

**House File 62 - Introduced**

HOUSE FILE 62

BY M. SMITH

**A BILL FOR**

1 An Act relating to delivery of absentee ballots to veterans who  
2 are residents or patients of certain health care facilities  
3 and hospitals.

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

1 Section 1. Section 53.2, subsection 2, Code 2013, 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. Are you a military veteran?

12  Yes

13  No

14 3. If you answered "yes" to both questions, how would you  
15 like your absentee ballot delivered?

16  I request delivery and assistance from two special precinct  
17 election officers.

18  I request delivery by mail.

19 Sec. 2. Section 53.8, subsection 3, paragraph b, Code 2013,  
20 is amended to read as follows:

21 *b.* (1) If the application is received more than five days  
22 before the ballots are printed and the commissioner has elected  
23 to have the ballots personally delivered during the ten-day  
24 period after the ballots are printed, the commissioner shall  
25 mail to the applicant, if the applicant has not requested that  
26 the absentee ballot be delivered by mail pursuant to section  
27 53.22, subsection 1, paragraph "a", subparagraph (1A), within  
28 twenty-four hours a letter in substantially the following form:

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

1 delivered to you sometime during the fourteen days preceding  
2 the election. If you will not be at the address from which  
3 your application was sent during either of these time periods,  
4 contact this office and arrangements will be made to have your  
5 absentee ballot delivered at a time when you will be present at  
6 that address.

7 (2) If the application is received more than fourteen  
8 calendar days before the election and the commissioner has not  
9 elected to mail absentee ballots to applicants as provided  
10 under section 53.22, subsection 3, and has not elected to have  
11 the absentee ballots personally delivered during the ten-day  
12 period after the ballots are printed, the commissioner shall  
13 mail to the applicant, if the applicant has not requested that  
14 the absentee ballot be delivered by mail pursuant to section  
15 53.22, subsection 1, paragraph "a", subparagraph (1A), within  
16 twenty-four hours a letter in substantially the following form:

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

26 Sec. 3. Section 53.22, subsection 1, paragraph a, Code 2013,  
27 is amended by adding the following new subparagraph:

28 NEW SUBPARAGRAPH. (1A) (a) Notwithstanding subparagraph  
29 (1) and subsection 3, the commissioner shall, if the applicant  
30 so requests and if the applicant is a veteran as defined in  
31 section 35.1, have the absentee ballot delivered by mail and  
32 the commissioner shall proceed under section 53.8, subsections  
33 1 and 2.

34 (b) The department of veterans affairs shall assist the  
35 commissioner by providing eligibility determinations and other

1 assistance requested by the commissioner.

2

EXPLANATION

3 Under current law, a resident or patient of a health care  
4 facility or hospital who makes application for an absentee  
5 ballot is, in most circumstances, delivered the ballot by  
6 two special precinct election officials appointed by the  
7 county commissioner of elections. This bill requires that  
8 form applications for an absentee ballot include certain  
9 questions related to whether the applicant is a resident  
10 or patient in a health care facility or hospital, military  
11 veteran status, and the applicant's preferred method of ballot  
12 delivery if the applicant is such a resident or patient and is  
13 a military veteran. The bill provides that, upon receipt of an  
14 application for an absentee ballot by a resident of a health  
15 care facility or hospital who is also a military veteran, the  
16 commissioner shall have the absentee ballot delivered by mail  
17 if the applicant so requests. The bill requires the department  
18 of veterans affairs to assist the county commissioners of  
19 elections by providing eligibility determinations and other  
20 assistance requested by the county commissioners.

21 Finally, the bill makes corresponding changes related to  
22 certain letter notifications sent by the commissioner to an  
23 applicant who is a resident of a hospital or health care  
24 facility.