

Senate Study Bill 3007

SENATE FILE \_\_\_\_\_
BY (PROPOSED COMMITTEE
ON STATE GOVERNMENT
BILL BY CO=CHAIRPERSONS
HORN and McKIBBEN)

Passed Senate, Date \_\_\_\_\_ Passed House, 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 TLSB 5039SC 81
8 sc/sh/8

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1 1 Section 1. Section 49.10, subsection 4, Code 2005, is
1 2 amended to read as follows:
1 3 4. ~~No~~ A single room or area of any building or facility
1 4 ~~shall may~~ be fixed as the polling place for more than one
1 5 precinct ~~unless there are separate entrances each.~~ The
1 6 location of each polling place shall be clearly marked within
1 7 ~~the room or area~~ on the days on which elections are held as
1 8 ~~the entrance to location of~~ the polling place of a particular
1 9 precinct, and suitable arrangements ~~are~~ shall be made within
1 10 the room or area to prevent direct access from the polling
1 11 place of any precinct to the polling place of any other
1 12 precinct. When the commissioner has fixed such a polling
1 13 place for any precinct it shall remain the polling place at
1 14 all subsequent elections, except elections for which the
1 15 precinct is merged with another precinct as permitted by
1 16 section 49.11, until the boundaries of the precinct are
1 17 changed or the commissioner fixes a new polling place, except
1 18 that the polling place shall be changed to a point within the
1 19 boundaries of the precinct at any time not less than sixty
1 20 days before the next succeeding election that a building or
1 21 facility suitable for such use becomes available within the
1 22 precinct.

1 23 Sec. 2. Section 49.31, subsection 2, unnumbered paragraph
1 24 2, Code 2005, is amended to read as follows:
1 25 On the general election ballot the names of candidates for
1 26 the nonpartisan offices listed in section 39.21 shall be
1 27 arranged by drawing lots for position. ~~The board of~~
1 28 ~~supervisors commissioner~~ shall hold the drawing ~~at its first~~
1 29 ~~meeting on the first business day~~ following the deadline for
1 30 ~~receipt of objections and withdrawals by candidates~~ filing of
1 31 nomination certificates or petitions with the commissioner for
1 32 the general election pursuant to section 44.4.

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

1 35 1. The board members of their respective precincts shall
2 1 have charge of the ballots and furnish them to the voters.
2 2 Any person desiring to vote shall sign a voter's declaration
2 3 provided by the officials, in substantially the following
2 4 form:

VOTER'S DECLARATION OF ELIGIBILITY

2 6 I do solemnly swear or affirm that I am a resident of the
2 7 .... precinct, .... ward or township, city of ....., county
2 8 of ....., Iowa.
2 9 I am a registered voter. I have not voted and will not
2 10 vote in any other precinct in said election.
2 11 I understand that any false statement in this declaration
2 12 is a criminal offense punishable as provided by law.
2 13 .....

2 14 Signature of Voter  
2 15 .....  
2 16 Address  
2 17 .....  
2 18 Telephone

2 19 Approved:  
2 20 .....

2 21 Board Member

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

2 35 2. One of the precinct election officials shall announce  
3 1 the voter's name aloud for the benefit of any persons present  
3 2 pursuant to section 49.104, subsection 2, 3, or 5. Any If the  
3 3 declaration of eligibility is not printed on each page of the  
3 4 election register, any of those persons may upon request view  
3 5 the signed declarations of eligibility and may review the  
3 6 signed declarations on file so long as the person does not  
3 7 interfere with the functions of the precinct election  
3 8 officials. If the declaration of eligibility is printed on  
3 9 the election register, the precinct election official shall  
3 10 make available for viewing a listing of those voters who have  
3 11 signed declarations of eligibility. Any of those persons  
3 12 present pursuant to section 49.104, subsection 2, 3, or 5, may  
3 13 upon request view the listing of those voters who have signed  
3 14 declarations of eligibility, so long as the person does not  
3 15 interfere with the functions of the precinct election  
3 16 officials.

3 17 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act,  
3 18 being deemed of immediate importance, takes effect upon  
3 19 enactment and applies to elections held after the effective  
3 20 date of this Act.

#### 3 21 EXPLANATION

3 22 This bill makes changes relating to the conduct of  
3 23 elections.

3 24 The bill removes the requirement that a room or area  
3 25 containing a polling place for more than one precinct maintain  
3 26 separate entrances.

3 27 The bill provides that on general election ballots the  
3 28 names of candidates for nonpartisan offices shall be drawn by  
3 29 lot by the county commissioner of elections, rather than the  
3 30 board of supervisors. The bill also provides that the drawing  
3 31 shall be conducted on the first business day following the  
3 32 deadline for filing candidate nomination certificates or  
3 33 petitions with the county commissioner of elections.

3 34 The bill allows a county commissioner of elections to print  
3 35 the affidavit of eligibility on each page of the election  
4 1 register, and the signature of the voter in the register next  
4 2 to the voter's printed name serves as that voter's declaration  
4 3 of eligibility. The state commissioner of elections is  
4 4 required to adopt rules providing an alternative method for  
4 5 observers allowed at the polling place to view a listing of  
4 6 those voters who have signed on the election register. The  
4 7 bill also provides that the state voter registration system  
4 8 shall be designed to accommodate affidavits and declarations  
4 9 of eligibility being printed and signed on the election  
4 10 register.

4 11 The bill takes effect upon enactment and applies to  
4 12 elections held after the effective date.

4 13 LSB 5039SC 81

4 14 sc:rj/sh/8