

House File 2367 - Introduced

HOUSE FILE _____
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 2132)

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

A BILL FOR

1 An Act relating to the tally of absentee votes by precinct at
2 certain elections.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5273HV 82
5 sc/nh/5

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1 1 Section 1. Section 49.31, subsection 7, Code 2007, is
1 2 amended to read as follows:
1 3 7. For the purpose of ballot rotation in primary and
1 4 general elections, the absentee ballot and special voters
1 5 precinct shall not be considered a separate precinct for those
1 6 precincts in which a separate tally of absentee votes by
1 7 resident precinct is required. For the purpose of ballot
1 8 rotation in all other elections the absentee ballot and
1 9 special voters precinct may be considered a separate precinct.
1 10 Sec. 2. Section 49.57, Code Supplement 2007, is amended by
1 11 adding the following new subsection:
1 12 NEW SUBSECTION. 8. Absentee ballots counted by hand or
1 13 entered onto voting machines pursuant to section 53.24 shall
1 14 include the resident precinct number of the absentee voter.
1 15 If absentee voting is conducted by means of an optical scan
1 16 voting system, the ballots shall be coded with the resident
1 17 precinct number of the absentee voter. This subsection
1 18 applies to absentee ballots cast in primary and general
1 19 elections. However, this subsection does not apply to any
1 20 precinct for which ten or fewer absentee ballot requests were
1 21 received in the preceding general election.
1 22 Sec. 3. Section 52.33, subsection 1, Code Supplement 2007,
1 23 is amended to read as follows:
1 24 1. In any county in which the board of supervisors has
1 25 adopted voting by means of an optical scan voting system, the
1 26 commissioner shall also conduct absentee voting by use of such
1 27 a system. In any other county, the commissioner may with
1 28 approval of the board of supervisors conduct absentee voting
1 29 by use of an optical scan voting system. All provisions of
1 30 chapter 53 shall apply to such absentee voting, so far as
1 31 applicable. In counties where absentee voting is conducted by
1 32 use of an optical scan voting system, the special precinct
1 33 counting board shall, at the time required by chapter 53,
1 34 prepare absentee ballots for tabulation in the manner
1 35 prescribed by this chapter. For primary and general
2 1 elections, in counties where absentee voting is conducted by
2 2 use of an optical scan voting system, the tabulating device
2 3 shall be programmed to produce a report showing the resident
2 4 precinct of the absentee voter for those precincts in which a
2 5 separate tally of absentee votes by resident precinct is
2 6 required.
2 7 Sec. 4. Section 53.23, subsection 2, Code Supplement 2007,
2 8 is amended to read as follows:
2 9 2. a. The board's powers and duties shall be the same as
2 10 those provided in chapter 50 for precinct election officials
2 11 in regular precinct polling places. However, the election
2 12 board of the special precinct shall receive from the
2 13 commissioner and count all absentee ballots for all precincts
2 14 in the county; when two or more political subdivisions in the
2 15 county hold elections simultaneously the special precinct
2 16 election board shall count absentee ballots cast in all of the
2 17 elections so held. The tally list shall be recorded on forms
2 18 prescribed by the state commissioner.

2 19 b. For primary and general elections, the board shall
2 20 record a separate tally of the votes for each candidate by
2 21 resident precinct of the absentee voter for those precincts in
2 22 which a separate tally of absentee votes by resident precinct
2 23 is required. A separate tally of absentee votes by resident
2 24 precinct is required for any precinct for which more than ten
2 25 absentee ballot requests were received in the preceding
2 26 general election. The separate tally list shall be on a form
2 27 prescribed by the state commissioner and, upon request, shall
2 28 be made available for public inspection.

2 29 EXPLANATION

2 30 This bill provides that, for primary and general elections,
2 31 the absentee ballot and special voters precinct board shall
2 32 record a separate tally of votes by resident precinct of the
2 33 absentee voter in those precincts that received more than 10
2 34 absentee ballot requests in the preceding general election.
2 35 The separate tally shall be available for public inspection
3 1 upon request.
3 2 LSB 5273HV 82
3 3 sc/nh/5