

House Study Bill 93 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED SECRETARY OF
STATE BILL)

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 certifications, and post-election
5 audits, creating an electronic poll book revolving loan
6 fund, making a related appropriation, and including
7 penalties and applicability provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

GENERAL PROVISIONS

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 the
29 additional necessary information.

30 c. For purposes of this subsection, "voter verification
31 number" means the registered voter's driver's license number
32 or nonoperator's identification card number assigned to the
33 voter by the department of transportation or the registered
34 voter's identification number assigned to the voter by the
35 state commissioner pursuant to section 47.7, subsection 2.

1 8. An application for an absentee ballot that is returned
2 to the commissioner by a person acting as an actual or implied
3 agent for a political party, as defined in section 43.2, or by
4 a candidate, or committee, ~~all~~ both as defined by chapter 68A,
5 shall be returned to the commissioner within seventy-two hours
6 of the time the completed application was received from the
7 applicant or no later than 5:00 p.m. on the Friday before the
8 election, whichever is earlier.

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

11 NEW SUBSECTION. 2A. A voter shall not vote or offer to
12 vote any ballot except such as the voter has received from
13 the commissioner. A voter voting an absentee ballot at the
14 commissioner's office shall not take or remove any ballot from
15 the commissioner's office.

16 Sec. 8. Section 53.11, Code 2017, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 2A. A voter shall not vote or offer to
19 vote any ballot except such as the voter has received from the
20 commissioner. A voter shall not take or remove any ballot from
21 the satellite absentee voting station.

22 DIVISION II

23 VOTER IDENTITY AND SIGNATURE VERIFICATION

24 Sec. 9. 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. 10. NEW SECTION. **48A.10A Voter verification cards —**
30 **verification of voter registration information.**

31 1. The state registrar shall, each week, compare lists
32 of persons who registered to vote during the preceding week
33 with the department of transportation's driver's license and
34 nonoperator's identification card files and shall issue a voter
35 verification card to each active, registered voter whose name

1 does not appear in the department of transportation's files.

2 2. A voter verification card issued under this section shall
3 be used only for voting and voter registration purposes.

4 3. A person issued a voter verification card under this
5 section shall not be charged any fee for the issuance or
6 delivery of the voter verification card.

7 4. Implementation of this section shall be contingent upon
8 appropriations by the general assembly in sufficient amounts to
9 meet the requirements of this section.

10 5. The state registrar shall adopt rules pursuant to chapter
11 17A to implement this section.

12 Sec. 11. 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. 12. 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. 13. 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. 14. Section 49.77, subsection 3, Code 2017, is amended
18 by striking the subsection.

19 Sec. 15. 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) A voter verification card issued pursuant to section
30 48A.10A.

31 (2) An Iowa driver's license issued pursuant to section
32 321.189.

33 (3) An Iowa nonoperator's identification card issued
34 pursuant to section 321.190.

35 (4) A United States passport.

1 (5) A United States military or veterans identification
2 card.

3 (6) A voter acknowledgment card issued by the commissioner
4 pursuant to sections 48A.26 through 48A.29 if the voter
5 acknowledgment card is signed before the voter presents the
6 card to the official.

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

22 3. A person who is registered to vote but is unable to
23 present a form of identification listed under subsection 2 may
24 present other forms of identification listed in section 48A.7A,
25 subsection 1, paragraph "b", to establish the voter's identity
26 under this section.

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

14

15 (signature of voter) (date)

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

17 Sec. 16. Section 49.81, Code 2017, is amended by adding the
18 following new subsection:

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

30 Sec. 17. Section 53.2, Code 2017, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 4A. The commissioner may dispute an
33 application if it appears to the commissioner that the
34 signature on the application has been signed by someone other
35 than the registered voter, in comparing the signature on the

1 application to the signature on record of the registered
2 voter named on the application. If the commissioner disputes
3 a registered voter's application under this subsection,
4 the commissioner shall notify the registered voter and the
5 registered voter may submit a new application and signature or
6 update the registered voter's signature on record, as provided
7 by rule adopted by the state commissioner.

8 Sec. 18. Section 53.18, subsection 3, Code 2017, is amended
9 to read as follows:

10 3. If the affidavit envelope or the return envelope marked
11 with the affidavit contains a defect that would cause the
12 absentee ballot to be rejected by the absentee and special
13 voters precinct board, the commissioner shall immediately
14 notify the voter of that fact and that the voter's absentee
15 ballot shall not be counted unless the voter requests and
16 returns a replacement ballot in the time permitted under
17 section 53.17, subsection 2. For the purposes of this section,
18 a return envelope marked with the affidavit shall be considered
19 to contain a defect if it appears to the commissioner that the
20 signature on the envelope has been signed by someone other
21 than the registered voter, in comparing the signature on the
22 envelope to the signature on record of the registered voter
23 named on the envelope. The voter may request a replacement
24 ballot in person, in writing, or over the telephone. The same
25 serial number that was assigned to the records of the original
26 absentee ballot application shall be used on the envelope and
27 records of the replacement ballot. The envelope marked with
28 the affidavit and containing the completed replacement ballot
29 shall be marked "Replacement ballot". The envelope marked
30 with the affidavit and containing the original ballot shall
31 be marked "Defective" and the replacement ballot shall be
32 attached to such envelope containing the original ballot and
33 shall be stored in a secure place until they are delivered to
34 the absentee and special voters precinct board, notwithstanding
35 sections 53.26 and 53.27.

1 Sec. 19. SEVERABILITY. If any provision of this division of
2 this Act or the application of any provision of this division
3 of this Act to any person or circumstance is held invalid, the
4 invalidity shall not affect other provisions of the division
5 which can be given effect without the invalid provisions or
6 application of the invalid provisions, and to this end, the
7 provisions of the division are severable.

8 Sec. 20. APPLICABILITY. This division of this Act applies
9 to elections held on or after July 1, 2017.

10 DIVISION III

11 POLLING PLACES

12 Sec. 21. NEW SECTION. 47.11 Electronic poll book program
13 — revolving loan fund.

14 1. An electronic poll book program is created and an
15 electronic poll book revolving loan fund is created in the
16 state treasury under the control of the state commissioner.
17 There is appropriated from the general fund of the state
18 to the revolving loan fund the sum of five hundred fifty
19 thousand dollars. The program and revolving loan fund shall
20 be administered by the state commissioner and the revolving
21 loan fund shall include moneys allocated from the state
22 commissioner's budget and any other moneys obtained or accepted
23 by the state commissioner for deposit in the revolving loan
24 fund.

25 2. *a.* The state commissioner may loan moneys in the
26 revolving loan fund to county commissioners for the purchase or
27 update of electronic poll book technology.

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

32 *c.* The state commissioner may spend an amount not to
33 exceed thirty percent of the moneys in the revolving loan
34 fund at the beginning of a fiscal year to administer polling
35 place technology to ensure compliance with state standards

1 of technological security and the protection of personally
2 identifiable information.

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

4 4. Notwithstanding section 12C.7, subsection 2, interest or
5 earnings on moneys in the revolving loan fund shall be credited
6 to the revolving loan fund. Notwithstanding section 8.33,
7 moneys in the revolving loan fund that remain unencumbered or
8 unobligated at the close of a fiscal year shall not revert to
9 any other fund but shall remain available in the revolving loan
10 fund for the purposes designated.

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

13 Sec. 22. Section 49.88, subsection 1, Code 2017, is amended
14 to read as follows:

15 1. No more than one person shall be allowed to occupy
16 any voting booth at any time. The use of ~~cameras, cellular~~
17 ~~telephones, pagers, or other electronic communications devices~~
18 ~~in the voting booth~~ photographic devices and the display of
19 voted ballots is prohibited if such use or display is for
20 purposes prohibited under chapter 39A, interferes with other
21 voters, or interferes with the orderly operation of the polling
22 place.

23 DIVISION IV

24 ELECTION CERTIFICATION AND AUDITS

25 Sec. 23. NEW SECTION. **49.128 Commissioner filings and**
26 **notifications.**

27 1. By March 1 in the year next following a general election,
28 the commissioner shall place on file a certification that the
29 county met the following requirements at the general election:

30 a. The testing of voting equipment was performed, as
31 required under section 52.35.

32 b. The election personnel training course was conducted, as
33 required under section 49.124.

34 c. Polling places met accessibility standards, as required
35 under section 49.21.

1 *d.* The schedule of required publications was adhered to, as
2 required under section 49.53.

3 *e.* The commissioner has complied with administrative rules
4 adopted by the state commissioner under chapter 52, including
5 having a written voting system security plan.

6 2. The certification under this section shall include a copy
7 of the results of the audit, if required, under section 50.51.

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

10 4. The commissioner shall promptly notify the state
11 commissioner of each suspected incidence of election misconduct
12 that the commissioner has referred to other agencies or law
13 enforcement for investigation.

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

16 Sec. 24. Section 50.12, Code 2017, is amended to read as
17 follows:

18 **50.12 Return and preservation of ballots.**

19 Immediately after making the proclamation, and before
20 separating, the board members of each precinct in which votes
21 have been received by paper ballot shall enclose in an envelope
22 or other container all ballots which have been counted by them,
23 except those endorsed "Rejected as double", "Defective", or
24 "Objected to", and securely seal the envelope. The signatures
25 of all board members of the precinct shall be placed across
26 the seal or the opening of the container so that it cannot
27 be opened without breaking the seal. The precinct election
28 officials shall return all the ballots to the commissioner, who
29 shall carefully preserve them for six months. Ballots from
30 elections for federal offices shall be preserved for twenty-two
31 months. The sealed packages containing voted ballots shall
32 be opened only for an official recount authorized by section
33 50.48, 50.49, or 50.50, for an election contest held pursuant
34 to chapters 57 through 62, to conduct an audit pursuant to
35 section 50.51, or to destroy the ballots pursuant to section

1 50.19.

2 Sec. 25. NEW SECTION. 50.51 Election audits.

3 1. In February of each odd-numbered year, the state
4 commissioner shall, with the cooperation of the county
5 commissioners, conduct an audit of the official canvass of
6 votes from the preceding general election.

7 2. The state commissioner shall determine the number of
8 counties and precincts to be audited and shall select the
9 precincts to be audited by lot. The absentee ballot and
10 special voters precinct for each county, established pursuant
11 to section 53.20, shall be included with all other precincts of
12 the county for selection by lot. In every precinct selected,
13 the commissioner shall conduct a hand count of all ballots cast
14 in the preceding general election for president of the United
15 States or governor, as the case may be. The hand count shall
16 be observed by a representative selected by each of the two
17 political parties whose candidates received the highest number
18 of votes statewide in the preceding general election.

19 3. The audit conducted pursuant to subsection 1 shall
20 include an audit of the official canvass of votes for the
21 office of president of the United States or governor.

22 4. The results of an audit conducted pursuant to this
23 section shall not change the results, or invalidate the
24 certification, of an election.

25 5. In advance of any other election, the state commissioner
26 may order an audit of the election in the manner provided in
27 this section.

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

30 EXPLANATION

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

33 This bill relates to the conduct and administration of
34 elections, including voter registration, absentee voting,
35 voter identity and signature verification, polling place

1 prohibitions, county commissioner of elections certifications,
2 post-election audits, and creation of an electronic poll book
3 program and revolving loan fund.

4 Division I of the bill relates to the conduct and
5 administration of elections generally. The bill requires a
6 person, while acting on behalf of a political party, a nonparty
7 political organization, or a candidate or committee subject
8 to Iowa's campaign finance laws, who accepts a completed
9 voter registration form from an applicant to submit the form
10 to the appropriate county commissioner of elections (county
11 auditor) within seven days of receiving the form. The bill
12 also provides that if the person accepts a completed voter
13 registration form within three days of a voter registration
14 deadline, the person must submit the form to the appropriate
15 commissioner within 24 hours of accepting the form, and not
16 later than the registration deadline for the next election.
17 By operation of current law, failure to timely submit such a
18 form would constitute a simple misdemeanor. The bill also
19 makes it a simple misdemeanor to violate any provision of Code
20 chapter 48A, related to voter registration, for which another
21 penalty is not provided. A simple misdemeanor is punishable by
22 confinement for no more than 30 days or a fine of at least \$65
23 but not more than \$625 or by both.

24 Division I requires county commissioners to cancel the voter
25 registration of a registered voter if the registered voter
26 is not a resident of Iowa or submits jury service-related
27 documentation that indicates that the voter is not a citizen of
28 the United States.

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

32 Division I changes the time period to apply for an absentee
33 ballot from not more than 70 days before the election to not
34 more than 120 days before the election. The bill further
35 provides that an application received more than 120 days

1 before the election shall be returned to the applicant along
2 with notification of when the applications will be accepted.
3 Current law requires the commissioner to retain the application
4 and process it with other applications received within the
5 appropriate time period.

6 The bill requires that an application for an absentee ballot
7 contain the applicant's voter verification number, defined in
8 the bill as the voter's identification number assigned by the
9 state commissioner, driver's license number, or nonoperator's
10 identification card number. Under the bill, a person's
11 voter identification number, driver's license number, or
12 nonoperator's identification number is considered to be a voter
13 verification number, which is required to be kept confidential.
14 The bill also changes the absentee ballot application deadline
15 from the Friday before the election to the same deadline as
16 voter registration for a given election under Code section
17 48A.9, which is either 11 or 10 days before the election.

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

25 Division II of the bill relates to identity and signature
26 verification for certain voter registrants and voters. The
27 bill changes the requirements for establishing identity and
28 residence for persons registering to vote in-person absentee or
29 on election day by adding veterans identification cards issued
30 by the United States to the list of acceptable photographic
31 identification for establishing identity.

32 Division II of the bill requires the state registrar of
33 voters to compare lists of voters who registered to vote during
34 the preceding week with the department of transportation's
35 driver's license and nonoperator's identification card

1 files. Under the bill, the state registrar is required
2 to issue a free voter verification card, including a voter
3 identification number, to be used only for voting and voter
4 registration purposes, to registrants whose names do not appear
5 in the department's files. Under the bill, providing voter
6 verification cards is contingent upon adequate appropriations.

7 Division II of the bill also requires election officials
8 to verify a voter's identity before furnishing a ballot
9 to the voter. A voter at the polling place is required to
10 present the official with a voter verification card, an Iowa
11 driver's license, an Iowa nonoperator's identification card, a
12 United States passport, a United States military or veterans
13 identification card, or a voter acknowledgment card issued by
14 the county commissioner in order to verify the voter's identity
15 before the voter can receive a ballot. Under the bill, a voter
16 may also present the forms of identification required for
17 election day and in-person absentee voter registration or have
18 their identity and residency attested to by another registered
19 voter in order to verify the voter's identity. Under the bill,
20 a registered voter is allowed to attest to the identity and
21 residency of not more than two other voters on election day.
22 If the voter fails to establish the voter's identity by the
23 methods provided in the bill, the voter may vote a provisional
24 ballot. A voter may also vote in the usual manner by signing
25 an oath attesting to the voter's identity at any election
26 conducted prior to January 1, 2019.

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

30 Division II requires precinct election officials to examine
31 a voter's identification to determine whether the person
32 offering to vote matches the identification card, including
33 the voter's signature. The bill requires an election official
34 to challenge a person offering to vote if it appears to the
35 official that the signature on the person's identification

1 was signed by someone other than the person offering to
2 vote. If the challenge is not withdrawn, the voter may vote a
3 provisional ballot.

4 Related to absentee voting, division II of the bill provides
5 that a county commissioner may dispute an application for
6 an absentee ballot if it appears to the commissioner that
7 the signature on the application has been signed by someone
8 other than the registered voter, in comparing the signature on
9 the application to the signature on record of the registered
10 voter named on the application. If the commissioner disputes
11 a registered voter's application under this subsection, the
12 commissioner is required to notify the registered voter and
13 the registered voter is permitted to submit a new application
14 and signature or update the registered voter's signature
15 on record. The bill also requires county commissioners to
16 consider absentee ballots to be defective if it appears to
17 the commissioner that the signature on the envelope marked
18 with the affidavit has been signed by someone other than the
19 registered voter, in comparing the signature on the envelope to
20 the signature on record of the registered voter named on the
21 envelope.

22 Under the bill, the provisions of division II and their
23 application are severable.

24 Division II of the bill applies to elections held on or after
25 July 1, 2017.

26 Division III of the bill relates to polling places by
27 creating an electronic poll book program and revolving loan
28 fund and by regulating the use of photographic devices and the
29 display of voted ballots.

30 Division III creates an electronic poll book program and
31 revolving loan fund in the state treasury. Under the bill,
32 the state commissioner of elections (secretary of state)
33 is required to administer the fund. The bill appropriates
34 \$550,000 from the state general fund to the revolving loan
35 fund. Moneys in the fund may also include moneys allocated

1 from the state commissioner's budget and any other moneys
2 obtained or accepted by the state commissioner for deposit in
3 the revolving loan fund. The state commissioner is allowed to
4 loan moneys in the revolving loan fund to county commissioners
5 to purchase or update electronic poll book technology. Under
6 the bill, the state commissioner is allowed to spend 30 percent
7 of the moneys in the revolving loan fund to administer polling
8 place technology.

9 Division III also provides that interest or earnings on
10 moneys in the revolving loan fund are credited to the fund and
11 moneys in the revolving loan fund that remain unencumbered or
12 unobligated at the close of a fiscal year remain available in
13 the revolving loan fund.

14 Division III strikes a provision of current law that
15 prohibits the use of all cameras, cellular telephones, pagers,
16 or other electronic communications devices in a voting booth
17 and provides that the use of photographic devices and the
18 display of voted ballots is prohibited if that use or display
19 is for purposes of election misconduct, interferes with other
20 voters, or interferes with the orderly operation of the polling
21 place.

22 Division IV of the bill requires each county commissioner
23 to place on file a certification that the county met voting
24 equipment testing, election personnel training, polling place
25 accessibility, publications, and certain administrative rule
26 requirements at each general election. The certification
27 is also required to include a copy of the results of
28 election audits, described in division IV of the bill. The
29 county commissioner is also required to file a copy of the
30 certification with the state commissioner. The bill further
31 requires the commissioner to promptly notify the state
32 commissioner of each suspected incidence of election misconduct
33 that the commissioner has referred to other agencies or law
34 enforcement for investigation.

35 Division IV of the bill also requires the state commissioner

1 to complete a post-election audit of each general election.
2 The bill requires the state commissioner to determine the
3 number of counties and precincts to be audited and to select
4 precincts to be audited in a county, by lot. The audit is
5 required to be a hand count of ballots for the office of
6 president of the United States or governor, as the case may be,
7 and shall include an audit of the official canvass of votes.
8 Division IV of the bill provides that the results of an audit
9 shall not change the results, or invalidate the certification,
10 of an election.