

**Senate File 415 - Introduced**

SENATE FILE 415  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 1215)

**A BILL FOR**

1 An Act related to elections administration and election  
2 officials.

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

1 Section 1. Section 43.45, Code 2015, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 3. Notwithstanding any requirement to  
4 the contrary in subsection 1 and subsection 2, paragraph "c",  
5 the commissioner of a county using digital ballot counting  
6 technology may direct the precinct election officials to tally  
7 and record write-in votes at the precincts after the closing  
8 of the polls or may direct the precinct election officials  
9 to sort the ballots by write-in votes for delivery to the  
10 special precinct board to tally and record the write-in votes  
11 on any day following election day and prior to the canvass  
12 by the board of supervisors under section 43.49. For the  
13 purposes of this subsection "*digital ballot counting technology*"  
14 is technology in which digital images of write-in votes are  
15 printed by the precinct election officials at the polling place  
16 after the close of voting.

17 Sec. 2. Section 49.11, subsection 3, paragraph d,  
18 subparagraph (2), Code 2015, is amended to read as follows:

19 (2) The consolidated precincts, if established as a  
20 permanent precinct, would meet all requirements of section  
21 49.3, ~~and a combined total of no more than three hundred~~  
22 ~~fifty voters voted in the consolidated precincts at the last~~  
23 preceding similar election except that a consolidated precinct  
24 may exceed a total population of three thousand five hundred if  
25 determined by the commissioner to be administratively feasible.  
26 The commissioner shall notify the voters of a consolidated  
27 precinct pursuant to section 49.23.

28 Sec. 3. Section 50.24, subsection 2, Code 2015, is amended  
29 to read as follows:

30 2. Upon convening, the board shall open and canvass the  
31 tally lists and shall prepare abstracts stating the number of  
32 votes cast in the county, or in that portion of the county  
33 in which the election was held, for each office and on each  
34 question on the ballot for the election. The board shall  
35 contact the chairperson of the special precinct board before

1 adjourning and include in the canvass any write-in votes  
2 tallied and recorded by the special precinct board or any  
3 absentee ballots which were received after the polls closed in  
4 accordance with section 53.17 and which were canvassed by the  
5 special precinct board after election day. The abstract shall  
6 further indicate the name of each person who received votes for  
7 each office on the ballot, and the number of votes each person  
8 named received for that office, and the number of votes for and  
9 against each question submitted to the voters at the election.  
10 The votes of all write-in candidates who each received less  
11 than five percent of the votes cast for an office shall be  
12 reported collectively under the heading "scattering".

13 Sec. 4. Section 53.20, subsection 1, Code 2015, is amended  
14 to read as follows:

15 1. There is established in each county a special precinct to  
16 be known as the absentee ballot and special voters precinct.  
17 Its jurisdiction shall be conterminous with the borders of the  
18 county, for the purposes specified by sections 53.22 and 53.23,  
19 and the requirement that precincts not cross the boundaries  
20 of legislative districts shall not be applicable to it. The  
21 commissioner shall draw up an election board panel for the  
22 special precinct in the manner prescribed by section 49.15,  
23 having due regard for the nature and extent of the duties  
24 required of members of the election board and the election  
25 officers to be appointed from the panel, including, if directed  
26 by the commissioner, the tallying and recording of write-in  
27 votes.

28 Sec. 5. Section 331.904, subsection 1, paragraph a, Code  
29 2015, is amended to read as follows:

30 a. The annual base salary of the first and second deputy  
31 officer of the office of auditor, treasurer, and recorder, the  
32 deputy in charge of election administration, the deputy in  
33 charge of the motor vehicle registration and title division,  
34 and the deputy in charge of driver's license issuance shall  
35 each be an amount not to exceed eighty-five percent of the

1 annual salary of the deputy's principal officer. In offices  
2 where more than two deputies are required, the annual base  
3 salary of each additional deputy shall be an amount not to  
4 exceed eighty percent of the principal officer's salary. The  
5 amount of the annual base salary of each deputy shall be  
6 certified by the principal officer to the board and, if a  
7 deputy's annual base salary does not exceed the limitations  
8 specified in this subsection, the board shall certify the  
9 annual base salary to the auditor. The board shall not certify  
10 a deputy's annual base salary which exceeds the limitations of  
11 this subsection.

12 EXPLANATION

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

15 This bill relates to elections administration and election  
16 officials.

17 Under current law, precinct election officials are required  
18 to tally and record write-in votes after the polls close in all  
19 elections. Under the bill, county commissioners of elections  
20 using digital ballot counting technology, as defined in the  
21 bill, may direct the precinct election officials to tally or  
22 count the write-in votes after the polls close or may direct  
23 the officials to deliver those ballots to the special precinct  
24 board to tally and record the write-in votes on any day  
25 after the election and before the county board of supervisors  
26 canvasses the votes.

27 The bill also provides that precincts consolidated by the  
28 county commissioner of elections may have populations greater  
29 than 3,500. Current law prohibits any precinct from having a  
30 population greater than 3,500.

31 The bill also provides that the deputy in charge of election  
32 administration shall earn an annual salary not to exceed 85  
33 percent of the annual salary of the county auditor.