

**House File 516 - Introduced**

HOUSE FILE 516  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 93)

**A BILL FOR**

1 An Act relating to the conduct and administration of elections,  
2 including voter registration, absentee voting, voter  
3 identity verification, signature verification, polling place  
4 prohibitions, commissioner duties and certifications, voter  
5 misconduct information and reporting, straight party voting,  
6 and post-election audits, creating an electronic poll book  
7 and polling place technology revolving loan fund, providing  
8 penalties, and including effective date and applicability  
9 provisions.  
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

GENERAL PROVISIONS

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Section 1. Section 22.7, Code 2017, is amended by adding the following new subsection:

NEW SUBSECTION. 70. The voter verification number, as defined in section 53.2, subsection 4, paragraph "c", that is assigned to a voter and maintained and updated in the statewide voter registration system.

Sec. 2. Section 39A.5, subsection 1, paragraph b, Code 2017, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (3) Violating any provision of chapter 48A for which another penalty is not provided.

Sec. 3. NEW SECTION. **48A.24 Deadline for submitting voter registration forms.**

1. A person who accepts a completed voter registration form from an applicant shall submit the form to the appropriate commissioner within seven days of receiving the form if the person accepting the form is doing so on behalf of any of the following:

- a. A political party, as defined in section 43.2.
- b. A nonparty political organization required to nominate candidates under chapter 44.
- c. A candidate or committee, as defined in section 68A.102.

2. Notwithstanding the deadline in subsection 1, a person described in subsection 1 who accepts a completed voter registration form from an applicant within three days of the voter registration deadline prescribed in section 48A.9 for the next election shall submit the form to the appropriate commissioner within twenty-four hours of accepting the form, and not later than the registration deadline.

Sec. 4. Section 48A.30, subsection 1, Code 2017, is amended by adding the following new paragraph:

NEW PARAGRAPH. *Of.* The registered voter is not a resident of Iowa, or the registered voter submits documentation under section 607A.4, subsection 3, that indicates that the voter is

1 not a citizen of the United States.

2 Sec. 5. Section 48A.31, Code 2017, is amended to read as  
3 follows:

4 **48A.31 Deceased persons record.**

5 The state registrar of vital statistics shall transmit  
6 or cause to be transmitted to the state registrar of voters,  
7 once each calendar quarter, a certified list of all persons  
8 seventeen and one-half years of age and older in the state  
9 whose deaths have been reported to the bureau of vital records  
10 of the Iowa department of public health since the previous list  
11 of decedents was certified to the state registrar of voters.  
12 The list shall be submitted according to the specifications  
13 of the state registrar of voters and shall be transmitted to  
14 the state registrar of voters without charge for production or  
15 transmission. The commissioner shall, in the month following  
16 the end of a calendar quarter, run the statewide voter  
17 registration system's matching program to determine whether a  
18 listed decedent was registered to vote in the county and shall  
19 immediately cancel the registration of any person named on the  
20 list of decedents.

21 Sec. 6. Section 53.2, subsections 1, 4, and 8, Code 2017,  
22 are amended to read as follows:

23 1. a. Any registered voter, under the circumstances  
24 specified in [section 53.1](#), may on any day, except election day,  
25 and not more than seventy one hundred twenty days prior to the  
26 date of the election, apply in person for an absentee ballot  
27 at the commissioner's office or at any location designated by  
28 the commissioner. However, for those elections in which the  
29 commissioner directs the polls be opened at noon pursuant to  
30 section 49.73, a voter may apply in person for an absentee  
31 ballot at the commissioner's office from 8:00 a.m. until 11:00  
32 a.m. on election day.

33 b. A registered voter may make written application to the  
34 commissioner for an absentee ballot. A written application  
35 for an absentee ballot must be received by the commissioner

1 no later than 5:00 p.m. ~~on the Friday before the election~~  
2 on the same day as the voter registration deadline provided  
3 in section 48A.9 for the election for which the ballot is  
4 requested, except when the absentee ballot is requested and  
5 voted at the commissioner's office pursuant to section 53.10.  
6 A written application for an absentee ballot delivered to the  
7 commissioner and received by the commissioner more than ~~seventy~~  
8 one hundred twenty days prior to the date of the election shall  
9 ~~be retained by the commissioner and processed in the same~~  
10 ~~manner as a written application received not more than seventy~~  
11 ~~days before the date of the election~~ returned to the voter  
12 with a notification of the date when the applications will be  
13 accepted.

14 4. a. Each application shall contain the following  
15 information:

16 (1) The name and signature of the registered voter, ~~the.~~

17 (2) The registered voter's date of birth, ~~the.~~

18 (3) The address at which the voter is registered to vote,  
19 ~~and the.~~

20 (4) The registered voter's voter verification number.

21 (5) The name or date of the election for which the absentee  
22 ballot is requested, ~~and such.~~

23 (6) Such other information as may be necessary to determine  
24 the correct absentee ballot for the registered voter.

25 b. If insufficient information has been provided, including  
26 the absence of a voter verification number, either on the  
27 prescribed form or on an application created by the applicant,  
28 the commissioner shall, by the best means available, obtain  
29 the additional necessary information. A voter requesting  
30 or casting a ballot pursuant to section 53.22 shall not be  
31 required to provide a voter verification number.

32 c. For purposes of this subsection, "voter verification  
33 number" means the registered voter's driver's license number  
34 or nonoperator's identification card number assigned to the  
35 voter by the department of transportation or the registered

1 voter's identification number assigned to the voter by the  
2 state commissioner pursuant to section 47.7, subsection 2.

3 8. An application for an absentee ballot that is returned  
4 to the commissioner by a person acting as an actual or implied  
5 agent for a political party, as defined in section 43.2, or  
6 by a candidate, or committee, all both as defined by chapter  
7 68A, shall be returned to the commissioner within seventy-two  
8 hours of the time the completed application was received from  
9 the applicant or no later than 5:00 p.m. on the Friday before  
10 same day as the election deadline under subsection 1, paragraph  
11 "b", whichever is earlier. An application received by a person  
12 acting as an actual or implied agent of a political party after  
13 the deadline but before the date of the election shall be  
14 returned to the commissioner within twenty-four hours.

15 Sec. 7. Section 53.10, Code 2017, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. 2A. A voter shall not vote or offer to  
18 vote any ballot except such as the voter has received from  
19 the commissioner. A voter voting an absentee ballot at the  
20 commissioner's office shall not take or remove any ballot from  
21 the commissioner's office.

22 DIVISION II

23 VOTER IDENTITY AND SIGNATURE VERIFICATION

24 Sec. 8. Section 48A.7A, subsection 1, paragraph b,  
25 subparagraph (1), subparagraph division (c), Code 2017, is  
26 amended to read as follows:

27 (c) A United States military or veterans identification  
28 card.

29 Sec. 9. Section 48A.7A, subsection 1, paragraph b,  
30 subparagraph (2), unnumbered paragraph 1, Code 2017, is amended  
31 to read as follows:

32 If the photographic identification presented does not  
33 contain the person's current address in the precinct, the  
34 person shall also present one of the following documents that  
35 shows the person's name and current address in the precinct,

1 and the document must be dated, or describe terms of residency  
2 current to, within forty-five days prior to presentation:

3     Sec. 10. Section 48A.7A, subsection 1, paragraph c, Code  
4 2017, is amended to read as follows:

5     c. In lieu of paragraph "b", a person wishing to vote  
6 may establish identity and residency in the precinct by  
7 written oath of a person who is registered to vote in the  
8 precinct. Before signing an oath under this paragraph, the  
9 attesting registered voter shall present to the precinct  
10 election official proof of the voter's identity, as described  
11 in section 49.78, subsection 2. The registered voter's oath  
12 shall attest to the stated identity of the person wishing to  
13 vote and that the person is a current resident of the precinct.  
14 The oath must be signed by the attesting registered voter in  
15 the presence of the appropriate precinct election official.  
16 A registered voter who has signed an oath on election day  
17 attesting to a person's identity and residency as provided in  
18 this paragraph is prohibited from signing any further oaths as  
19 provided in this paragraph on that day.

20     Sec. 11. Section 48A.7A, Code 2017, is amended by adding the  
21 following new subsection:

22     NEW SUBSECTION. 5. a. If a person registers to vote  
23 under this section at a polling place that has access to an  
24 electronic poll book, the precinct election official shall  
25 verify against a database maintained by the state commissioner  
26 that the person has not been convicted of a felony or, if the  
27 person has been convicted of a felony, the person has had the  
28 person's voting rights restored. If the precinct election  
29 official determines that the person has not been convicted of  
30 a felony or has been convicted of a felony but the person's  
31 voting rights have been restored, the precinct election  
32 official shall furnish a ballot to the voter. If the database  
33 indicates that the person has been convicted of a felony and  
34 that the person's voting rights have not been restored, the  
35 precinct election official shall challenge the person under

1 section 49.79.

2     *b.* If a person registers to vote under this section at  
3 a polling place that does not have access to an electronic  
4 poll book, the person shall be permitted to cast a provisional  
5 ballot under section 49.81, and the absentee and special voters  
6 precinct board, appointed pursuant to section 53.23, shall  
7 verify against a database maintained by the state commissioner  
8 that the person has not been convicted of a felony or, if the  
9 person has been convicted of a felony, the person's voting  
10 rights have been restored. If information in the database  
11 indicates that the person has not been convicted of a felony  
12 or, if the person has been convicted of a felony, the person's  
13 voting rights have been restored, the voter's provisional  
14 ballot shall be counted. If the database indicates that the  
15 person has been convicted of a felony and the person's voting  
16 rights have not been restored, the voter's provisional ballot  
17 shall be rejected.

18     Sec. 12. NEW SECTION. **48A.10A Voter registration cards —**  
19 **verification of voter registration information.**

20     1. The state registrar shall compare lists of persons who  
21 are registered to vote with the department of transportation's  
22 driver's license and nonoperator's identification card files  
23 and shall issue a voter registration card to each active,  
24 registered voter whose name does not appear in the department  
25 of transportation's files.

26     2. The commissioner shall issue voter registration cards  
27 on an ongoing basis as prescribed by the state registrar for  
28 all new registrations and registration updates as a part of the  
29 regular voter acknowledgment process required under sections  
30 48A.26 and 48A.26A.

31     3. A person issued a voter registration card under this  
32 section shall not be charged any fee for the issuance or  
33 delivery of the voter registration card.

34     4. Implementation of this section shall be contingent upon  
35 appropriations by the general assembly in sufficient amounts to

1 meet the requirements of this section.

2 5. The state registrar shall adopt rules pursuant to chapter  
3 17A to implement this section.

4 Sec. 13. Section 48A.26A, subsection 1, Code 2017, is  
5 amended to read as follows:

6 1. Within ~~forty-five~~ twenty-one days of receiving a  
7 voter registration form completed under [section 48A.7A](#), the  
8 commissioner shall send an acknowledgment to the registrant, in  
9 the manner provided in [section 48A.26, subsections 2 through 5](#),  
10 as applicable, at the mailing address shown on the registration  
11 form. The acknowledgment shall be sent by nonforwardable mail.

12 Sec. 14. Section 48A.38, subsection 1, paragraph f, Code  
13 2017, is amended to read as follows:

14 *f.* The county commissioner of registration and the state  
15 registrar of voters shall remove a voter's whole or partial  
16 social security number, as applicable, voter identification  
17 number assigned by the state commissioner, Iowa driver's  
18 license number, or Iowa nonoperator's identification card  
19 number from a voter registration list prepared pursuant to this  
20 section.

21 Sec. 15. Section 49.53, subsection 1, Code 2017, is amended  
22 to read as follows:

23 1. The commissioner shall not less than four nor more than  
24 twenty days before the day of each election, except those for  
25 which different publication requirements are prescribed by law,  
26 publish notice of the election. The notice shall contain a  
27 facsimile of the portion of the ballot containing the first  
28 rotation as prescribed by [section 49.31, subsection 2](#), and  
29 shall show the names of all candidates or nominees and the  
30 office each seeks, and all public questions, to be voted upon  
31 at the election. The sample ballot published as a part of the  
32 notice may at the discretion of the commissioner be reduced in  
33 size relative to the actual ballot but such reduction shall  
34 not cause upper case letters appearing in candidates' names or  
35 in summaries of public measures on the published sample ballot



1 to be less than nine point type. The notice shall also state  
2 the date of the election, the hours the polls will be open,  
3 that each voter is required to provide identification at the  
4 polling place before the voter can receive and cast a ballot,  
5 the location of each polling place at which voting is to occur  
6 in the election, and the names of the precincts voting at each  
7 polling place, but the statement need not set forth any fact  
8 which is apparent from the portion of the ballot appearing as  
9 a part of the same notice. The notice shall include the full  
10 text of all public measures to be voted upon at the election.

11 Sec. 16. Section 49.77, subsection 1, unnumbered paragraph  
12 1, Code 2017, is amended to read as follows:

13 The board members of their respective precincts shall have  
14 charge of the ballots and shall furnish them to the voters  
15 after verifying each voter's identity pursuant to section  
16 49.78.

17 Sec. 17. Section 49.77, subsection 3, Code 2017, is amended  
18 by striking the subsection.

19 Sec. 18. NEW SECTION. **49.78 Voter identity and signature**  
20 **verification.**

21 1. To ensure the integrity of, and to instill public  
22 confidence in, all elections in this state the general assembly  
23 finds that the verification of a voter's identity is necessary  
24 before a voter is permitted to receive and cast a ballot.

25 2. a. Before a precinct election official furnishes  
26 a ballot to a voter under section 49.77, the voter shall  
27 establish the voter's identity by presenting the official with  
28 one of the following forms of identification for verification:

29 (1) An Iowa driver's license issued pursuant to section  
30 321.189.

31 (2) An Iowa nonoperator's identification card issued  
32 pursuant to section 321.190.

33 (3) A United States passport.

34 (4) A United States military or veterans identification  
35 card.

1     *b.* Upon being presented with a form of identification under  
2 this section, the precinct election official shall examine  
3 the identification. The precinct election official shall use  
4 the information on the identification card, including the  
5 signature, to determine whether the person offering to vote  
6 appears to be the person depicted on the identification card.  
7 The voter's signature shall generally be presumed to be valid.  
8 If the identification provided does not appear to be the person  
9 offering to vote under section 49.77, the precinct election  
10 official shall challenge the person offering to vote in the  
11 same manner provided for other challenges by sections 49.79  
12 and 49.80. A person offering to vote who establishes identity  
13 by presenting a veteran's identification card that does not  
14 contain a signature, is not subject to challenge under this  
15 paragraph "b".

16     3. To establish the voter's identity under this section,  
17 a person who is registered to vote but is unable to present a  
18 form of identification listed under subsection 2 may present  
19 any of the following:

20     *a.* A current voter registration card provided pursuant to  
21 section 48A.10A that contains the voter identification number  
22 if the voter registration card is signed before the voter  
23 presents the card to the election official.

24     *b.* Other forms of identification sufficient to establish  
25 identity and residence under section 48A.7A, subsection 1,  
26 paragraph "b".

27     4. A person who is registered to vote but is unable  
28 to present a form of identification under subsection 2 or  
29 3 may establish identity and residency in the precinct by  
30 written oath of a person who is also registered to vote in  
31 the precinct. The attesting registered voter's oath shall  
32 attest to the stated identity of the person wishing to vote  
33 and that the person is a current resident of the precinct.  
34 The oath must be signed by the attesting registered voter in  
35 the presence of the appropriate precinct election official.

1 A registered voter who has signed two oaths on election day  
2 attesting to a person's identity and residency as provided in  
3 this subsection is prohibited from signing any further oaths as  
4 provided in this subsection on that day.

5 5. The form of the written oath required of a registered  
6 voter attesting to the identity and residency of the voter  
7 unable to present a form of identification shall read as  
8 follows:

9 I, ..... (name of attesting registered voter), do solemnly  
10 swear or affirm all of the following:

11 I am a preregistered voter in this precinct or I registered to  
12 vote in this precinct today, and a registered voter did not  
13 sign an oath on my behalf. I have not signed more than one oath  
14 attesting to the identity and residence of any other person in  
15 this election.

16 I am a resident of the ... precinct, ... ward or township,  
17 city of ....., county of ....., Iowa.

18 I reside at ..... (street address) in ..... (city or  
19 township).

20 I personally know ..... (name of voter), and I personally know  
21 that ..... (name of voter) is a resident of the ... precinct,  
22 ..... ward or township, city of ....., county of ....., Iowa.

23 I understand that any false statement in this oath is a class  
24 "D" felony punishable by no more than five years in confinement  
25 and a fine of at least seven hundred fifty dollars but not more  
26 than seven thousand five hundred dollars.

27 .....

28 Signature of Attesting Registered Voter

29 Subscribed and sworn before me on .. (date).

30 .....

31 Signature of Precinct Election Official

32 6. A voter who is not otherwise disqualified from voting and  
33 who has established identity under subsection 2, 3, or 4 shall  
34 be furnished a ballot and be allowed to vote under section  
35 49.77.

1 7. A registered voter who fails to establish the voter's  
2 identity under this section shall be permitted to cast a  
3 provisional ballot under section 49.81.

4 8. The state commissioner shall develop and implement a  
5 public education campaign relating to the requirements to vote  
6 under this section.

7 9. a. Notwithstanding subsection 7, for any election  
8 conducted prior to January 1, 2019, a registered voter who  
9 fails to establish the voter's identity under this section  
10 shall be permitted to vote upon signing an oath attesting to  
11 the voter's identity. The form of the written oath required of  
12 the person voting under this subsection shall read as follows:  
13 My name is ....., and I am a United States citizen,  
14 at least eighteen years of age. I am the person named above, I  
15 am a registered voter of this county, and I am eligible to vote  
16 in this election.

17 .....

18 (signature of voter) (date)

19 b. This subsection is repealed July 1, 2019.

20 Sec. 19. Section 49.81, Code 2017, is amended by adding the  
21 following new subsection:

22 NEW SUBSECTION. 1A. A prospective voter who is unable to  
23 establish identity under section 49.78, subsection 2, paragraph  
24 "a", or section 49.78, subsection 3 or 4, shall be notified by  
25 the appropriate precinct election official that the voter may  
26 cast a provisional ballot. The voter shall mark the ballot and  
27 immediately seal it in an envelope of the type prescribed by  
28 subsection 4. The voter shall deliver the sealed envelope to a  
29 precinct election official who shall deposit it in an envelope  
30 marked "provisional ballots". The ballot shall be considered  
31 as having been cast in the special precinct established by  
32 section 53.20 for purposes of the postelection canvass.

33 Sec. 20. Section 49.124, Code 2017, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 3. The training course and the continuing

1 education program under this section shall include practical  
2 and holistic instruction on the criteria for determining  
3 whether a person meets the requirements for establishing  
4 identity under section 49.78, subsection 2, consistent with all  
5 voting rights and nondiscrimination provisions of federal and  
6 state law. The state commissioner of elections shall adopt  
7 rules pursuant to chapter 17A to implement instruction required  
8 under this subsection.

9 Sec. 21. Section 53.2, Code 2017, is amended by adding the  
10 following new subsection:

11 NEW SUBSECTION. 4A. The commissioner may dispute an  
12 application if it appears to the commissioner that the  
13 signature on the application has been signed by someone other  
14 than the registered voter, in comparing the signature on the  
15 application to the signature on record of the registered  
16 voter named on the application. If the commissioner disputes  
17 a registered voter's application under this subsection,  
18 the commissioner shall notify the registered voter and the  
19 registered voter may submit a new application and signature or  
20 update the registered voter's signature on record, as provided  
21 by rule adopted by the state commissioner.

22 Sec. 22. Section 53.18, subsection 3, Code 2017, is amended  
23 to read as follows:

24 3. If the affidavit envelope or the return envelope marked  
25 with the affidavit contains a defect that would cause the  
26 absentee ballot to be rejected by the absentee and special  
27 voters precinct board, the commissioner shall immediately  
28 notify the voter of that fact and that the voter's absentee  
29 ballot shall not be counted unless the voter requests and  
30 returns a replacement ballot in the time permitted under  
31 section 53.17, subsection 2. For the purposes of this section,  
32 a return envelope marked with the affidavit shall be considered  
33 to contain a defect if it appears to the commissioner that  
34 the signature on the envelope has been signed by someone  
35 other than the registered voter, in comparing the signature

1 on the envelope to the signature on record of the registered  
2 voter named on the envelope. A signature or marking made  
3 in accordance with section 39.3, subsection 17, shall not  
4 be considered a defect for purposes of this section. The  
5 voter may request a replacement ballot in person, in writing,  
6 or over the telephone. The same serial number that was  
7 assigned to the records of the original absentee ballot  
8 application shall be used on the envelope and records of the  
9 replacement ballot. The envelope marked with the affidavit and  
10 containing the completed replacement ballot shall be marked  
11 "Replacement ballot". The envelope marked with the affidavit  
12 and containing the original ballot shall be marked "Defective"  
13 and the replacement ballot shall be attached to such envelope  
14 containing the original ballot and shall be stored in a secure  
15 place until they are delivered to the absentee and special  
16 voters precinct board, notwithstanding [sections 53.26](#) and  
17 [53.27](#).

18 Sec. 23. Section 53.22, Code 2017, is amended by adding the  
19 following new subsection:

20 NEW SUBSECTION. 7. The proof of identity requirements  
21 under section 49.78 shall not apply to a voter casting a ballot  
22 pursuant to this section.

23 Sec. 24. Section 53.25, Code 2017, is amended to read as  
24 follows:

25 **53.25 Rejecting ballot.**

26 1. a. If the absentee voter's affidavit lacks the voter's  
27 signature, if the applicant is not a duly registered voter on  
28 election day in the precinct where the absentee ballot was  
29 cast, if the envelope marked with the affidavit contains more  
30 than one ballot of any one kind, or if the voter has voted  
31 in person, such vote shall be rejected by the absentee and  
32 special voters precinct board. If the affidavit envelope or  
33 return envelope marked with the affidavit is open, or has been  
34 opened and resealed, or if the ballot is not enclosed in such  
35 envelope, and an affidavit envelope or return envelope marked

1 with the affidavit with the same serial number and marked  
2 "Replacement ballot" is not attached as provided in section  
3 53.18, the ~~vote~~ ballot shall be rejected by the absentee and  
4 special voters precinct board.

5 b. If a voter casts a provisional ballot pursuant to section  
6 49.78, subsection 7, and the voter has failed to establish the  
7 voter's identity at the commissioner's office, the provisional  
8 ballot shall be rejected by the absentee and special voters  
9 precinct board.

10 2. If the absentee or provisional ballot is rejected prior  
11 to the opening of the affidavit envelope or return envelope  
12 marked with the affidavit, the voter casting the ballot shall  
13 be notified by a precinct election official by the time the  
14 canvass is completed of the reason for the rejection on a form  
15 prescribed by the state commissioner of elections.

16 Sec. 25. SEVERABILITY. If any provision of this division of  
17 this Act or the application of any provision of this division  
18 of this Act to any person or circumstance is held invalid, the  
19 invalidity shall not affect other provisions of the division  
20 which can be given effect without the invalid provisions or  
21 application of the invalid provisions, and to this end, the  
22 provisions of the division are severable.

23 Sec. 26. EFFECTIVE DATE. This division of this Act takes  
24 effect upon the appropriation of moneys by the general assembly  
25 to the state commissioner of elections in an amount sufficient  
26 for implementation of section 48A.10A as declared by the  
27 general assembly.

28 Sec. 27. APPLICABILITY. This division of this Act applies  
29 to elections held on or after the effective date of this  
30 division of this Act.

31 DIVISION III

32 POLLING PLACES

33 Sec. 28. NEW SECTION. 47.11 Electronic poll book and  
34 polling place technology program — revolving loan fund.

35 1. An electronic poll book and polling place technology

1 program is created and an electronic poll book and polling  
2 place technology revolving loan fund is created in the state  
3 treasury under the control of the state commissioner. The  
4 program and revolving loan fund shall be administered by the  
5 state commissioner and the revolving loan fund shall include  
6 moneys allocated from the state commissioner's budget and any  
7 other moneys obtained or accepted by the state commissioner for  
8 deposit in the revolving loan fund.

9 2. *a.* The state commissioner may loan moneys in the  
10 revolving loan fund to county commissioners for the purchase or  
11 update of electronic poll book and polling place technology.

12 *b.* Moneys loaned under this subsection shall be used, in  
13 accordance with section 49.28, to furnish electronic poll books  
14 to election precincts for the purpose of modernizing polling  
15 places throughout the state.

16 *c.* The state commissioner may spend an amount not to  
17 exceed thirty percent of the moneys in the revolving loan  
18 fund at the beginning of a fiscal year to administer polling  
19 place technology to ensure compliance with state standards  
20 of technological security and the protection of personally  
21 identifiable information.

22 3. A loan made under this section shall bear no interest.

23 4. Notwithstanding section 12C.7, subsection 2, interest or  
24 earnings on moneys in the revolving loan fund shall be credited  
25 to the revolving loan fund. Notwithstanding section 8.33,  
26 moneys in the revolving loan fund that remain unencumbered or  
27 unobligated at the close of a fiscal year shall not revert to  
28 any other fund but shall remain available in the revolving loan  
29 fund for the purposes designated.

30 5. The state commissioner shall adopt rules pursuant to  
31 chapter 17A to administer this section.

32 Sec. 29. Section 49.88, subsection 1, Code 2017, is amended  
33 to read as follows:

34 1. No more than one person shall be allowed to occupy  
35 any voting booth at any time. The use of ~~cameras, cellular~~



1 ~~telephones, pagers, or other electronic communications devices~~  
2 ~~in the voting booth~~ photographic devices and the display of  
3 voted ballots is prohibited if such use or display is for  
4 purposes prohibited under chapter 39A, interferes with other  
5 voters, or interferes with the orderly operation of the polling  
6 place.

7 DIVISION IV

8 ELECTION CERTIFICATION AND AUDITS

9 Sec. 30. NEW SECTION. **49.128 Commissioner filings and**  
10 **notifications.**

11 1. No later than twenty days following a general election,  
12 the commissioner shall place on file in the commissioner's  
13 office a certification that the county met the following  
14 requirements at the general election:

15 a. The testing of voting equipment was performed, as  
16 required under section 52.35.

17 b. The election personnel training course was conducted, as  
18 required under section 49.124.

19 c. Polling places met accessibility standards, as required  
20 under section 49.21.

21 d. The schedule of required publications was adhered to, as  
22 required under section 49.53.

23 e. The commissioner has complied with administrative rules  
24 adopted by the state commissioner under chapter 52, including  
25 having a written voting system security plan.

26 2. a. If the county is required to conduct an audit under  
27 section 50.51, the commissioner shall include a copy of the  
28 results with the certification required under this section.

29 b. If a county is not required to conduct an audit under  
30 section 50.51, the commissioner shall include a copy of the  
31 certification required under this section along with the  
32 election canvass summary report required under section 50.30A.

33 3. The commissioner shall file a copy of the certification  
34 under this section with the state commissioner.

35 4. The commissioner shall promptly notify the state

1 commissioner of each suspected incidence of election misconduct  
2 that the commissioner has referred to other agencies or law  
3 enforcement for investigation.

4 5. The state commissioner shall prescribe a form for use by  
5 the county commissioners.

6 Sec. 31. Section 50.12, Code 2017, is amended to read as  
7 follows:

8 **50.12 Return and preservation of ballots.**

9 Immediately after making the proclamation, and before  
10 separating, the board members of each precinct in which votes  
11 have been received by paper ballot shall enclose in an envelope  
12 or other container all ballots which have been counted by them,  
13 except those endorsed "Rejected as double", "Defective", or  
14 "Objected to", and securely seal the envelope. The signatures  
15 of all board members of the precinct shall be placed across  
16 the seal or the opening of the container so that it cannot  
17 be opened without breaking the seal. The precinct election  
18 officials shall return all the ballots to the commissioner, who  
19 shall carefully preserve them for six months. Ballots from  
20 elections for federal offices shall be preserved for twenty-two  
21 months. The sealed packages containing voted ballots shall  
22 be opened only for an official recount authorized by section  
23 50.48, 50.49, or 50.50, for an election contest held pursuant  
24 to chapters 57 through 62, to conduct an audit pursuant to  
25 section 50.51, or to destroy the ballots pursuant to section  
26 50.19.

27 Sec. 32. NEW SECTION. **50.51 Election audits.**

28 1. After each general election, the state commissioner  
29 shall, with the cooperation of the county commissioners,  
30 conduct an audit of the official canvass of votes from the  
31 preceding general election.

32 2. The state commissioner shall determine the number of  
33 counties and precincts to be audited and shall select the  
34 precincts to be audited by lot. The absentee ballot and  
35 special voters precinct for each county, established pursuant

1 to section 53.20, shall be included with all other precincts of  
2 the county for selection by lot. In every precinct selected,  
3 the commissioner shall conduct a hand count of all ballots cast  
4 in the preceding general election for president of the United  
5 States or governor, as the case may be. The hand count shall  
6 be observed by a representative selected by each of the two  
7 political parties whose candidates received the highest number  
8 of votes statewide in the preceding general election.

9 3. *a.* The commissioner may order an administrative recount  
10 pursuant to section 50.50 if the commissioner determines the  
11 results of an audit require an administrative recount.

12 *b.* If selected to conduct an audit, the commissioner shall  
13 provide an audit report to the county board of supervisors and  
14 shall transmit the audit report to the state commissioner no  
15 later than twenty days following the election.

16 4. The results of an audit conducted pursuant to this  
17 section shall not change the results, or invalidate the  
18 certification, of an election.

19 5. In advance of any other election, the state commissioner  
20 may order an audit of the election in the manner provided in  
21 this section.

22 6. The state commissioner shall adopt rules, pursuant to  
23 chapter 17A, to implement this section.

24 DIVISION V

25 VOTER MISCONDUCT INFORMATION AND REPORTING

26 Sec. 33. Section 48A.26A, Code 2017, is amended by adding  
27 the following new subsection:

28 NEW SUBSECTION. 3. A county attorney shall review the  
29 voter's registration documents and other such information as  
30 may be necessary, and report the findings to the commissioner  
31 and state registrar of voters.

32 Sec. 34. NEW SECTION. **48A.27A Voting more than once —**  
33 **referral and examination.**

34 1. If the state registrar of voters receives information  
35 from another jurisdiction that a registered voter of this state

1 may have voted or attempted to vote more than once in the same  
2 election, the state registrar shall provide the information to  
3 the appropriate commissioner.

4 2. If a commissioner receives information from the state  
5 registrar of voters or from another jurisdiction that a  
6 registered voter may have voted or attempted to vote more than  
7 once in the same election, the commissioner shall provide the  
8 information to the county attorney in each jurisdiction where  
9 the voter voted or attempted to vote. A county attorney of  
10 this state that is provided such information shall examine the  
11 information and report any findings to the commissioner.

12 DIVISION VI

13 STRAIGHT PARTY VOTING

14 Sec. 35. Section 49.37, subsection 1, Code 2017, is amended  
15 to read as follows:

16 1. For general elections, and for other elections in which  
17 more than one partisan office will be filled, the ~~first section~~  
18 ~~of the ballot shall be for straight party voting~~ arranged as  
19 provided in this section.

20 ~~a. Each political party or organization which has~~  
21 ~~nominated candidates for more than one office shall be listed.~~  
22 ~~Instructions to the voter for straight party or organization~~  
23 ~~voting shall be in substantially the following form:~~

24 ~~To vote for all candidates from a single party or~~  
25 ~~organization, mark the voting target next to the party or~~  
26 ~~organization name. Not all parties or organizations have~~  
27 ~~nominated candidates for all offices. Marking a straight party~~  
28 ~~or organization vote does not include votes for nonpartisan~~  
29 ~~offices, judges, or questions.~~

30 ~~b. Political parties and nonparty political organizations~~  
31 ~~which have nominated candidates for only one office shall~~  
32 ~~be listed below the other political organizations under the~~  
33 ~~following heading:~~

34 ~~Other Political Organizations. The following organizations~~  
35 ~~have nominated candidates for only one office:~~

1 ~~c. Offices shall be arranged in groups. Partisan offices,~~  
2 ~~nonpartisan offices, judges, and public measures shall be~~  
3 ~~separated by a distinct line appearing on the ballot.~~

4 Sec. 36. Section 49.37, Code 2017, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 1A. Offices shall be arranged in groups.  
7 Partisan offices, nonpartisan offices, judges, and public  
8 measures shall be separated by a distinct line appearing on the  
9 ballot.

10 Sec. 37. Section 49.57, subsection 2, Code 2017, is amended  
11 to read as follows:

12 2. ~~In the area of the general election ballot for straight~~  
13 ~~party voting, the party or organization names shall be printed~~  
14 ~~in upper case and lower case letters using a uniform font size~~  
15 ~~for each political party or nonparty political organization.~~  
16 ~~The font size shall be not less than twelve point type. After~~  
17 ~~the name of each candidate for a partisan office the name of~~  
18 ~~the candidate's political party shall be printed in at least~~  
19 ~~six point type. The names of political parties and nonparty~~  
20 ~~political organizations may be abbreviated on the remainder of~~  
21 ~~the ballot if both the full name and the abbreviation appear~~  
22 ~~in the "Straight Party" and "Other Political Party" areas of~~  
23 ~~the ballot.~~

24 Sec. 38. Section 49.98, Code 2017, is amended to read as  
25 follows:

26 **49.98 Counting ballots.**

27 The ballots shall be counted according to the voters' marks  
28 on them as provided in [sections 49.92 to 49.97 and 49.93](#),  
29 and not otherwise. If, for any reason, it is impossible  
30 to determine from a ballot, as marked, the choice of the  
31 voter for any office, the vote for that office shall not be  
32 counted. ~~When there is a conflict between a straight party or~~  
33 ~~organization vote for one political party or nonparty political~~  
34 ~~organization and the vote cast by marking the voting target~~  
35 ~~next to the name of a candidate for another political party~~

1 ~~or nonparty political organization on the ballot, the mark~~  
2 ~~next to the name of the candidate shall be held to control,~~  
3 ~~and the straight party or organization vote in that case shall~~  
4 ~~not apply as to that office.~~ A ballot shall be rejected if  
5 the voter used a mark to identify the voter's ballot. For  
6 ~~each voting system, the~~ The state commissioner shall, by rule  
7 adopted pursuant to [chapter 17A](#), develop uniform definitions of  
8 what constitutes a vote.

9 Sec. 39. REPEAL. Sections 49.94, 49.95, 49.96, and 49.97,  
10 Code 2017, are repealed.

11 DIVISION VII

12 PUBLIC EDUCATION

13 Sec. 40. PUBLIC EDUCATION. The state commissioner of  
14 elections shall, in consultation with the county commissioners  
15 of elections and other relevant stakeholder groups, develop and  
16 implement a comprehensive and statewide public education plan,  
17 including multimedia advertising, in order to inform the voters  
18 of this state of the election day identification requirements  
19 contained in this Act.

20 EXPLANATION

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

23 This bill relates to the conduct and administration of  
24 elections, including voter registration, absentee voting,  
25 voter identity and signature verification, polling place  
26 prohibitions, county commissioner of elections duties and  
27 certifications, voter misconduct information and reporting,  
28 straight party voting, post-election audits, and the creation  
29 of an electronic poll book and polling place technology program  
30 and revolving loan fund.

31 Division I of the bill relates to the conduct and  
32 administration of elections generally. The bill requires a  
33 person, while acting on behalf of a political party, a nonparty  
34 political organization, or a candidate or committee subject  
35 to Iowa's campaign finance laws, who accepts a completed

1 voter registration form from an applicant to submit the form  
2 to the appropriate county commissioner of elections (county  
3 auditor) within seven days of receiving the form. The bill  
4 also provides that if the person accepts a completed voter  
5 registration form within three days of a voter registration  
6 deadline, the person must submit the form to the appropriate  
7 commissioner within 24 hours of accepting the form, and not  
8 later than the registration deadline for the next election.  
9 By operation of current law, failure to timely submit such a  
10 form would constitute a simple misdemeanor. The bill also  
11 makes it a simple misdemeanor to violate any provision of Code  
12 chapter 48A, related to voter registration, for which another  
13 penalty is not provided. A simple misdemeanor is punishable by  
14 confinement for no more than 30 days or a fine of at least \$65  
15 but not more than \$625 or by both.

16 Division I requires county commissioners to cancel the voter  
17 registration of a registered voter if the registered voter  
18 is not a resident of Iowa or submits jury service-related  
19 documentation that indicates that the voter is not a citizen of  
20 the United States.

21 Division I of the bill also requires the state registrar of  
22 vital statistics to produce and transmit certain lists to the  
23 state registrar of voters (secretary of state) without charge.

24 Division I changes the time period to apply for an absentee  
25 ballot from not more than 70 days before the election to not  
26 more than 120 days before the election. The bill further  
27 provides that an application received more than 120 days  
28 before the election shall be returned to the applicant along  
29 with notification of when the applications will be accepted.  
30 Current law requires the commissioner to retain the application  
31 and process it with other applications received within the  
32 appropriate time period.

33 Division I requires that an application for an absentee  
34 ballot by any applicant other than a person requesting an  
35 absentee ballot pursuant to Code section 53.22 contain the

1 applicant's voter verification number, defined in the bill  
2 as the voter's identification number assigned by the state  
3 commissioner, driver's license number, or nonoperator's  
4 identification card number. Under the bill, a person's  
5 voter identification number, driver's license number, or  
6 nonoperator's identification number is considered to be a voter  
7 verification number, which is required to be kept confidential.  
8 The bill also changes the absentee ballot application deadline  
9 from the Friday before the election to the same deadline as  
10 voter registration for a given election under Code section  
11 48A.9, which is either 11 or 10 days before the election.  
12 The bill establishes additional duties for actual or implied  
13 agents of political parties for applications received after the  
14 deadline.

15 Division I prohibits a voter from voting or offering to vote  
16 a ballot in the commissioner's office that was not furnished to  
17 the voter by the commissioner. The bill also prohibits a voter  
18 from taking or removing any ballot from the commissioner's  
19 office. Current law expressly prohibits these actions at  
20 precinct polling places.

21 Division II of the bill relates to identity and signature  
22 verification for certain voter registrants and voters. The  
23 bill changes the requirements for establishing identity and  
24 residence for persons registering to vote in-person absentee or  
25 on election day by adding veterans identification cards issued  
26 by the United States to the list of acceptable photographic  
27 identification for establishing identity. The bill also  
28 requires that certain documents required for election day and  
29 in-person absentee registration be dated or describe terms of  
30 residency current to within 45 days prior to presentation to an  
31 election official. The bill requires that a person attesting  
32 to the identity of a person attempting to register to vote  
33 under Code section 48A.7A must present certain identification  
34 before signing an oath attesting to the person's identity.

35 The bill requires that persons registering under Code



1 section 48A.7A be verified against a felony database, and  
2 requires such persons to vote a provisional ballot if the  
3 person's polling place does not have access to an electronic  
4 poll book.

5 Division II of the bill requires the state registrar of  
6 voters to compare lists of voters who registered to vote  
7 with the department of transportation's driver's license  
8 and nonoperator's identification card files. Under the  
9 bill, the state registrar is required to issue a free voter  
10 registration card on a one-time basis, including a voter  
11 identification number, to be used only for voting and voter  
12 registration purposes, to registrants whose names do not  
13 appear in the department's files. The bill requires that  
14 county commissioners of elections issue such cards on an  
15 ongoing basis and requires the county commissioners to send  
16 certain acknowledgments within 21 days of receiving a completed  
17 voter registration form. Under the bill, providing voter  
18 registration cards is contingent upon adequate appropriations.

19 Division II of the bill also requires election officials to  
20 verify a voter's identity before furnishing a ballot to the  
21 voter. A voter at the polling place is required to present the  
22 official with an Iowa driver's license, an Iowa nonoperator's  
23 identification card, a United States passport, or a United  
24 States military or veterans identification card in order to  
25 verify the voter's identity before the voter can receive a  
26 ballot. Under the bill, a voter may also present a current  
27 voter registration card or the forms of identification required  
28 for election day and in-person absentee voter registration  
29 or have their identity and residency attested to by another  
30 registered voter in order to verify the voter's identity.  
31 Under the bill, a registered voter is allowed to attest to  
32 the identity and residency of not more than two other voters  
33 on election day. If the voter fails to establish the voter's  
34 identity by the methods provided in the bill, the voter may  
35 vote a provisional ballot. A voter may also vote a ballot as

1 otherwise provided for under current law by signing an oath  
2 attesting to the voter's identity at any election conducted  
3 prior to January 1, 2019.

4 The bill also requires that county commissioners include  
5 information on the verification of voter identities in the  
6 notice of each election published under Code section 49.53.

7 Division II requires precinct election officials to examine  
8 a voter's identification to determine whether the person  
9 offering to vote matches the identification card, including  
10 the voter's signature. The bill requires an election official  
11 to challenge a person offering to vote if the person's  
12 identification does not appear to be the person offering to  
13 vote. If the challenge is not withdrawn, the voter may vote a  
14 provisional ballot. The proof of identity requirements under  
15 the bill shall not apply to persons voting absentee ballots  
16 pursuant to Code section 53.22.

17 The bill requires the state commissioner of elections to  
18 develop and implement a public education campaign related to  
19 the requirements of new Code section 49.78. The bill also  
20 requires the state commissioner to adopt rules requiring  
21 election officials to receive instruction on the criteria  
22 for determining whether a person meets the requirements for  
23 establishing identity under the bill.

24 Related to absentee voting, division II of the bill provides  
25 that a county commissioner may dispute certain applications  
26 for an absentee ballot if it appears to the commissioner that  
27 the signature on the application has been signed by someone  
28 other than the registered voter, in comparing the signature on  
29 the application to the signature on record of the registered  
30 voter named on the application. If the commissioner disputes  
31 a registered voter's application under this subsection, the  
32 commissioner is required to notify the registered voter and  
33 the registered voter is permitted to submit a new application  
34 and signature or update the registered voter's signature  
35 on record. The bill also requires county commissioners to

1 consider absentee ballots to be defective if it appears to  
2 the commissioner that the signature on the envelope marked  
3 with the affidavit has been signed by someone other than the  
4 registered voter, in comparing the signature on the envelope to  
5 the signature on record of the registered voter named on the  
6 envelope.

7 Under the bill, the provisions of division II and their  
8 application are severable.

9 Division II of the bill takes effect contingent upon an  
10 appropriation and applies to elections held on or after the  
11 effective date of division II.

12 Division III of the bill relates to polling places by  
13 creating an electronic poll book and polling place technology  
14 program and revolving loan fund and by regulating the use of  
15 photographic devices and the display of voted ballots.

16 Division III creates an electronic poll book and polling  
17 place technology program and revolving loan fund in the state  
18 treasury. Under the bill, the state commissioner of elections  
19 (secretary of state) is required to administer the fund.  
20 Moneys in the fund may include moneys allocated from the state  
21 commissioner's budget and any other moneys obtained or accepted  
22 by the state commissioner for deposit in the revolving loan  
23 fund. The state commissioner is allowed to loan moneys in  
24 the revolving loan fund to county commissioners to purchase  
25 or update electronic poll book and polling place technology.  
26 Under the bill, the state commissioner is allowed to spend 30  
27 percent of the moneys in the revolving loan fund to administer  
28 polling place technology.

29 Division III also provides that interest or earnings on  
30 moneys in the revolving loan fund are credited to the fund and  
31 moneys in the revolving loan fund that remain unencumbered or  
32 unobligated at the close of a fiscal year remain available in  
33 the revolving loan fund.

34 Division III strikes a provision of current law that  
35 prohibits the use of all cameras, cellular telephones, pagers,

1 or other electronic communications devices in a voting booth  
2 and provides that the use of photographic devices and the  
3 display of voted ballots is prohibited if that use or display  
4 is for purposes of election misconduct, interferes with other  
5 voters, or interferes with the orderly operation of the polling  
6 place.

7 Division IV of the bill requires each county commissioner to  
8 place on file in the commissioner's office a certification that  
9 the county met voting equipment testing, election personnel  
10 training, polling place accessibility, publications, and  
11 certain administrative rule requirements at each general  
12 election. The certification is also required to include a  
13 copy of the results of election audits if the commissioner is  
14 required to conduct an audit, described in division IV of the  
15 bill. If the commissioner is not required to conduct an audit,  
16 the commissioner is required to include the certification with  
17 the election canvass summary report. The county commissioner  
18 is also required to file a copy of the certification with  
19 the state commissioner. The bill further requires the  
20 commissioner to promptly notify the state commissioner of  
21 each suspected incidence of election misconduct that the  
22 commissioner has referred to other agencies or law enforcement  
23 for investigation.

24 Division IV of the bill also requires the state commissioner  
25 to complete a post-election audit of each general election.  
26 The bill requires the state commissioner to determine the  
27 number of counties and precincts to be audited and to select  
28 precincts to be audited in a county, by lot. The audit is  
29 required to be a hand count of ballots for the office of  
30 president of the United States or governor, as the case may  
31 be. Under the bill, a county commissioner is allowed to  
32 order an administrative recount under certain conditions. A  
33 county commissioner selected to conduct an audit is required  
34 to provide an audit report to the board of supervisors and the  
35 state commissioner, as provided for under the bill. Division

1 IV of the bill provides that the results of an audit shall not  
2 change the results, or invalidate the certification, of an  
3 election.

4 Division V of the bill relates to voter misconduct  
5 information and reporting requirements. Under current law, a  
6 county commissioner is required to notify the county attorney  
7 if the commissioner does not receive responses from certain  
8 election day and in-person absentee registrants. Under  
9 the bill, a county attorney is required to review voter  
10 registration documents and other relevant information for such  
11 voters and report the findings to the commissioner and state  
12 registrar of voters.

13 Division V of the bill also provides that if the state  
14 registrar of voters receives information from another  
15 jurisdiction that a registered voter of this state may have  
16 voted or attempted to vote more than once in the same election,  
17 the state registrar must provide the information to the  
18 appropriate county commissioner. Under the bill, if a county  
19 commissioner receives information from the state registrar or  
20 from another jurisdiction that a registered voter may have  
21 voted or attempted to vote more than once in the same election,  
22 the county commissioner is required to provide the information  
23 to the county attorney in each jurisdiction where the voter  
24 voted or attempted to vote. A county attorney of this state  
25 that is provided such information is required to examine the  
26 information and report any findings to the county commissioner.

27 Division VI of the bill eliminates straight party voting and  
28 makes conforming changes.

29 Division VII of the bill requires the state commissioner  
30 of elections to develop and implement, in consultation with  
31 the county commissioners of elections and other relevant  
32 stakeholder groups, a comprehensive and statewide public  
33 education campaign in order to inform Iowa voters of the  
34 election day identification requirements contained in the bill.