

House File 54 - Introduced

HOUSE FILE 54

BY HUNTER

A BILL FOR

1 An Act authorizing certain cities to conduct city elections by
2 absentee ballot.

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

1 Section 1. Section 376.1, Code 2017, is amended to read as
2 follows:

3 **376.1 City election held — absentee ballot elections**
4 **authorized.**

5 1. A city shall hold a regular city election on the first
6 Tuesday after the first Monday in November of each odd-numbered
7 year. A city shall hold regular, special, primary, or runoff
8 city elections as provided by state law.

9 2. The mayor or council shall give notice of any special
10 election to the county commissioner of elections. The county
11 commissioner of elections shall publish notice of any city
12 election and conduct the election pursuant to the provisions
13 of chapters 39 ~~to~~ through 53, except as otherwise specifically
14 provided in chapters 362 ~~to~~ through 392. The results of any
15 election shall be canvassed by the county board of supervisors
16 and certified by the county commissioner of elections to the
17 mayor and the council of the city for which the election is
18 held.

19 3. a. The council of a city with a population of two
20 hundred or less according to the most recent federal decennial
21 census may adopt an ordinance providing that elections be
22 conducted by absentee ballot. If the city council adopts
23 such an ordinance, the clerk shall notify the commissioner
24 of elections of the adoption of the ordinance, and the
25 commissioner shall mail an absentee ballot application form by
26 forwardable mail to each registered voter within the city whose
27 status is designated as active pursuant to section 48A.37 no
28 fewer than twenty-five days before each regular city election
29 or special election for the city. The commissioner shall also
30 enclose a postage paid return envelope and a notice in the form
31 prescribed by the state commissioner informing the voter that
32 voting in person on election day will also be available at the
33 commissioner's office during the time the polls are open. The
34 commissioner may designate one additional site as an election
35 day polling place for a city that adopts an ordinance pursuant

1 to this subsection. The location of the additional polling
2 place shall be included in the notice to the voter.

3 b. The additional polling place designated under this
4 subsection is subject to the requirements of section 49.21
5 relating to accessibility to persons with disabilities
6 and relating to the posting of signs. The location of the
7 additional polling place shall be published by the county
8 commissioner of elections as required by section 49.53.

9 c. The provisions of chapter 53, insofar as applicable,
10 shall apply to absentee ballot elections authorized under this
11 subsection.

12 d. The county commissioner of elections conducting an
13 election pursuant to this subsection shall submit a report
14 to the state commissioner of elections within sixty days
15 following the election. The report shall include information
16 on the number of voters who were sent an absentee ballot, the
17 number of returned absentee ballots, the number of voters who
18 cast ballots at the county commissioner's office, whether
19 an additional site was made available as a polling place
20 on election day pursuant to paragraph "a", and, if such an
21 additional site was made available, the number of voters who
22 cast ballots at that site, and any obstacles encountered in the
23 voting process for the election. The state commissioner shall
24 submit a copy of the report to the chairpersons and ranking
25 members of the general assembly's standing committees on state
26 government within ten days following the receipt of the report.

27 EXPLANATION

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

30 This bill authorizes certain cities to conduct city
31 elections by absentee ballot.

32 The bill allows cities with populations of 200 or less to
33 adopt an ordinance providing that city elections be conducted
34 by absentee ballot. The bill requires the county commissioner
35 of elections responsible for conducting elections for such a

1 city to mail an absentee ballot application form by forwardable
2 mail to each active status registered voter within the city
3 no fewer than 25 days before each regular city election or
4 special election for that city. The bill requires that the
5 county commissioner of elections also enclose a postage paid
6 return envelope and a notice that in-person voting will also
7 be available at the county commissioner's office on the day of
8 the election and, if applicable, the location of the additional
9 polling place. The bill allows the county commissioner to
10 designate one additional election day polling place for such
11 cities.

12 The bill further requires the county commissioner of
13 elections to submit a report on a city election conducted by
14 absentee ballot to the state commissioner of elections within
15 60 days following the city election. The bill further requires
16 that the state commissioner submit a copy of the report to the
17 chairpersons and ranking members of the general assembly's
18 standing committees on state government.