:

34 a. For candidates for president and vice president,
35 governor and lieutenant governor, to the state party

1 chairperson of the candidate's political party. If a
2 candidate is nominated by a nonparty political organization
3 pursuant to chapter 44 or 45, to the chairperson of the
4 organization. If a candidate is nominated pursuant to chapter
5 45 and is not a candidate of a nonparty political
6 organization, to the candidate's address listed on the
7 affidavit of candidacy.

8 b. For candidates for statewide elected offices not listed
9 in paragraph "a", to the candidate's address listed on the
10 affidavit of candidacy.

11 c. For candidates for representative in the United States
12 house of representatives and for candidates for a seat in the
13 general assembly, to the candidate's address listed on the
14 affidavit of candidacy.

15 d. For county elected offices, to the county party
16 chairperson of the candidate's political party. If a
17 candidate is nominated by a nonparty political organization
18 pursuant to chapter 44 or 45, to the chairperson of the
19 organization. If a candidate is nominated pursuant to chapter
20 45 and is not a candidate of a nonparty political
21 organization, to the candidate's address listed on the
22 affidavit of candidacy.

23 e. For all other offices not listed in paragraphs "a"
24 through "d", to the candidate's address listed on the
25 affidavit of candidacy.

26 3. The commissioner shall correct any errors or omissions
27 in the names of candidates and any other errors brought to the
28 commissioner's knowledge before the printing of the ballots.

29 4. Judges standing for retention on the ballot shall be
30 notified by the state commissioner of elections that the final
31 ballot proof copies are available for inspection on the state
32 commissioner's internet website. The state commissioner shall
33 correct any errors or omissions in the names of judges
34 standing for retention and any other errors brought to the
35 commissioner's knowledge before the printing of the ballots.

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EXPLANATION

This bill provides that the county commissioner of elections is to make final ballot proof copies available for inspection by a candidate named on the ballot or by a candidate's agent. The bill requires the commissioner to provide written notification that the ballots are available for inspection for six days after the date of the notice. The bill provides that the ballot proof copies shall be available for inspection at the commissioner's office or on the commissioner's internet website if the commissioner posts the ballot proof copies on the commissioner's internet website.

The bill also requires the state commissioner of elections to notify judges standing for retention that the final ballot proof copies are available for inspection on the state commissioner's internet website.

The bill provides that any errors or omissions brought to the attention of the county or state commissioner, as applicable, shall be corrected before the printing of the ballots.