

House File 2032 - Introduced

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BY M. SMITH

A BILL FOR

1 An Act relating to absentee ballot delivery to certain health
2 care facilities and hospitals.

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

1 Section 1. Section 53.2, subsection 2, Code 2014, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* Absentee ballot applications shall
4 include the following questions in substantially the following
5 form:

6 RESIDENT OR PATIENT IN A HEALTH CARE FACILITY OR HOSPITAL

7 1. Are you a resident or patient in a health care facility
8 or hospital?

9 Yes

10 No

11 2. If yes, how would you like your absentee ballot
12 delivered?

13 I request delivery from two special precinct election
14 officers.

15 I request delivery by mail.

16 Sec. 2. Section 53.8, subsection 3, paragraph b, Code 2014,
17 is amended to read as follows:

18 *b.* (1) If the application is received more than five days
19 before the ballots are printed and the commissioner has elected
20 to have the ballots personally delivered during the ten-day
21 period after the ballots are printed, the commissioner shall
22 mail to the applicant, if the applicant has not requested that
23 the absentee ballot be delivered by mail pursuant to section
24 53.22, subsection 1, paragraph "a", subparagraph (1A), within
25 twenty-four hours a letter in substantially the following form:

26 Your application for an absentee ballot for the election
27 to be held on has been received. This ballot will
28 be personally delivered to you by a bipartisan team sometime
29 during the ten days after the ballots are printed. If you will
30 not be at the address from which your application was sent
31 during any or all of the ten-day period immediately following
32 the printing of the ballots, the ballot will be personally
33 delivered to you sometime during the fourteen days preceding
34 the election. If you will not be at the address from which
35 your application was sent during either of these time periods,

1 contact this office and arrangements will be made to have your
2 absentee ballot delivered at a time when you will be present at
3 that address.

4 (2) If the application is received more than fourteen
5 calendar days before the election and the commissioner has not
6 elected to mail absentee ballots to applicants as provided
7 under section 53.22, subsection 3, and has not elected to have
8 the absentee ballots personally delivered during the ten-day
9 period after the ballots are printed, the commissioner shall
10 mail to the applicant, if the applicant has not requested that
11 the absentee ballot be delivered by mail pursuant to section
12 53.22, subsection 1, paragraph "a", subparagraph (1A), within
13 twenty-four hours a letter in substantially the following form:

14 Your application for an absentee ballot for the election
15 to be held on has been received. This ballot will
16 be personally delivered to you by a bipartisan team sometime
17 during the fourteen days preceding the election. If you will
18 not be at the address from which your application was sent
19 during any or all of the fourteen-day period immediately
20 preceding the election, contact this office and arrangements
21 will be made to have your absentee ballot delivered at a time
22 when you will be present at that address.

23 Sec. 3. Section 53.22, subsection 1, paragraph a,
24 subparagraph (1), Code 2014, is amended to read as follows:

25 (1) A registered voter who has applied for an absentee
26 ballot, in a manner other than that prescribed by section
27 53.10 or 53.11, and who is a resident or patient in a health
28 care facility or hospital located in the county to which
29 the application has been submitted shall be delivered the
30 appropriate absentee ballot by two special precinct election
31 officers, one of whom shall be a member of each of the
32 political parties referred to in section 49.13, who shall be
33 appointed by the commissioner from the election board panel
34 for the special precinct established by section 53.20. The
35 special precinct election officers shall be sworn in the manner

1 provided by section 49.75 for election board members, shall
2 receive compensation as provided in section 49.20, and shall
3 perform their duties during the ten calendar days after the
4 ballots are printed if the commissioner so elects, during the
5 fourteen calendar days preceding the election, and on election
6 day if all ballots requested to be personally delivered under
7 section 53.8, subsection 3, have not previously been delivered
8 and returned.

9 Sec. 4. Section 53.22, subsection 1, paragraph a, Code 2014,
10 is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (1A) Notwithstanding subparagraph (1)
12 and subsection 3, the commissioner shall, if the applicant so
13 requests, have the absentee ballot delivered by mail, and the
14 commissioner shall proceed under section 53.8, subsections 1
15 and 2.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 Under current law, a resident or patient of a health care
20 facility or hospital who makes application for an absentee
21 ballot is, in most circumstances, delivered the ballot by two
22 special precinct election officials appointed by the county
23 commissioner of elections. This bill allows an applicant who
24 is a resident or patient of a health care facility or hospital
25 to request mail delivery or personal delivery of the ballot.
26 The bill requires that form applications for an absentee ballot
27 include certain questions related to whether the applicant is
28 a resident or patient in a health care facility or hospital
29 and the applicant's preferred method of ballot delivery if
30 the applicant is such a resident or patient. The bill makes
31 corresponding changes related to certain letter notifications
32 sent by the commissioner to an applicant who is a resident of a
33 hospital or health care facility.