

House File 71

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

A BILL FOR

1 An Act making changes relating to voting machines and requiring
2 that direct recording electronic voting machines used in the
3 state produce paper records to be verified by voters.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1607HH 82
6 sc/je/5

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1 1 Section 1. Section 52.7, Code 2007, is amended by striking
1 2 the section and inserting in lieu thereof the following:
1 3 52.7 CONSTRUCTION OF MACHINE APPROVED == REQUIREMENTS.
1 4 1. A voting machine approved by the state board of
1 5 examiners for voting machines and electronic voting systems
1 6 shall meet all of the following requirements:
1 7 a. Provide facilities for voting for the candidates of at
1 8 least seven different political parties or nonparty political
1 9 organizations.
1 10 b. Permit a voter to vote for any person for any office,
1 11 although not nominated as a candidate by any party or
1 12 organization.
1 13 c. Permit voting in absolute secrecy.
1 14 d. Prevent voting for more than one person for the same
1 15 office, except where a voter is lawfully entitled to vote for
1 16 more than one person for that office.
1 17 e. Afford a voter an opportunity to vote for any or all
1 18 persons for that office as the voter is by law entitled to
1 19 vote for and no more, at the same time preventing a voter from
1 20 voting for the same person twice.
1 21 f. Provide a voter with an opportunity to change a vote
1 22 before the ballot is recorded and counted.
1 23 g. Present together the names of each team of candidates
1 24 for president and vice president and for governor and
1 25 lieutenant governor. The votes for a team shall be counted as
1 26 a vote for both candidates of the team.
1 27 h. Provide a voter with a method for casting write-in
1 28 votes for paired offices so that the voter can specify one
1 29 person as a candidate for president or for governor and one
1 30 person as a candidate for vice president or for lieutenant
1 31 governor.
1 32 i. Accurately account for every vote cast upon it.
1 33 j. Remove information from the ballot identifying the
1 34 voter before the ballot is recorded and counted.
1 35 2. In addition to the requirements in subsection 1, a
2 1 voting machine that is a direct recording electronic device
2 2 approved by the state board of examiners for voting machines
2 3 and electronic voting systems shall meet all of the following
2 4 requirements:
2 5 a. Permit straight party voting, pursuant to section
2 6 49.94, for all political parties and nonparty political
2 7 organizations on the ballot.
2 8 b. Store an electronic image of each ballot cast separate
2 9 from the ballot tabulation function, which ballot image shall
2 10 be reproduced on paper and considered as evidence in the case
2 11 of a recount, manual audit, or machine malfunction. This
2 12 printed ballot image shall be the official record for use in a
2 13 recount. If the paper record used as evidence in a recount or
2 14 manual audit is printed on a continuous paper roll, the
2 15 recount board shall cut the paper roll into separate sections
2 16 for each ballot record, or randomly for groups of ballot
2 17 records, before conducting the recount or manual audit. The
2 18 printed ballot image shall be sealed in the manner, and for

2 19 the time period, prescribed in section 50.12. The state
2 20 commissioner of elections shall adopt rules to implement this
2 21 paragraph.

2 22 c. Provide a paper record for review by the voter as
2 23 provided in section 52.7A.

2 24 Sec. 2. NEW SECTION. 52.7A DIRECT RECORDING ELECTRONIC
2 25 DEVICES == PAPER RECORD REQUIRED.

2 26 1. A voting machine that is a direct recording electronic
2 27 device shall be capable of producing a paper record that the
2 28 voter may review before the voter casts the voter's ballot.

2 29 The paper record shall meet all of the following requirements:

2 30 a. Be printed on paper separate from all other paper
2 31 records.

2 32 b. Be readable by the voter without the use of an
2 33 electronic device. It may also be machine-readable by an
2 34 electronic voting system as described in section 52.26.

2 35 c. Not contain any information that will identify the
3 1 person who cast the ballot.

3 2 d. Be stored at the polling place in a secure container.

3 3 A voter shall not be permitted to remove the paper record from
3 4 the polling place.

3 5 2. After the polls close, the precinct election officials
3 6 shall seal all such paper records in the manner, and for the
3 7 time period, prescribed in section 50.12.

3 8 EXPLANATION

3 9 This bill rewrites the Code section relating to
3 10 requirements for voting machines in use in the state by
3 11 listing the requirements for voting machines generally and
3 12 listing the requirements that apply specifically to voting
3 13 machines that are direct recording electronic devices (DRE).

3 14 The bill requires that a DRE device be capable of storing
3 15 an electronic image of each ballot cast which can be
3 16 reproduced in cases of a recount, manual audit, or machine
3 17 malfunction. The bill also requires that a voting machine
3 18 that is a direct recording electronic device be capable of
3 19 producing a paper record for review by the voter before the
3 20 voter's ballot is cast. The bill further provides that the
3 21 individual paper records and the ballot images are to be
3 22 preserved by the county commissioner of elections for 22
3 23 months following federal elections and for six months
3 24 following all other elections.

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