

# House Study Bill 178

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON JOCHUM)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

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

PAG LIN

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.

3 25 LSB 1607HC 82

3 26 sc:nh/je/5