

Senate Study Bill 1241 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SMITH)

A BILL FOR

1 An Act relating to the conduct of state and local elections,
2 providing penalties, and including effective date
3 provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

PROCEDURES FOR PROPOSED AMENDMENTS TO THE IOWA CONSTITUTION

Section 1. Section 49.43, subsection 2, Code 2019, is amended to read as follows:

2. Constitutional amendments and other public measures ~~may~~ shall be summarized by the commissioner as provided in sections 49.44 and 52.25.

Sec. 2. Section 49.44, subsection 1, Code 2019, is amended to read as follows:

1. When a proposed constitutional amendment or other public measure to be decided by the voters of the entire state is to be voted upon, the state commissioner shall prepare a written summary of the amendment or measure including the number of the amendment or statewide public measure assigned by the state commissioner. The summary shall be printed immediately preceding the text of the proposed amendment or measure on the paper ballot or optical scan ballot referred to in section 49.43. If the complete text of the proposed amendment or public measure will not fit on the ballot it shall be posted inside the voting booth. A copy of the full text shall be included with any absentee ballots.

Sec. 3. Section 49A.1, Code 2019, is amended to read as follows:

49A.1 Publication of proposed amendment.

1. Whenever any proposition to amend the Constitution has passed the general assembly and been referred to the next succeeding legislature, the state commissioner of elections shall endeavor to cause the same to be published, once each month, in two newspapers of general circulation in each congressional district in the state, for the time required by the Constitution.

2. a. The legislative services agency shall maintain on the internet site of the agency a list of all propositions to amend the Constitution as they are filed for each general assembly commencing on or after the effective date of this Act.

1 Such lists shall include links to the text of the proposed
2 amendments.

3 b. The legislative services agency shall maintain on the
4 internet site of the agency separate lists for propositions to
5 amend the Constitution that have been passed by one general
6 assembly and by two consecutive general assemblies. Such lists
7 shall include links to the text of the proposed amendments and
8 shall be updated no later than one week after the conclusion of
9 each session of the general assembly. A proposition to amend
10 the Constitution published consistent with this paragraph shall
11 be considered published as required by the Constitution.

12 Sec. 4. REPEAL. Sections 49A.10 and 49A.11, Code 2019, are
13 repealed.

14 DIVISION II

15 ISSUANCE OF BONDS

16 Sec. 5. Section 49.45, Code 2019, is amended to read as
17 follows:

18 **49.45 General form of ballot.**

19 1. Ballots referred to in [section 49.43](#) shall be
20 substantially in the following form:

21 Shall the following amendment to the Constitution (or public
22 measure) be adopted?

23 Yes

24 No

25 (Here insert the summary, if it is for a constitutional
26 amendment or statewide public measure, and in full the proposed
27 constitutional amendment or public measure. The number
28 assigned by the state commissioner or the letter assigned
29 by the county commissioner shall be included on the ballot
30 centered above the question, "Shall the following amendment to
31 the Constitution [or public measure] be adopted?".)

32 2. A public measure to approve the issuance of a bond
33 pursuant to chapter 75 or 296 shall include on the ballot the
34 current property tax levy, which shall immediately follow
35 the proposed levy, and the term of the bond. Such a public

1 measure shall also include on the ballot the average increase
2 or decrease in cost of an average home in each county, as well
3 as the average of such averages, according to data provided by
4 the United States census bureau.

5 DIVISION III

6 SELF-PROMOTION WITH TAXPAYER FUNDS

7 Sec. 6. Section 68A.405A, Code 2019, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 3. For the purposes of this section,
10 "*direct mass mailing*" means a mailing, regardless of whether
11 the mailing was sent in response to a request or due to the
12 recipient's enrollment in a program, the purpose of which is to
13 attract public attention to a person, policy, product, service,
14 program, initiative, law, legislation, event, or activity
15 promoted by the statewide elected official that is all of the
16 following:

17 a. Printed material delivered by the United States mail or
18 other delivery service.

19 b. Sent to more than two hundred physical addresses.

20 c. Substantially similar or identical as regards each
21 mailing.

22 d. Sent at the same time or within a thirty-day period.

23 DIVISION IV

24 HOSPITAL BOARD OF TRUSTEES ELECTIONS

25 Sec. 7. Section 347.9, subsection 1, Code 2019, is amended
26 to read as follows:

27 1. When it has been determined by the voters of a county
28 to establish a county public hospital, the board shall appoint
29 five or seven trustees chosen from among the resident citizens
30 of the county with reference to their fitness for office.

31 The appointed trustees shall hold office until the following
32 general election, at which time their successors shall be
33 elected, three for a term of four years and the remainder
34 for a term of two years, and they shall determine by lot
35 their respective terms, and thereafter their successors shall

1 be elected for regular terms of four years each, except as
2 provided in subsection 3.

3 Sec. 8. Section 347.9, Code 2019, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 3. Trustees in a county with a population
6 of at least four hundred thousand shall serve for a term of six
7 years. A trustee elected to a term of four years in or after
8 January 2018 shall instead serve a term of six years.

9 Sec. 9. Section 347.10, Code 2019, is amended to read as
10 follows:

11 **347.10 Vacancies.**

12 Vacancies on the board of trustees may, ~~until the next~~
13 ~~general election,~~ be filled by appointment by the remaining
14 members of the board of trustees or, if fewer than a
15 majority of the trustees remain on the board, by the board of
16 supervisors for the period until the vacancies are filled by
17 election. An appointment made under **this section** shall be for
18 the unexpired balance of the term of the preceding trustee. If
19 a board member is absent for four consecutive regular board
20 meetings, without prior excuse, or fails to comply with more
21 stringent attendance requirements for regular board meetings
22 included in the bylaws governing the board, the member's
23 position shall be declared vacant and filled as set out in this
24 section.

25 Sec. 10. HOSPITAL BOARD OF TRUSTEES ELECTIONS.

26 Notwithstanding section 347.9, for elections held pursuant to
27 section 347.9 in 2022 in which more than seventy percent of
28 trustee positions on a board are on the ballot:

29 1. If there are seven trustees on the board:

30 a. If six trustees are to be elected, the four elected who
31 receive the highest number of votes are elected for four-year
32 terms. The remainder are elected for two-year terms. In case
33 of a tie, the county auditor shall determine by lot which of
34 the trustees with the lowest number of winning votes shall
35 serve two-year terms and thereafter their successors shall be

1 elected for regular terms as provided in section 347.9.

2 b. If five trustees are to be elected, the four elected who
3 receive the highest number of votes are elected for four-year
4 terms. The remaining trustee is elected for a two-year term.
5 In case of a tie, the county auditor shall determine by lot
6 which of the trustees with the lowest number of winning votes
7 shall serve the two-year term and thereafter their successors
8 shall be elected for regular terms as provided in section
9 347.9.

10 2. If there are five trustees on the board, if four trustees
11 are to be elected, the three elected who receive the highest
12 number of votes are elected for four-year terms. The remaining
13 trustee is elected for a two-year term. In case of a tie, the
14 county auditor shall determine by lot which of the trustees
15 with the lowest number of winning votes shall serve the
16 two-year term and thereafter their successors shall be elected
17 for regular terms as provided in section 347.9.

18 DIVISION V

19 TECHNICAL CHANGES

20 Sec. 11. Section 39A.3, subsection 1, paragraph a, Code
21 2019, is amended by adding the following new subparagraph:

22 NEW SUBPARAGRAPH. (5) Falsely or fraudulently signs
23 nomination papers on behalf of another person.

24 Sec. 12. Section 39A.3, subsection 1, Code 2019, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *c. Miscellaneous offenses.* Uses voter
27 registration information, including resale or redistribution
28 of the voter registration list without written permission of
29 the state registrar, for purposes other than those permitted
30 by section 48A.39.

31 Sec. 13. Section 39A.4, subsection 1, paragraph c,
32 subparagraph (5), Code 2019, is amended by striking the
33 subparagraph.

34 Sec. 14. Section 39A.6, Code 2019, is amended to read as
35 follows:

1 **39A.6 Technical infractions — notice.**

2 1. If the state commissioner or county commissioner becomes
3 aware of an apparent technical violation of a provision of
4 chapters 39 through 53, the state commissioner or county
5 commissioner may administratively provide a written notice
6 and letter of instruction to the responsible person regarding
7 proper compliance procedures.

8 2. If the state commissioner sends a notice of such a
9 technical infraction to a county commissioner, the state
10 commissioner may require a written explanation of the
11 occurrence, and measures that the person took to redress the
12 issues contained within the notice.

13 3. This notice is not a final determination of facts or law
14 in the matter, and does not entitle a person to a proceeding
15 under [chapter 17A](#).

16 Sec. 15. Section 43.14, subsection 1, Code 2019, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. *g.* The printed name, signature, address,
19 and phone number of the person responsible for circulating the
20 petition page. The petition page shall clearly indicate that a
21 candidate circulating the page shall provide the information
22 required by this paragraph.

23 Sec. 16. Section 43.14, subsection 2, Code 2019, is amended
24 to read as follows:

25 2. a. Signatures on a petition page shall be counted only
26 if the information required in [subsection 1](#) is written or
27 printed at the top of the page.

28 b. Nomination papers on behalf of candidates for seats in
29 the general assembly need only designate the number of the
30 senatorial or representative district, as appropriate, and
31 not the county or counties, in which the candidate and the
32 petitioners reside.

33 c. A signature line shall not be counted if the line
34 lacks the signature of the eligible elector and the signer's
35 residential address, with street and number, if any, and city.

1 A signature line shall not be counted if an eligible elector
2 supplies only a partial address or a post office box address,
3 or if the signer's address is obviously outside the boundaries
4 of the district.

5 d. A signature line shall not be counted if any of the
6 required information is crossed out or redacted at the time
7 the nomination papers are filed with the state commissioner or
8 commissioner.

9 Sec. 17. Section 43.14, subsection 4, Code 2019, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. f. Any other information required by section
12 43.18.

13 Sec. 18. Section 43.15, subsection 2, Code 2019, is amended
14 to read as follows:

15 2. Each signer shall add the signer's ~~residence~~ residential
16 address, with street and number, if any, and the date of
17 signing.

18 Sec. 19. Section 43.22, unnumbered paragraph 1, Code 2019,
19 is amended to read as follows:

20 The state commissioner shall, at least sixty-nine days
21 before a primary election, or as soon as practicable if an
22 objection under section 43.24 is pending, furnish to the
23 commissioner of each county a certificate under the state
24 commissioner's hand and seal, which certificate shall show:

25 Sec. 20. Section 43.24, subsection 1, paragraph b,
26 subparagraphs (1) and (2), Code 2019, are amended to read as
27 follows:

28 (1) Those filed with the state commissioner, not less than
29 seventy-four days before the date of the election, or for
30 certificates of nomination filed under section 43.23, not less
31 than seventy days before the date of the election.

32 (2) Those filed with the commissioner, not less than
33 sixty-four days before the date of the election, or for
34 certificates of nomination filed under section 43.23, not less
35 than sixty-two days before the date of the election.

1 Sec. 21. Section 45.5, subsection 1, Code 2019, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. *f.* The printed name, signature, address,
4 and phone number of the person responsible for circulating the
5 petition page.

6 Sec. 22. Section 45.5, subsection 2, Code 2019, is amended
7 to read as follows:

8 2. a. Signatures on a petition page shall be counted only
9 if the information required in subsection 1 is written or
10 printed at the top of the page.

11 b. Nomination papers on behalf of candidates for seats in
12 the general assembly need only designate the number of the
13 senatorial or representative district, as appropriate, and
14 not the county or counties, in which the candidate and the
15 petitioners reside.

16 c. A signature line in a nomination petition shall not be
17 counted if the line lacks the signature of the eligible elector
18 and the signer's residential address, with street and number,
19 if any, and city. A signature line shall not be counted if
20 an eligible elector supplies only a partial address or a post
21 office box address, or if the signer's address is obviously
22 outside the boundaries of the appropriate ward, city, school
23 district or school district director district, legislative
24 district, or other district.

25 d. A signature line shall not be counted if any of the
26 required information is crossed out or redacted at the time
27 the nomination papers are filed with the state commissioner or
28 commissioner.

29 Sec. 23. Section 45.6, subsection 2, Code 2019, is amended
30 to read as follows:

31 2. Each signer shall add the signer's ~~residence~~ residential
32 address, with street and number, if any, and city.

33 Sec. 24. Section 47.1, subsection 6, Code 2019, is amended
34 to read as follows:

35 6. The state commissioner may, at the state commissioner's

1 discretion, examine the records of a commissioner to evaluate
2 complaints and to ensure compliance with the provisions
3 of chapters 39 through 53. This examination shall include
4 assessments conducted or authorized by private or government
5 entities to evaluate a county's security readiness for
6 elections-related technology or physical facilities. The state
7 commissioner shall adopt rules pursuant to chapter 17A to
8 require a commissioner to provide written explanations related
9 to examinations conducted pursuant to this subsection. Any
10 information that is requested by or in the possession of the
11 state commissioner pursuant to this chapter shall not lose its
12 confidential status pursuant to section 22.7, subsection 50.

13 Sec. 25. Section 47.1, Code 2019, is amended by adding the
14 following new subsections:

15 NEW SUBSECTION. 7. The state commissioner may share
16 information a county provides to an appropriate government
17 agency to safeguard against cybersecurity or physical threats.

18 NEW SUBSECTION. 8. The state commissioner may adopt rules
19 pursuant to chapter 17A to create minimum security protocols
20 applicable to county commissioners of elections. If a county
21 fails to adhere to these protocols, the state commissioner may
22 limit access to the statewide voter registration system.

23 Sec. 26. Section 47.2, Code 2019, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 7. The county commissioner of elections
26 shall, to maintain election security, do all of the following:

27 *a.* When the county commissioner believes that a
28 cybersecurity incident or data breach has occurred, the county
29 commissioner shall immediately inform the state commissioner
30 of elections.

31 *b.* If the county commissioner has no reason to believe
32 that a cybersecurity incident or data breach has occurred,
33 the county commissioner shall certify that fact to the state
34 commissioner on an annual basis.

35 Sec. 27. Section 47.7, subsection 2, paragraph d, Code 2019,

1 is amended to read as follows:

2 *d.* The state registrar shall prescribe by rule the
3 procedures for access to the state voter registration file,
4 ~~security requirements, and access protocols for adding,~~
5 ~~changing, or deleting information from the state voter~~
6 ~~registration file~~ including all of the following:

7 (1) Access protocols for adding, changing, or deleting
8 information from the state voter registration file.

9 (2) Training requirements for all state voter registration
10 file users.

11 (3) Technology safeguards, including county information
12 technology network requirements, necessary to access the state
13 voter registration file.

14 (4) Breach incident response requirements and protocols on
15 all matters related to elections.

16 Sec. 28. Section 47.7, subsection 2, Code 2019, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. *e.* The state registrar may rescind access to
19 the statewide voter registration file from a user who is not in
20 compliance with the prescribed rules.

21 Sec. 29. Section 48A.9, subsection 4, Code 2019, is amended
22 to read as follows:

23 4. Registration forms submitted to voter registration
24 agencies, to motor vehicle driver's license stations, and to
25 county treasurer's offices participating in county issuance of
26 driver's licenses under [chapter 321M](#) shall be considered on
27 time if they are received no later than ~~5:00~~ 11:59 p.m. on the
28 day registration closes for that election. Offices or agencies
29 other than the county commissioner's office are not required
30 to be open for voter registration purposes at times other than
31 their usual office hours.

32 Sec. 30. Section 48A.26, subsection 1, Code 2019, is amended
33 to read as follows:

34 1. *a.* Except as otherwise provided in ~~paragraph~~ paragraphs
35 "b" and "c" of this subsection, or section 48A.26A, within seven

1 working days of receipt of a voter registration form or change
2 of information in a voter registration record the commissioner
3 shall send an acknowledgment to the registrant at the mailing
4 address shown on the registration form. The acknowledgment
5 shall be sent by nonforwardable mail.

6 *b.* For a voter registration form or change of information
7 in a voter registration record submitted at a precinct caucus,
8 the commissioner shall send an acknowledgment within forty-five
9 days of receipt of the form or change of information.

10 *c.* For a voter registration form or change of information in
11 a voter registration record submitted within fourteen days of a
12 regularly scheduled election, the commissioner shall send an
13 acknowledgment within forty-eight hours of receipt of the form
14 or change of information.

15 Sec. 31. Section 49.11, Code 2019, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 4. Notice of changes made pursuant to
18 subsection 3 shall be reported to the state commissioner at
19 least twenty-five days before the next election in which the
20 temporary precinct will be active, or, for elections held
21 pursuant to section 69.14 while the general assembly is in
22 session or within forty-five days of the convening of a session
23 of the general assembly, at least ten days before election day.

24 Sec. 32. Section 49.31, subsection 1, paragraph a, Code
25 2019, is amended to read as follows:

26 *a.* All ballots shall be arranged with the names of
27 candidates for each office listed below the office title.
28 For partisan elections the name of the political party or
29 organization which nominated each candidate shall be listed
30 after or below each candidate's name. The state commissioner
31 may prescribe, and a county commissioner may use, uniform
32 abbreviations for political parties and organizations.

33 Sec. 33. Section 49.57, subsection 2, Code 2019, is amended
34 to read as follows:

35 2. After the name of each candidate for a partisan office

1 the name of the candidate's political party shall be printed
2 in at least six point type. The names of political parties
3 and nonparty political organizations may be abbreviated on
4 the remainder of the ballot if both the full name and the
5 abbreviation appear in the voter instruction area of the
6 ballot.

7 Sec. 34. Section 50.51, subsection 6, Code 2019, is amended
8 to read as follows:

9 6. The state commissioner shall adopt rules, pursuant
10 to chapter 17A, to implement this section, which may include
11 the establishment of pilot programs related to post-election
12 audits.

13 Sec. 35. NEW SECTION. 53.1A Rules.

14 The state commissioner shall adopt rules pursuant to chapter
15 17A for the implementation of this chapter.

16 Sec. 36. Section 53.8, subsection 1, paragraph a,
17 unnumbered paragraph 1, Code 2019, is amended to read as
18 follows:

19 Upon receipt of an application for an absentee ballot
20 and immediately after the absentee ballots are printed,
21 but not more than twenty-nine days before the election, the
22 commissioner shall mail an absentee ballot to the applicant
23 within twenty-four hours, except as otherwise provided in
24 subsection 3. When the United States post office is closed
25 in observance of a federal holiday and is not delivering mail
26 on the twenty-ninth day before the election, the first day to
27 mail absentee ballots is the next business day on which mail
28 delivery is available. The absentee ballot shall be sent to
29 the registered voter by one of the following methods:

30 Sec. 37. EFFECTIVE DATE. This division of this Act, being
31 deemed of immediate importance, takes effect upon enactment.

32 DIVISION VI

33 MISCELLANEOUS PROVISIONS

34 Sec. 38. Section 54.9, Code 2019, is amended to read as
35 follows:

1 **54.9 Compensation.**

2 The electors shall each receive a compensation of
3 ~~five dollars~~ one-half of the federal general services
4 administration's per diem rate for the relevant date and
5 location for every day's attendance, and the same mileage as
6 members of the general assembly which shall be paid from funds
7 not otherwise appropriated from the general fund of the state.

8 Sec. 39. Section 68.9, subsection 1, Code 2019, is amended
9 to read as follows:

10 1. When an impeachment is presented, the senate shall, ~~after~~
11 ~~the hour of final adjournment of the legislature~~ as soon as
12 practicable, be ~~forthwith~~ organized as a court of impeachment
13 for the trial thereof, at the capitol.

14 Sec. 40. Section 68.14, Code 2019, is amended to read as
15 follows:

16 **68.14 Compensation — fees — payment.**

17 The presiding officer and members of the senate, while
18 sitting as a court of impeachment, and the managers elected
19 by the house of representatives, shall ~~receive the sum of~~
20 ~~six dollars each per day~~ be compensated the same as for a
21 special session of the general assembly, but shall receive
22 no additional compensation during a regular session of the
23 general assembly, and shall be reimbursed for mileage expense
24 in going from and returning to their places of residence by the
25 ordinary traveled routes; the secretary, sergeant at arms, and
26 all subordinate officers, clerks, and reporters, shall receive
27 such amount as shall be determined upon by a majority vote of
28 the members of such court. The same fees shall be allowed to
29 witnesses, to officers, and to other persons serving process or
30 orders, as are allowed for like services in criminal cases, but
31 no fees can be demanded in advance. The state treasurer shall,
32 upon the presentation of certificates signed by the presiding
33 officer and secretary of the senate, pay all of the foregoing
34 compensations and the expenses of the senate incurred under the
35 provisions of **this chapter**.

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DIVISION VII

NOMINATIONS BY PETITION

Sec. 41. Section 43.20, subsection 1, Code 2019, is amended by striking the subsection and inserting in lieu thereof the following:

1. Nomination papers shall be signed by eligible electors as provided in section 45.1.

Sec. 42. Section 45.1, subsections 1, 2, 3, 4, 5, 6, 8, and 9, Code 2019, are amended to read as follows:

1. Nominations for candidates for president and vice president, governor and lieutenant governor, and ~~for other statewide elected offices~~ United States senator may be made by nomination petitions signed by not less than ~~one thousand five hundred~~ four thousand eligible electors ~~residing in,~~ including at least two hundred eligible electors from not less than ten counties of the state.

2. Nominations for candidates for a representative in the United States house of representatives may be made by nomination petitions signed by not less than ~~the number of eligible electors equal to the number of signatures required in subsection 1~~ divided by the number of congressional districts. ~~Signers of the petition shall be eligible electors who are residents of the congressional district~~ two thousand eligible electors who are residents of the congressional district, including seventy-seven eligible electors from at least one-half of the counties in the congressional district.

3. Nominations for candidates for the state senate may be made by nomination petitions signed by not less than ~~one~~ two hundred eligible electors who are residents of the senate district.

4. Nominations for candidates for the state house of representatives may be made by nomination petitions signed by not less than ~~fifty~~ one hundred eligible electors who are residents of the representative district.

5. Nominations for candidates for offices filled by the

1 voters of a whole county may be made by nomination petitions
2 signed by at least two hundred eligible electors who are
3 residents of the county ~~equal in number to at least one percent~~
4 ~~of the number of registered voters in the county on July 1 in~~
5 ~~the year preceding the year in which the office will appear on~~
6 ~~the ballot, or by at least two hundred fifty eligible electors~~
7 ~~who are residents of the county, whichever is less.~~

8 6. Nominations for candidates for the office of county
9 supervisor elected by the voters of a supervisor district may
10 be made by nomination petitions signed by at least two hundred
11 eligible electors who are residents of the supervisor district
12 ~~equal in number to at least one percent of the number of~~
13 ~~registered voters in the supervisor district on July 1 in the~~
14 ~~year preceding the year in which the office will appear on the~~
15 ~~ballot, or by at least one hundred fifty eligible electors who~~
16 ~~are residents of the supervisor district, whichever is less.~~

17 8. Nominations for candidates for elective offices in
18 cities where the council has adopted nominations under this
19 chapter may be submitted as follows:

20 a. Except as otherwise provided in [subsection 9](#), in cities
21 having a population of ~~three thousand five hundred~~ twenty
22 thousand or greater according to the most recent federal
23 decennial census, nominations may be made by nomination papers
24 signed by not less than ~~twenty-five~~ one hundred eligible
25 electors who are residents of the city or ward.

26 b. In cities having a population of ~~one hundred~~ five
27 thousand or greater, but less than ~~three thousand five hundred~~
28 twenty thousand, according to the most recent federal decennial
29 census, nominations may be made by nomination papers signed by
30 not less than ~~ten~~ fifty eligible electors who are residents of
31 the city or ward.

32 c. In cities having a population ~~less than one hundred~~ one
33 thousand or greater, but less than five thousand, according
34 to the most recent federal decennial census, nominations may
35 be made by nomination papers signed by not less than five

1 twenty-five eligible electors who are residents of the city.

2 d. In cities having a population less than one thousand,
3 according to the most recent federal decennial census,
4 nominations may be made by nomination papers signed by not less
5 than ten eligible electors who are residents of the city.

6 9. ~~Nominations for candidates, other than partisan~~
7 ~~candidates, for elective offices~~ the office of mayor, alderman
8 at large, and ward alderman in special charter cities subject
9 to [section 43.112](#) ~~may be submitted as follows:~~ made by
10 nomination papers signed by not less than one hundred eligible
11 electors residing in the city.

12 ~~a. For the office of mayor and alderman at large,~~
13 ~~nominations may be made by nomination papers signed by eligible~~
14 ~~electors residing in the city equal in number to at least two~~
15 ~~percent of the total vote received by all candidates for mayor~~
16 ~~at the last preceding city election.~~

17 ~~b. For the office of ward alderman, nominations may be made~~
18 ~~by nomination papers signed by eligible electors residing in~~
19 ~~the ward equal in number to at least two percent of the total~~
20 ~~vote received by all candidates for ward alderman in that ward~~
21 ~~at the last preceding city election.~~

22 Sec. 43. Section 45.1, Code 2019, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 02. Nominations for candidates for
25 statewide offices other than those listed in subsection 1 may
26 be made by nomination petitions signed by not less than two
27 thousand five hundred eligible electors, including at least one
28 hundred twenty-five eligible electors from not less than ten
29 counties of the state.

30 DIVISION VIII

31 CONDUCT OF ELECTIONS

32 Sec. 44. Section 39.2, subsection 4, paragraphs a, b, and c,
33 Code 2019, are amended to read as follows:

34 ~~a. For a county, on the day of the general election, on~~
35 ~~the day of the regular city election, on the date of a special~~

1 ~~election held to fill a vacancy in the same county, or on the~~
2 ~~first Tuesday in March~~ in an odd-numbered year, the first
3 Tuesday in ~~May~~ April, ~~or the first~~ second Tuesday in August
4 ~~of each year~~ September, or the first Tuesday after the first
5 Monday in November. For a county, in an even-numbered year,
6 the second Tuesday in January, the last Tuesday in April, or
7 the second Tuesday in September.

8 *b.* ~~For a city, on the day of the general election, on the~~
9 ~~day of the regular city election, on the date of a special~~
10 ~~election held to fill a vacancy in the same city, or on the~~
11 ~~first Tuesday in March~~ in an odd-numbered year, the first
12 Tuesday in ~~May~~ April, ~~or the first~~ second Tuesday in August
13 ~~of each year~~ September, or the first Tuesday after the first
14 Monday in November. For a city, in an even-numbered year, the
15 second Tuesday in January, the last Tuesday in April, or the
16 second Tuesday in September.

17 *c.* For a school district or merged area, in the odd-numbered
18 year, the ~~first~~ second Tuesday in ~~February~~ January, the
19 ~~first~~ last Tuesday in April, the ~~last~~ second Tuesday in June
20 September, or the ~~second~~ first Tuesday after the first Monday
21 in September November. For a school district or merged area,
22 in the even-numbered year, the ~~first~~ second Tuesday in ~~February~~
23 January, the ~~first~~ last Tuesday in April, or the second Tuesday
24 in September, or the second Tuesday in December.

25 Sec. 45. Section 39.12, Code 2019, is amended to read as
26 follows:

27 **39.12 Failure to vacate.**

28 An elected official who has been elected to another elective
29 office to which **section 39.11** applies shall choose only one
30 office in which to serve. The official shall resign from all
31 but one of the offices to which **section 39.11** applies before
32 the beginning of the term of the office to which the person
33 was most recently elected. Failure to submit the required
34 resignation will result in a vacancy in ~~all~~ the first elective
35 ~~offices~~ office to which the person was elected.

1 Sec. 46. Section 43.11, subsection 1, Code 2019, is amended
2 to read as follows:

3 1. For an elective county office, in the office of the
4 county commissioner not earlier than ninety-two days nor later
5 than 5:00 p.m. on the ~~sixty-ninth~~ seventy-fourth day before the
6 day fixed for holding the primary election.

7 Sec. 47. Section 43.16, subsection 2, paragraph b, Code
8 2019, is amended to read as follows:

9 b. A person who has filed nomination papers with the
10 commissioner may withdraw as a candidate not later than the
11 ~~sixty-seventh~~ sixty-ninth day before the primary election by
12 notifying the commissioner in writing.

13 Sec. 48. NEW SECTION. **43.17 Disqualification of defeated**
14 **candidates.**

15 A person who files nomination papers pursuant to section
16 43.11 but fails to receive the nomination of the political
17 party shall not be eligible for election to the office listed
18 on the nomination papers in the next general election for that
19 office.

20 Sec. 49. Section 43.23, Code 2019, is amended to read as
21 follows:

22 **43.23 Death or withdrawal of primary candidate.**

23 1. If a person who has filed nomination papers with the
24 state commissioner as a candidate in a primary election dies
25 or withdraws up to the seventy-sixth day before the primary
26 election, the appropriate convention or central committee of
27 that person's political party may designate one ~~additional~~
28 primary election candidate for the nomination that person
29 was seeking, if the designation is submitted to the state
30 commissioner in writing by 5:00 p.m. on the seventy-first day
31 before the date of the primary election. The name of any
32 candidate so submitted shall be included in the appropriate
33 certificate or certificates furnished by the state commissioner
34 under [section 43.22](#).

35 2. If a person who has filed nomination papers with the

1 commissioner as a candidate in a primary election dies or
2 withdraws up to the ~~sixty-seventh~~ sixty-ninth day before
3 the primary election, the appropriate convention or central
4 committee of that person's political party may designate one
5 ~~additional~~ primary election candidate for the nomination
6 that person was seeking, if the designation is submitted to
7 the commissioner in writing by 5:00 p.m. on the ~~sixty-third~~
8 sixty-fourth day before the primary election. The name of
9 any candidate so submitted shall be placed on the appropriate
10 ballot or ballots by the commissioner.

11 Sec. 50. Section 43.24, subsection 1, paragraph b,
12 subparagraph (2), Code 2019, is amended to read as follows:

13 (2) Those filed with the commissioner, not less than
14 ~~sixty-four~~ sixty-seven days before the date of the election.

15 Sec. 51. Section 43.30, subsection 2, Code 2019, is amended
16 to read as follows:

17 2. The commissioner shall make sample ballots available to
18 the public upon request. The sample ballots shall be clearly
19 marked as sample ballots. A reasonable fee may be charged for
20 printing costs if a person requests multiple copies of sample
21 ballots. The commissioner shall not distribute sample ballots
22 except as provided in this subsection.

23 Sec. 52. Section 43.36, Code 2019, is amended to read as
24 follows:

25 **43.36 Australian ballot.**

26 The Australian ballot system as now used in this state,
27 except as herein modified, shall be used at said primary
28 election. The endorsement of the precinct election officials
29 and the ~~faesimile of the commissioner's signature~~ county
30 seal shall appear upon the ballots as provided for general
31 elections.

32 Sec. 53. Section 43.78, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. The name of any candidate designated to fill a vacancy
35 on the general election ballot in accordance with subsection

1 1, paragraph "a", "b", or "c" shall be submitted in writing
2 to the state commissioner not later than 5:00 p.m. on the
3 ~~seventy-third~~ seventy-sixth day before the date of the general
4 election.

5 Sec. 54. Section 43.79, Code 2019, is amended to read as
6 follows:

7 **43.79 Death of candidate after time for withdrawal.**

8 The death of a candidate nominated as provided by law for any
9 office to be filled at a general election, during the period
10 beginning on the ~~eighty-first~~ seventy-fifth day before the
11 general election, in the case of any candidate whose nomination
12 papers were filed with the state commissioner, or beginning
13 on the seventy-third day before the general election, in the
14 case of any candidate whose nomination papers were filed with
15 the commissioner, and ending ~~on the last day before~~ at the
16 time the polls close on the day of the general election shall
17 not operate to remove the deceased candidate's name from the
18 general election ballot. If the deceased candidate was seeking
19 the office of senator or representative in the Congress of
20 the United States, governor, attorney general, senator or
21 representative in the general assembly or county supervisor,
22 section 49.58 shall control. If the deceased candidate was
23 seeking any other office, and as a result of the candidate's
24 death a vacancy is subsequently found to exist, the vacancy
25 shall be filled as provided by [chapter 69](#).

26 Sec. 55. Section 44.1, Code 2019, is amended to read as
27 follows:

28 **44.1 Political nonparty organizations.**

29 Any convention or caucus of eligible electors representing
30 a political organization which is not a political party as
31 defined by law, may, for the state, or for any division or
32 municipality thereof, or for any county, or for any subdivision
33 thereof, for which such convention or caucus is held, make one
34 nomination of a candidate for each office to be filled therein
35 at the general election. However, in order to qualify for

1 any nomination made for a statewide elective office by such
2 a political organization there shall be in attendance at the
3 convention or caucus where the nomination is made a minimum of
4 ~~two hundred fifty~~ five hundred eligible electors including at
5 least one eligible elector from each of twenty-five counties.
6 In order to qualify for any nomination to the office of United
7 States representative there shall be in attendance at the
8 convention or caucus where the nomination is made a minimum
9 of ~~fifty~~ two hundred eligible electors who are residents of
10 the congressional district including at least one eligible
11 elector from each of at least one-half of the counties of
12 the congressional district. In order to qualify for any
13 nomination to an office to be filled by the voters of a county
14 or of a city there shall be in attendance at the convention or
15 caucus where the nomination is made a minimum of ~~ten~~ twenty
16 eligible electors who are residents of the county or city,
17 as the case may be, including at least one eligible elector
18 from at least one-half of the voting precincts in that county
19 or city. In order to qualify for any nomination made for
20 the general assembly there shall be in attendance at the
21 convention or caucus where the nomination is made a minimum
22 of ~~ten~~ twenty-five eligible electors who are residents of the
23 representative district or ~~twenty~~ fifty eligible electors who
24 are residents of the senatorial district, as the case may be,
25 with at least one eligible elector from one-half of the voting
26 precincts in the district in each case. The names of all
27 delegates in attendance at such convention or caucus and such
28 fact shall be certified to the state commissioner together with
29 the other certification requirements of [this chapter](#).

30 Sec. 56. Section 44.4, Code 2019, is amended to read as
31 follows:

32 **44.4 Nominations and objections — time and place of filing.**

33 1. a. Nominations made pursuant to [this chapter](#) and
34 chapter 45 which are required to be filed in the office of the
35 state commissioner shall be filed in that office not more than

1 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
2 eighty-first day before the ~~date of the general election to be~~
3 ~~held in November~~ first Tuesday after the first Monday in June
4 in each even-numbered year. Nominations made for a special
5 election called pursuant to [section 69.14](#) shall be filed by
6 5:00 p.m. not less than twenty-five days before the date of
7 an election called upon at least forty days' notice and not
8 less than fourteen days before the date of an election called
9 upon at least eighteen days' notice. Nominations made for
10 a special election called pursuant to [section 69.14A](#) shall
11 be filed by 5:00 p.m. not less than twenty-five days before
12 the date of the election. Nominations made pursuant to this
13 chapter and [chapter 45](#) which are required to be filed in the
14 office of the commissioner shall be filed in that office not
15 more than ninety-two days nor later than 5:00 p.m. on the
16 ~~sixty-ninth~~ seventy-fourth day before the ~~date of the general~~
17 ~~election~~ first Tuesday after the first Monday in June in each
18 even-numbered year. Nominations made pursuant to [this chapter](#)
19 or [chapter 45](#) for city office shall be filed not more than
20 seventy-two days nor later than 5:00 p.m. on the forty-seventh
21 day before the city election with the county commissioner
22 of elections responsible under [section 47.2](#) for conducting
23 elections held for the city, who shall process them as provided
24 by law.

25 *b.* Notwithstanding paragraph "a", nominations for president
26 and vice president of the United States shall be filed in the
27 office of the state commissioner not more than ninety-nine days
28 nor later than 5:00 p.m. on the eighty-first day before the
29 date of the general election to be held in November.

30 2. *a.* Objections to the legal sufficiency of a certificate
31 of nomination or nomination petition or to the eligibility
32 of a candidate may be filed by any person who would have the
33 right to vote for a candidate for the office in question.
34 The objections must be filed with the officer with whom the
35 certificate or petition is filed and within the following time:

1 (1) Those filed with the state commissioner, not less than
2 ~~sixty-eight~~ seventy-four days before the date of the election.

3 (2) Those filed with the commissioner, not less than
4 sixty-four days before the date of the election, except as
5 provided in subparagraph (3).

6 (3) Those filed with the commissioner for an elective city
7 office, at least forty-two days before the regularly scheduled
8 or special city election. However, for those cities that may
9 be required to hold a primary election, at least sixty-three
10 days before the regularly scheduled or special city election.

11 (4) In the case of nominations to fill vacancies occurring
12 after the time when an original nomination for an office is
13 required to be filed, objections shall be filed within three
14 days after the filing of the certificate.

15 b. Objections shall be filed no later than 5:00 p.m. on the
16 final date for filing.

17 Sec. 57. Section 44.9, subsections 1 and 2, Code 2019, are
18 amended to read as follows:

19 1. In the office of the state commissioner, ~~at least~~
20 ~~sixty-eight days before the date of the election~~ as provided
21 in section 43.76.

22 2. In the office of the appropriate commissioner, ~~at least~~
23 ~~sixty-four days before the date of the election, except as~~
24 ~~otherwise provided in subsection 6~~ as provided in section
25 43.76.

26 Sec. 58. Section 47.2, Code 2019, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 7. The county commissioner shall not
29 participate in an absentee ballot drive or collection effort in
30 cooperation with a candidate, candidate's committee, political
31 party, or nonparty political organization.

32 Sec. 59. NEW SECTION. 47.12 **Electronic poll books —**
33 **mandatory.**

34 Each county commissioner of elections shall, by February 26,
35 2020, ensure that each election precinct uses an electronic

1 poll book.

2 Sec. 60. Section 48A.9, subsection 1, Code 2019, is amended
3 to read as follows:

4 1. Registration closes at 5:00 p.m. ~~eleven~~ ten days before
5 each election ~~except general elections. For general elections,~~
6 ~~registration closes at 5:00 p.m. ten days before the election.~~
7 An eligible elector may register during the time registration
8 is closed in the elector's precinct but the registration shall
9 not become effective until registration opens again in the
10 elector's precinct, except as otherwise provided in section
11 48A.7A.

12 Sec. 61. NEW SECTION. **49.2 Oversight by the state**
13 **commissioner.**

14 The state commissioner, or a designee of the state
15 commissioner, may, at the discretion of the state commissioner,
16 oversee the activities of a county commissioner of elections
17 during a period beginning sixty days before an election and
18 ending sixty days after an election.

19 Sec. 62. Section 49.21, Code 2019, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 4. The commissioner shall remove or obscure
22 from the view of voters any material displaying the name of a
23 candidate or elected official other than a ballot or sample
24 ballot.

25 Sec. 63. NEW SECTION. **49.42B Form of official ballot —**
26 **candidates for president and vice president.**

27 When candidates for president and vice president of the
28 United States appear on the ballot, the following statement
29 shall appear directly above the section of the ballot listing
30 such candidates:

31 [A ballot cast for the named candidates for president
32 and vice president of the United States is considered to be
33 cast for the slate of presidential electors nominated by
34 the political party, nonparty political organization, or
35 independent candidate.]

1 Sec. 64. NEW SECTION. **49.49 Certain sample ballots**
2 **prohibited.**

3 The commissioner and state commissioner of elections shall
4 not distribute or authorize the distribution of sample ballots
5 to voters other than as provided in sections 49.53 and 52.29.

6 Sec. 65. Section 49.51, Code 2019, is amended to read as
7 follows:

8 **49.51 Commissioner to control printing.**

9 The commissioner shall have charge of the printing of the
10 ballots to be used for any election held in the county, unless
11 the commissioner delegates that authority as permitted by this
12 section. The commissioner may delegate this authority only
13 to another commissioner who is responsible under [section 47.2](#)
14 for conducting the elections held for a political subdivision
15 which lies in more than one county, and only with respect to
16 printing of ballots containing only public questions or the
17 names of candidates to be voted upon by the registered voters
18 of that political subdivision. Only one ~~facsimile signature~~
19 county seal, that of the county of the commissioner under
20 whose direction the ballot is printed, shall appear on the
21 ballot. It is the duty of the commissioner to insure that the
22 arrangement of any ballots printed under the commissioner's
23 direction conforms to all applicable requirements of this
24 chapter.

25 Sec. 66. Section 49.57, subsection 6, Code 2019, is amended
26 to read as follows:

27 6. A portion of the ballot shall include the words "Official
28 ballot", the unique identification number or name assigned by
29 the commissioner to the ballot style, the date of the election,
30 and ~~a facsimile of the signature~~ the county seal of the county
31 of the commissioner who has caused the ballot to be printed
32 pursuant to [section 49.51](#).

33 Sec. 67. Section 49.58, subsection 1, Code 2019, is amended
34 to read as follows:

35 1. If any candidate nominated by a political party,

1 as defined in [section 43.2](#), for the office of senator or
2 representative in the Congress of the United States, governor,
3 attorney general, or senator or representative in the general
4 assembly dies during the period beginning on the ~~eighty-eighth~~
5 eighty-first day and ending at the time the polls close on the
6 ~~last day before~~ of the general election, or if any candidate
7 so nominated for the office of county supervisor dies during
8 the period beginning on the ~~seventy-third~~ seventy-fourth day
9 and ending at the time the polls close on the ~~last day before~~
10 of the general election, the vote cast at the general election
11 for that office shall not be canvassed as would otherwise be
12 required by [chapter 50](#). Instead, a special election shall be
13 held on the first Tuesday after the second Monday in December,
14 for the purpose of electing a person to fill that office.

15 Sec. 68. Section 49.73, subsection 2, Code 2019, is amended
16 to read as follows:

17 2. a. The commissioner shall not shorten voting hours for
18 any election if there is filed in the commissioner's office, at
19 least twenty-five days before the election, a petition signed
20 by at least fifty eligible electors of the school district
21 or city, as the case may be, requesting that the polls be
22 opened not later than 7:00 a.m. All polling places where the
23 candidates of or any public question submitted by any one
24 political subdivision are being voted upon shall be opened at
25 the same hour, except that this requirement shall not apply
26 to merged areas established under [chapter 260C](#). The hours at
27 which the respective precinct polling places are to open shall
28 not be changed after publication of the notice required by
29 section 49.53. The polling places shall be closed at ~~9:00 p.m.~~
30 ~~for state primary and general elections and other partisan~~
31 ~~elections, and for any other election held concurrently~~
32 ~~therewith, and at 8:00 p.m. for all other elections.~~

33 b. The legislative services agency shall place on the
34 internet site of the agency information regarding the opening
35 and closing times of polling places until and including

1 November 7, 2023. This paragraph is repealed effective July
2 1, 2024.

3 Sec. 69. Section 49.82, Code 2019, is amended to read as
4 follows:

5 **49.82 Voter to receive one ballot — endorsement.**

6 When an empty voting booth is available, one of the precinct
7 election officials shall endorse the official's initials on
8 each ballot the voter will receive. The initials shall be
9 placed so that they may be seen when the ballot is properly
10 folded or enclosed in a secrecy folder. The name or signature
11 of the commissioner shall not appear on the ballot except as
12 part of the list of candidates when the commissioner is a
13 candidate for election. The official shall give the voter one
14 and only one of each of the ballots to be voted at that election
15 in that precinct, except as provided by [section 49.100](#). No
16 ballot without the required official endorsement shall be
17 placed in the ballot box.

18 Sec. 70. Section 49A.6, Code 2019, is amended to read as
19 follows:

20 **49A.6 Certification — sample ballot.**

21 The state commissioner of elections shall, not less than
22 ~~sixty-nine~~ sixty-three days preceding any election at which a
23 constitutional amendment or public measure is to be submitted
24 to a vote of the entire people of the state, transmit to the
25 county commissioner of elections of each county a certified
26 copy of the amendment or measure and a sample of the ballot to
27 be used in such cases, prepared in accordance with law.

28 Sec. 71. Section 50.44, Code 2019, is amended to read as
29 follows:

30 **50.44 Tie vote.**

31 1. If more than the requisite number of persons, including
32 other than for presidential electors, are found to have an
33 equal and the highest number of votes, ~~the election of one of~~
34 ~~them shall be determined by lot. The name of each of such~~
35 ~~candidates shall be written on separate pieces of paper, as~~

~~1 nearly uniform in size and material as possible, and placed in
2 a receptacle so that the names cannot be seen. In the presence
3 of the board of canvassers, one of them shall publicly draw
4 one of such names, and such person shall be declared elected a
5 special election shall be held consistent with section 69.14,
6 in which each such candidate shall be the only candidates on
7 the ballot. The result of such drawing an election shall be
8 entered upon the abstract of votes and duly recorded, and a
9 certificate of election issued to such person, as provided in
10 this chapter.~~

11 2. If more than the requisite number of presidential
12 electors are found to have an equal and the highest number of
13 votes, the presidential electors shall be assigned one-half
14 to each candidate. If there is an odd number of presidential
15 electors, the remaining elector shall be assigned by lot.

16 Sec. 72. Section 50.48, subsection 3, Code 2019, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. c. In addition to the persons listed in
19 paragraph "a", the candidate requesting the recount and the
20 apparent winning candidate may each submit a request to a
21 commissioner from a county other than the county conducting the
22 recount to be present at the recount. Such a commissioner may
23 report any irregularities observed by the commissioner at any
24 time after the election to the state commissioner.

25 Sec. 73. Section 50.48, subsection 4, paragraph b, Code
26 2019, is amended to read as follows:

27 b. Any member of the recount board may at any time during
28 the recount proceedings for an election for a statewide
29 elected official as defined in section 68B.2 or a United States
30 senator extend the recount of votes cast for the office or
31 nomination in question to any other precinct or precincts in
32 the same county, or from which the returns were reported to
33 the commissioner responsible for conducting the election,
34 without the necessity of posting additional bond. The recount
35 proceedings for an election for any other office shall include

1 all precincts in which a ballot for the election was cast.

2 Sec. 74. NEW SECTION. 50.52 Enforcement.

3 Members of local law enforcement agencies and the state
4 patrol are authorized to take all reasonable actions to prevent
5 violations of this chapter.

6 Sec. 75. Section 53.2, subsection 4, paragraph b, Code 2019,
7 is amended to read as follows:

8 *b.* If insufficient information has been provided, including
9 the absence of a voter verification number, either on the
10 prescribed form or on an application created by the applicant,
11 the commissioner shall, ~~by the best means available, obtain~~
12 ~~the additional necessary information~~ within twenty-four hours
13 after the receipt of the absentee ballot request, contact the
14 applicant by telephone and electronic mail, if such information
15 has been provided by the applicant. If the commissioner is
16 unable to contact the applicant by telephone or electronic
17 mail, the commissioner shall send a notice to the applicant
18 at the address where the applicant is registered to vote, or
19 to the applicant's mailing address if it is different from
20 the residence address. If the applicant has requested the
21 ballot to be sent to an address that is not the applicant's
22 residential or mailing address, the commissioner shall send an
23 additional notice to the address where the applicant requested
24 the ballot to be sent. A commissioner shall not use the voter
25 registration system to obtain additional necessary information.
26 A voter requesting or casting a ballot pursuant to section
27 53.22 shall not be required to provide a voter verification
28 number. The state commissioner shall adopt rules to implement
29 this section.

30 Sec. 76. Section 53.2, subsection 4, Code 2019, is amended
31 by adding the following new paragraph:

32 NEW PARAGRAPH. d. If an applicant does not have current
33 access to the applicant's voter verification number, the
34 commissioner shall verify the applicant's identity prior to
35 supplying the voter verification number by asking the applicant

1 to provide at least two of the following facts about the
2 applicant:

3 (1) Date of birth.

4 (2) The last four digits of the applicant's social security
5 number, if applicable.

6 (3) Residential address.

7 (4) Mailing address.

8 (5) Middle name.

9 (6) Voter verification number as defined in paragraph "c".
10 Sec. 77. Section 53.10, subsection 2, paragraph a, Code
11 2019, is amended to read as follows:

12 a. Each person who wishes to vote by absentee ballot at
13 the commissioner's office shall first sign an application
14 for a ballot including the following information: name,
15 current address, voter verification number, and the election
16 for which the ballot is requested. The person may report a
17 change of address or other information on the person's voter
18 registration record at that time. Prior to furnishing a
19 ballot, the commissioner shall verify the person's identity
20 as provided in section 49.78. The registered voter shall
21 immediately mark the ballot; enclose the ballot in a secrecy
22 envelope, if necessary, and seal it in the envelope marked
23 with the affidavit; subscribe to the affidavit on the reverse
24 side of the envelope; and return the absentee ballot to the
25 commissioner. The commissioner shall record the numbers
26 appearing on the application and affidavit envelope along with
27 the name of the registered voter.

28 Sec. 78. Section 53.10, subsection 2, Code 2019, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. c. If an unregistered person offering to
31 vote an absentee ballot pursuant to this section prior to
32 the deadline in section 48A.9 does not have an Iowa driver's
33 license, an Iowa nonoperator's identification card, or a voter
34 identification number assigned to the voter by the state
35 commissioner pursuant to section 47.7, subsection 2, the person

1 may satisfy identity and residence requirements as provided in
2 section 49.78. This section shall also apply to a registered
3 voter casting a ballot pursuant to this section who has not yet
4 received a voter verification number.

5 Sec. 79. Section 53.11, subsection 1, paragraph a, Code
6 2019, is amended to read as follows:

7 a. Not more than twenty-nine days before the date of
8 an election, satellite absentee voting stations ~~may be~~
9 ~~established throughout the cities and county at the direction~~
10 ~~of the commissioner and~~ shall be established upon receipt
11 of a petition signed by not less than one hundred eligible
12 electors requesting that a satellite absentee voting station be
13 established at a location to be described on the petition, and
14 may be established at the direction of the commissioner in the
15 case of a special election. However, if a special election is
16 scheduled in the county on a date that falls between the date
17 of the regular city election and the date of the city runoff
18 election, the commissioner is not required to establish a
19 satellite absentee voting station for the city runoff election.

20 Sec. 80. Section 53.11, subsection 1, Code 2019, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. c. A satellite absentee voting station
23 shall not be established in any state-owned building. A
24 satellite absentee voting station may be established at a
25 county courthouse.

26 Sec. 81. Section 53.11, subsection 2, paragraph e, Code
27 2019, is amended to read as follows:

28 e. For a special election, no later than ~~thirty-two~~ eighteen
29 days before the special election.

30 Sec. 82. Section 53.11, Code 2019, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 6. The commissioner shall remove or obscure
33 from the view of voters any material displaying the name of a
34 candidate or elected official other than a ballot or sample
35 ballot.

1 Sec. 83. Section 53.17, subsection 1, paragraph b, Code
2 2019, is amended to read as follows:

3 *b.* The sealed return envelope may be mailed to the
4 commissioner by the registered voter or by the voter's
5 designee. If mailed by the voter's designee, the envelope must
6 be mailed within seventy-two hours of retrieving it from the
7 voter ~~or within time to be postmarked or, if applicable, to~~
8 ~~have the intelligent mail barcode traced to a date of entry~~
9 ~~into the federal mail system not later than the day before the~~
10 ~~election, whichever is earlier.~~

11 Sec. 84. Section 53.17, subsection 2, Code 2019, is amended
12 to read as follows:

13 2. In order for the ballot to be counted, the return
14 envelope must be received in the commissioner's office before
15 the polls close on election day ~~or be clearly postmarked by an~~
16 ~~officially authorized postal service or bear an intelligent~~
17 ~~mail barcode traceable to a date of entry into the federal mail~~
18 ~~system not later than the day before the election and received~~
19 ~~by the commissioner not later than noon on the Monday following~~
20 ~~the election.~~

21 Sec. 85. Section 53.17, subsection 4, paragraph f, Code
22 2019, is amended to read as follows:

23 *f.* A statement that the completed absentee ballot will
24 be delivered to the commissioner's office within seventy-two
25 hours of retrieving it from the voter or before the closing of
26 the polls on election day, whichever is earlier, or that the
27 completed absentee ballot will be mailed to the commissioner
28 within seventy-two hours of retrieving it from the voter ~~or~~
29 ~~within time to be postmarked or, if applicable, to have the~~
30 ~~intelligent mail barcode traced to a date of entry into the~~
31 ~~federal mail system not later than the day before the election,~~
32 ~~whichever is earlier.~~

33 Sec. 86. Section 53.18, subsection 2, Code 2019, is amended
34 to read as follows:

35 2. *a.* If the commissioner receives the return envelope

1 containing the completed absentee ballot by 5:00 p.m. on the
2 Saturday before the election for general elections and by 5:00
3 p.m. on the Friday before the election for all other elections,
4 the commissioner shall review the affidavit marked on the
5 return envelope, if applicable, for completeness or shall open
6 the return envelope to review the affidavit for completeness.
7 ~~If the affidavit is incomplete, the commissioner shall, within~~
8 ~~twenty-four hours of the time the envelope was received,~~
9 ~~notify the voter of that fact and that the voter may complete~~
10 ~~the affidavit in person at the office of the commissioner by~~
11 ~~5:00 p.m. on the day before the election, vote a replacement~~
12 ~~ballot in the manner and within the time period provided in~~
13 ~~subsection 3, or appear at the voter's precinct polling place~~
14 ~~on election day and cast a ballot in accordance with section~~
15 ~~53.19, subsection 3.~~

16 (1) If the affidavit lacks the signature of the registered
17 voter, the commissioner shall, within twenty-four hours of the
18 receipt of the envelope, notify the voter of the deficiency
19 and inform the voter that the voter may vote a replacement
20 ballot as provided in subsection 3, cast a ballot as provided
21 in section 53.19, subsection 3, or complete the affidavit in
22 person at the office of the commissioner not later than noon on
23 the Monday following the election, or if the law authorizing
24 the election specifies that the votes be canvassed earlier than
25 the Monday following the election, before the canvass of the
26 election.

27 (2) If the affidavit appears to have been signed by someone
28 other than the registered voter, the commissioner shall, within
29 twenty-four hours of the receipt of the envelope, notify the
30 voter of the deficiency and inform the voter that the voter may
31 vote a replacement ballot as provided in subsection 3, cast a
32 ballot as provided in section 53.19, subsection 3, or complete
33 the affidavit in person at the office of the commissioner by
34 providing proof of identity as provided in section 49.78 not
35 later than noon on the Monday following the election, or if

1 the law authorizing the election specifies that the votes be
2 canvassed earlier than the Monday following the election,
3 before the canvass of the election.

4 b. If the commissioner receives the return envelope
5 containing the completed absentee ballot after the deadline
6 in paragraph "a", the commissioner shall submit the affidavit
7 to the absentee and special voters precinct board for review.
8 If the absentee and special voters precinct determines that
9 the affidavit is incomplete, the commissioner shall, within
10 twenty-four hours of the determination, notify the voter.

11 (1) If the affidavit lacks the signature of the registered
12 voter, the commissioner shall notify the voter that the voter
13 may complete the affidavit in person at the office of the
14 commissioner not later than noon on the Monday following the
15 election, or if the law authorizing the election specifies that
16 the votes be canvassed earlier than the Monday following the
17 election, before the canvass of the election.

18 (2) If the affidavit appears to have been signed by someone
19 other than the registered voter, the commissioner shall
20 notify the voter that the voter may complete the affidavit in
21 person at the office of the commissioner by providing proof of
22 identity as provided in section 49.78 not later than noon on
23 the Monday following the election, or if the law authorizing
24 the election specifies that the votes be canvassed earlier than
25 the Monday following the election, before the canvass of the
26 election.

27 Sec. 87. Section 53.18, Code 2019, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 04. For the purposes of this section, a
30 return envelope marked with the affidavit shall be considered
31 incomplete if it lacks the registered voter's signature or it
32 appears to the commissioner that the signature on the envelope
33 has been signed by someone other than the registered voter,
34 in comparing the signature on the envelope to the signature
35 on record of the registered voter named on the envelope. A

1 signature or marking made in accordance with section 39.3,
2 subsection 17, shall cause an affidavit to be considered
3 incomplete.

4 Sec. 88. Section 53.22, subsection 6, paragraph b, Code
5 2019, is amended to read as follows:

6 b. Absentee ballots voted under **this subsection** shall be
7 delivered to the commissioner no later than the time the polls
8 are closed on election day. If the ballot is returned by mail
9 the return envelope must be received by the time the polls
10 close, ~~or be clearly postmarked by an officially authorized~~
11 ~~postal service or bear an intelligent mail barcode traceable~~
12 ~~to a date of entry into the federal mail system not later than~~
13 ~~the day before the election and received by the commissioner no~~
14 ~~later than the time established for the canvass by the board of~~
15 ~~supervisors for that election.~~

16 Sec. 89. Section 58.1, Code 2019, is amended to read as
17 follows:

18 **58.1 Notice — grounds.**

19 The contestant for the office of governor shall, within
20 ~~thirty~~ fourteen days after the proclamation of the result of
21 the election, deliver to the presiding officer of each house
22 of the general assembly a notice of intent to contest, and a
23 specification of the grounds of such contest, as provided in
24 chapter 62.

25 Sec. 90. Section 58.4, subsections 1 and 2, Code 2019, are
26 amended to read as follows:

27 1. The names of members of each house, except the presiding
28 officer and the majority and minority leaders, written on
29 similar paper tickets, shall be placed in a box, the names of
30 the senators in their presence by their secretary, and the
31 names of the representatives in their presence by their clerk.

32 2. The secretary of the senate in the presence of the
33 senate, and the clerk of the house of representatives in
34 the presence of the house, shall draw from their respective
35 boxes the names of ~~seven~~ five members each. The majority and

1 minority leaders of each house shall also serve on the contest
2 court.

3 Sec. 91. NEW SECTION. 68A.507 Deceptive names prohibited.

4 No person shall place on any published material, as defined
5 in section 68A.405, a name or abbreviation of a name intended
6 to cause a voter to believe that the person represents a
7 political party or nonparty political organization of which the
8 person is not a candidate.

9 Sec. 92. Section 69.9, Code 2019, is amended to read as
10 follows:

11 **69.9 Person removed not eligible.**

12 No person can be appointed to fill a vacancy who has been
13 removed from office ~~within one year next preceding.~~

14 Sec. 93. Section 69.14, Code 2019, is amended to read as
15 follows:

16 **69.14 Special election to fill vacancies.**

17 1. A special election to fill a vacancy shall be held for a
18 representative in Congress, when Congress is in session or will
19 convene prior to the next general election, or for a senator or
20 representative in the general assembly, when the body in which
21 such vacancy exists is in session, or the general assembly will
22 convene prior to the next general election, and the governor
23 shall order, not later than five days from the date the vacancy
24 exists, a special election, giving not less than forty days'
25 notice of such election.

26 2. In the event the special election is to fill a vacancy
27 in the general assembly while it is in session or within
28 forty-five days of the convening of any session, ~~the time limit~~
29 ~~provided in this section shall not apply~~ and the governor
30 shall order such, not later than five days after the day the
31 vacancy occurs, a special election at the earliest practical
32 time, giving at least eighteen twenty-one, but no more than
33 forty-two, days' notice of the special election. Any special
34 election called under ~~this section~~ must be held on a Tuesday
35 and shall not be held on the same day as a school election

1 within the district.

2 Sec. 94. Section 445.5, subsection 1, Code 2019, is amended
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *i.* Until November 7, 2023, the hours during
5 which polling places are open on election days. This paragraph
6 is repealed effective July 1, 2024.

7 DIVISION IX

8 CONFLICTS OF INTEREST

9 Sec. 95. Section 314.2, Code 2019, is amended by striking
10 the section and inserting in lieu thereof the following:

11 **314.2 Conflicts of interest.**

12 A state or county official who is a voting member of a
13 governmental entity responsible for awarding a contract
14 pursuant to section 314.1 and is the apparent low bidder for
15 the contract shall not participate in a vote to award the
16 contract and shall include an explanation of the official's
17 conflict in the resolution entered pursuant to section 26.12.

18 Sec. 96. EFFECTIVE DATE. This division of this Act takes
19 effect March 18, 2021.

20 DIVISION X

21 VOTER REGISTRATION

22 Sec. 97. Section 47.7, Code 2019, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 3. The state registrar of voters shall
25 develop a form to be distributed pursuant to section 262.9,
26 subsection 39, indicating whether a graduating student will
27 reside outside Iowa, reside within Iowa and optionally, at
28 what address, or move outside Iowa but vote in Iowa pursuant
29 to chapter 53, subchapter II. The state registrar of voters
30 shall remove from the statewide voter registration system any
31 graduating student indicating that the student will reside
32 outside Iowa after graduation, unless the student will vote in
33 Iowa pursuant to chapter 53, subchapter II, and shall update
34 the registration information of any student indicating a change
35 of address within the state.

1 NEW SUBSECTION. 4. The state registrar of voters shall use
2 information from the electronic registration information center
3 to update information in the statewide voter registration
4 system, including but not limited to the following reports:

- 5 a. In-state duplicates.
- 6 b. In-state updates.
- 7 c. Cross-state matches.
- 8 d. Deceased.
- 9 e. Eligible but unregistered.
- 10 f. National change of address.

11 Sec. 98. Section 48A.10A, subsection 1, Code 2019, is
12 amended to read as follows:

13 1. The state registrar shall compare lists of persons who
14 are registered to vote with the department of transportation's
15 driver's license and nonoperator's identification card files
16 and shall, on an initial basis, issue a voter identification
17 card to each active, registered voter whose name does not
18 appear in the department of transportation's files. The voter
19 identification card shall include the name of the registered
20 voter, a signature line above which the registered voter shall
21 sign the voter identification card, the registered voter's
22 identification number assigned to the voter pursuant to section
23 47.7, subsection 2, ~~and~~ an additional four-digit personal
24 identification number assigned by the state commissioner, and
25 the times during which polling places will be open on election
26 days.

27 Sec. 99. Section 48A.28, subsection 2, paragraph b, Code
28 2019, is amended to read as follows:

29 b. (1) A commissioner participating in the national change
30 of address program, ~~in the first quarter of each calendar~~
31 ~~year,~~ shall, during the January immediately following each
32 presidential election, send a notice and preaddressed, postage
33 paid return card by forwardable mail to each registered voter
34 whose name was not reported by the national change of address
35 program and who has ~~not voted in two or more consecutive~~

1 ~~general elections failed to vote in a presidential election~~
2 ~~and has not registered again, or who has not reported a change~~
3 ~~to an existing registration, or who has not responded to a~~
4 ~~notice from the commissioner or registrar during the period~~
5 ~~between and following the previous two general elections and~~
6 ~~shall make the voter registration record of the voter inactive.~~
7 The form and language of the notice and return card shall be
8 specified by the state voter registration commission by rule.
9 A registered voter shall not be sent a notice and return card
10 under this subsection more frequently than once in a four-year
11 period.

12 (2) The commissioner shall send a notice to each registered
13 voter who does not respond to a notice sent pursuant to
14 subparagraph (1) during the April immediately following the
15 presidential election. The form and language of the notice
16 shall be specified by the state voter registration commission
17 by rule.

18 Sec. 100. Section 48A.29, subsection 1, unnumbered
19 paragraph 1, Code 2019, is amended to read as follows:

20 If a confirmation notice and return card sent pursuant to
21 section 48A.28, subsection 3, is returned as undeliverable by
22 the United States postal service, the commissioner shall make
23 the registration record inactive and shall mail a notice to the
24 registered voter at the registered voter's most recent mailing
25 address, as shown by the registration records.

26 Sec. 101. Section 48A.30, subsection 1, Code 2019, is
27 amended by adding the following new paragraph:

28 NEW PARAGRAPH. h. The registered voter has not responded to
29 a notice sent pursuant to section 48A.28, subsection 2, by July
30 1 following the presidential election.

31 Sec. 102. Section 48A.38, subsection 1, unnumbered
32 paragraph 1, Code 2019, is amended to read as follows:

33 Any person may request of the registrar and shall receive,
34 upon payment of ~~the cost of preparation~~ two hundred fifty
35 dollars, a list of registered voters and other data on

1 to each county such that the first county listed is number
2 one, the second county listed is number two, and continuing
3 in descending order in the same manner. The commissioner
4 shall put in alphabetical order the top two political parties
5 receiving the highest votes from the most recent election.

6 (3) The commissioner of each county assigned an even number
7 pursuant to subparagraph (2) shall arrange the ballot as
8 follows:

9 (a) The candidates of the first political party by
10 alphabetical order pursuant to subparagraph (2) shall appear
11 first on the ballot for the first general election at which the
12 president of the United States is to be elected following the
13 effective date of this Act and second on the ballot for the
14 first general election at which the governor will be elected
15 following the effective date of this Act and second on the
16 ballot for the second general election at which the president
17 of the United States is to be elected following the effective
18 date of this Act and first on the ballot for the second general
19 election at which the governor will be elected following the
20 effective date of this Act, and thereafter alternating with the
21 candidates of the second political party by alphabetical order
22 pursuant to subparagraph (2).

23 (b) The candidates of the second political party by
24 alphabetical order pursuant to subparagraph (2) shall appear
25 second on the ballot for the first general election at which
26 the president of the United States is to be elected following
27 the effective date of this Act and first on the ballot for
28 the first general election at which the governor will be
29 elected following the effective date of this Act and first
30 on the ballot for the second general election at which the
31 president of the United States is to be elected following the
32 effective date of this Act and second on the ballot for the
33 second general election at which the governor will be elected
34 following the effective date of this Act, and thereafter
35 alternating with the candidates of the first political party by

1 alphabetical order pursuant to subparagraph (2).

2 (4) The commissioner of each county assigned an odd number
3 pursuant to subparagraph (2) shall arrange the ballot as
4 follows:

5 (a) The candidates of the second political party by
6 alphabetical order pursuant to subparagraph (2) shall appear
7 first on the ballot for the first general election at which the
8 president of the United States is to be elected following the
9 effective date of this Act and second on the ballot for the
10 first general election at which the governor will be elected
11 following the effective date of this Act and second on the
12 ballot for the second general election at which the president
13 of the United States is to be elected following the effective
14 date of this Act and first on the ballot for the second general
15 election at which the governor will be elected following the
16 effective date of this Act, and thereafter alternating with the
17 candidates of the first political party by alphabetical order
18 pursuant to subparagraph (2).

19 (b) The candidates of the first political party by
20 alphabetical order pursuant to subparagraph (2) shall appear
21 second on the ballot for the first general election at which
22 the president of the United States is to be elected following
23 the effective date of this Act and first on the ballot for
24 the first general election at which the governor will be
25 elected following the effective date of this Act and first
26 on the ballot for the second general election at which the
27 president of the United States is to be elected following the
28 effective date of this Act and second on the ballot for the
29 second general election at which the governor will be elected
30 following the effective date of this Act, and thereafter
31 alternating with the candidates of the second political party
32 by alphabetical order pursuant to subparagraph (2).

33 (c) The commissioner shall determine the order of
34 candidates of nonparty political organizations on the ballot.
35 The order shall be the same for each office on the ballot and

1 for each precinct in the county voting in the election.

2 Sec. 106. Section 49.31, subsection 2, paragraph b, Code
3 2019, is amended to read as follows:

4 b. The Notwithstanding any provision of subsection 1,
5 paragraph "b", to the contrary, the commissioner shall then
6 arrange the surnames of each political party's candidates for
7 each office to which two or more persons are to be elected at
8 large alphabetically for the respective offices for the first
9 precinct on the list; thereafter, for each political party and
10 for each succeeding precinct, the names appearing first for
11 the respective offices in the last preceding precinct shall
12 be placed last, so that the names that were second before the
13 change shall be first after the change. The commissioner may
14 also rotate the names of candidates of a political party in the
15 reverse order of that provided in **this subsection** or alternate
16 the rotation so that the candidates of different parties shall
17 not be paired as they proceed through the rotation. The
18 procedure for arrangement of names on ballots provided in this
19 section shall likewise be substantially followed in elections
20 in political subdivisions of less than a county.

21 DIVISION XII

22 MUNICIPAL ELECTIONS

23 Sec. 107. Section 44.9, subsection 3, Code 2019, is amended
24 to read as follows:

25 3. In the office of the proper school board secretary, at
26 least ~~thirty-five~~ forty-two days before the day of a regularly
27 scheduled school election.

28 Sec. 108. Section 50.48, subsection 7, Code 2019, is amended
29 to read as follows:

30 7. If the election is ~~an election held by a city which~~
31 ~~is not the final election for the office in question~~ a city
32 primary election held pursuant to section 376.7, the recount
33 shall progress according to the times provided by this
34 subsection. If **this subsection** applies the canvass shall be
35 held by the second day after the election, the request for

1 a recount must be made by the third day after the election,
2 the board shall convene to conduct the recount by the sixth
3 day after the election, and the report shall be filed by the
4 ~~eleventh~~ eighth day after the election.

5 Sec. 109. Section 50.48, Code 2019, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 8. When a city council has chosen a runoff
8 election pursuant to section 376.9, the recount shall progress
9 according to the times provided by this subsection. If this
10 subsection applies, the canvass shall be conducted pursuant
11 to section 50.24. The request for a recount must be made
12 by the day after the canvass, and the board shall convene
13 for the first time not later than the first Friday following
14 the canvass. The report shall be filed not later than the
15 fourteenth day after the election.

16 Sec. 110. Section 260C.12, subsection 1, as amended by
17 2017 Iowa Acts, chapter 155, section 2, is amended to read as
18 follows:

19 1. The board of directors of the merged area shall organize
20 at the first regular meeting following the regular school
21 election or at a special meeting called by the secretary of the
22 board to organize the board in advance of the first regular
23 meeting ~~following the regular school election~~ after the canvass
24 for the regular school election. Organization of the board
25 shall be effected by the election of a president and other
26 officers from the board membership as board members determine.
27 The board of directors shall appoint a secretary and a
28 treasurer who shall each give bond as prescribed in section
29 291.2 and who shall each receive the salary determined by the
30 board. The secretary and treasurer shall perform duties under
31 chapter 291 and additional duties the board of directors deems
32 necessary. However, the board may appoint one person to serve
33 as the secretary and treasurer. If one person serves as the
34 secretary and treasurer, only one bond is necessary for that
35 person. The frequency of meetings other than organizational

1 meetings shall be as determined by the board of directors but
2 the president or a majority of the members may call a special
3 meeting at any time.

4 Sec. 111. Section 260C.15, subsection 5, as amended by
5 2017 Iowa Acts, chapter 155, section 4, is amended to read as
6 follows:

7 5. The votes cast in the election shall be canvassed and
8 abstracts of the votes cast shall be certified as required by
9 section 277.20. In each county whose commissioner of elections
10 is responsible under [section 47.2](#) for conducting elections
11 held for a merged area, the county board of supervisors shall
12 ~~convene on the last Monday in November or at the last regular~~
13 ~~board meeting in November,~~ on the second Monday or Tuesday
14 after the day of the election to canvass the abstracts of votes
15 cast and declare the results of the voting. The commissioner
16 shall at once issue certificates of election to each person
17 declared elected, and shall certify to the merged area board in
18 substantially the manner prescribed by [section 50.27](#) the result
19 of the voting on any public question submitted to the voters
20 of the merged area. Members elected to the board of directors
21 of a merged area shall qualify by taking the oath of office
22 prescribed in [section 277.28](#).

23 Sec. 112. Section 277.4, subsection 3, Code 2019, is amended
24 to read as follows:

25 3. The secretary of the school board shall accept the
26 petition for filing if on its face it appears to have the
27 requisite number of signatures and if it is timely filed. The
28 secretary of the school board shall note upon each petition
29 and affidavit accepted for filing the date and time that the
30 petition was filed. The secretary of the school board shall
31 deliver all nomination petitions, together with the complete
32 text of any public measure being submitted by the board to the
33 electorate, to the county commissioner of elections on the day
34 following the last day on which nomination petitions can be
35 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

1 Sec. 113. Section 279.1, subsection 1, Code 2019, is amended
2 to read as follows:

3 1. The board of directors of each school corporation shall
4 meet and organize at the first regular meeting or at a special
5 meeting called by the secretary of the board to organize the
6 board in advance of the first regular meeting after the canvass
7 for the regular school election at some suitable place to be
8 designated by the secretary. Notice of the place and hour of
9 the meeting shall be given by the secretary to each member and
10 member-elect of the board.

11 Sec. 114. Section 279.7, subsection 3, Code 2019, is amended
12 to read as follows:

13 3. In the case of a special election as provided in this
14 section to fill a vacancy occurring among the elective officers
15 or members of a school board before the expiration of a full
16 term, the person so elected shall qualify within ten days
17 ~~thereafter~~ from the final canvass of the election by the county
18 board in the manner required by [section 277.28](#) and shall hold
19 office for the residue of the unexpired term and until a
20 successor is elected, or appointed, and qualified.

21 Sec. 115. Section 376.5, Code 2019, is amended to read as
22 follows:

23 **376.5 Publication of ballot.**

24 Notice containing a copy of the ballot for each regular,
25 special, primary, or runoff city election must be published by
26 the county commissioner of elections as provided in section
27 362.3, except that notice of a regular, primary, or runoff
28 election may be published not less than four days before the
29 date of the election. The published ~~ballot~~ notice must contain
30 the names of all candidates, and may not contain any party
31 designations. The published ~~ballot~~ notice must contain any
32 question to be submitted to the voters.

33 Sec. 116. Section 376.7, Code 2019, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 3. If the city holding a primary

1 election is located in more than one county, the controlling
2 commissioner for that city under section 47.2, subsection
3 2, shall conduct a second canvass on the first Monday or
4 Tuesday after the day of the election. However, if a recount
5 is requested pursuant to section 50.48, the controlling
6 commissioner shall conduct the second canvass within two
7 business days after the conclusion of the recount proceeding.
8 Each commissioner conducting a canvass for the city pursuant
9 to section 50.24, subsection 1, shall transmit abstracts for
10 the offices of that city to the controlling commissioner for
11 that city, along with individual tallies for each write-in
12 candidate. At the second canvass, the county board of
13 supervisors of the county of the controlling commissioner shall
14 canvass the abstracts received pursuant to this subsection and
15 shall prepare a combined city abstract stating the number of
16 votes cast in the city for each office. The combined city
17 abstract shall further indicate the name of each person who
18 received votes for each office on the ballot, and the number of
19 votes each person received for that office. The votes of all
20 write-in candidates who each received less than five percent
21 of the total votes cast in the city for an office shall be
22 reported collectively under the heading "scattering".

23 Sec. 117. Section 376.9, subsection 1, Code 2019, is amended
24 to read as follows:

25 1. A runoff election may be held only for positions unfilled
26 because of failure of a sufficient number of candidates to
27 receive a majority vote in the regular city election. When a
28 council has chosen a runoff election in lieu of a primary, the
29 county board of supervisors shall publicly canvass the tally
30 lists of the vote cast in the regular city election, following
31 the procedures prescribed in [section 50.24](#), ~~at a meeting to be~~
32 ~~held on the second day following the regular city election, and~~
33 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
34 who do not receive a majority of the votes cast for an office,
35 but who receive the highest number of votes cast for that

1 office in the regular city election, to the extent of twice
2 the number of unfilled positions, are candidates in the runoff
3 election.

4 Sec. 118. 2017 Iowa Acts, chapter 155, section 45, is
5 amended to read as follows:

6 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

7 1. Notwithstanding the provisions of [section 260C.11](#)
8 designating a term of four years for members of a board of
9 directors of a merged area, the term of office for a seat on a
10 board of directors filled at the regular school election held
11 on:

12 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
13 the board's organizational meeting held pursuant to section
14 260C.12, subsection 1.

15 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
16 the board's organizational meeting held pursuant to section
17 260C.12, subsection 1.

18 2. Notwithstanding the provisions of section 273.8,
19 subsection 1, designating a term of four years for members of
20 a board of directors of an area education agency, the term of
21 office for a seat on a board of directors filled by election
22 in:

23 a. September 2015 shall expire November 30, 2019.

24 b. September 2017 shall expire November 30, 2021.

25 3. Notwithstanding the provisions of [section 274.7](#)
26 designating a term of four years for members of a board of
27 directors of a school district, the term of office for a seat
28 on a board of directors filled at the regular school election
29 held on:

30 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the
31 board's organizational meeting held pursuant to section 279.1.

32 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
33 the board's organizational meeting held pursuant to section
34 279.1.

35

EXPLANATION

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

3 This bill relates to the conduct of elections.

4 DIVISION I — PROCEDURES FOR PROPOSED AMENDMENTS TO THE IOWA
5 CONSTITUTION. This division of the bill relates to proposed
6 amendments to the Iowa Constitution. The bill requires the
7 legislative services agency to publish on its internet site a
8 list of all propositions to amend the Constitution as they are
9 filed. The bill also requires the agency to post and maintain
10 separate lists of proposed amendments that have been passed by
11 one general assembly and by two consecutive general assemblies.
12 The bill provides that such publication shall satisfy the
13 constitutional requirement that proposed amendments be
14 published prior to the election of the second general assembly
15 to pass the proposed amendment. The bill directs the secretary
16 of state to endeavor to publish proposed amendments in two
17 newspapers of general circulation but removes the requirement
18 that the secretary do so.

19 The bill allows the full text of a proposed constitutional
20 amendment to be posted in the voting booth rather than on the
21 ballot.

22 The bill repeals a Code section explicitly granting a
23 taxpayer the authority to intervene in an action to test
24 the constitutionality of a proposed amendment to the Iowa
25 Constitution.

26 DIVISION II — ISSUANCE OF BONDS. This division of the bill
27 relates to the issuance of bonds. The bill requires a public
28 measure to approve the issuance of bonds to include on the
29 ballot the current property tax levy, the term of the bond,
30 and the average increase or decrease in the cost of a home
31 in each county voting on the bond, as well as the average of
32 such averages, according to data provided by the United States
33 census bureau.

34 DIVISION III — SELF-PROMOTION WITH TAXPAYER FUNDS. This
35 division of the bill relates to the prohibition on using

1 taxpayer funds for self-promotion. The bill defines "direct
2 mass mailing" for the purposes of the prohibition as a mailing
3 the purpose of which is to promote a person or idea sent by a
4 statewide elected official that is delivered by a mail service,
5 sent to more than two hundred addresses, is substantially
6 similar as regards each mailing, and all of which mailings are
7 sent at the same time or within 30 days of each other.

8 DIVISION IV — HOSPITAL BOARD OF TRUSTEES ELECTIONS. This
9 division relates to elections for hospital boards of trustees.
10 The bill provides that trustees in a county with a population
11 of at least 400,000 shall serve for terms of six years. A
12 trustee elected to a term of four years in or after January
13 2018 shall instead serve a term of six years.

14 The bill allows a board of trustees to fill vacancies on the
15 board through appointment at any time. Current law limits a
16 board's appointment powers to until the next general election.

17 The bill provides for staggered terms of service for
18 trustees elected in 2022.

19 DIVISION V — TECHNICAL CHANGES. This division of the bill
20 relates to technical changes to the election laws of Iowa.

21 The bill eliminates the second Tuesday in December as a
22 possible date for a special election on a public measure in
23 a school district or merged area in an even-numbered year.
24 The bill also eliminates the first Tuesday in December as a
25 possible date for a special election on a public measure in a
26 city in an even-numbered year.

27 The bill makes the false or fraudulent signing of nomination
28 papers on behalf of another person and the misuse of voter
29 registration information election misconduct in the second
30 degree. Under current law, misuse of voter registration
31 information is election misconduct in the third degree. A
32 person who commits election misconduct in the second degree is
33 guilty of an aggravated misdemeanor. An aggravated misdemeanor
34 is punishable by confinement for no more than two years and a
35 fine of at least \$625 but not more than \$6,250.

1 The bill permits the state commissioner of elections to
2 require a written explanation from a county commissioner who
3 has been issued a notice of technical infraction. Such an
4 explanation must contain measures the county commissioner took
5 to redress the issues in the notice.

6 The bill requires a person circulating a petition for
7 nomination to include that person's name, signature, address,
8 and phone number. The bill also specifies that a signature
9 line must contain a signer's residential address. The bill
10 prohibits a signature line from being counted if the signature
11 line contains a partial address or a post office box address,
12 or if any of the required information is crossed out or
13 redacted at the time of filing. The bill requires nomination
14 papers to be rejected if they do not contain information
15 required by Code section 43.18 (affidavit of candidacy).

16 The bill requires the state commissioner to issue a
17 certificate of nomination to each county commissioner as soon
18 as is practicable if a challenge to the nomination pursuant
19 to section 43.24 is pending. Current law requires the state
20 commissioner to issue such a certificate at least 69 days
21 before a primary election.

22 The bill permits objections to be filed to certificates of
23 nomination for candidates to replace candidates who have died
24 or withdrawn their nomination.

25 The bill permits the state commissioner to examine election
26 security assessments conducted or authorized by government or
27 private entities. Such information retains its confidential
28 status. The bill also permits the state commissioner to share
29 information provided by a county to an appropriate government
30 agency to safeguard against cybersecurity or physical threats
31 and to adopt rules for minimum security standards to which
32 county commissioners must adhere. The state commissioner may
33 limit access to the statewide voter registration system if a
34 county commissioner fails to meet these standards.

35 The bill requires a county commissioner of elections

1 to report to the state commissioner of elections when the
2 county commissioner believes that a cybersecurity incident or
3 data breach has occurred. The bill also requires a county
4 commissioner to report to the state commissioner on an annual
5 basis if the county commissioner has no reason to believe that
6 a cybersecurity incident or data breach has occurred.

7 The bill requires the state registrar of voters to adopt
8 rules regarding access to the statewide voter registration
9 system and training requirements, technology safeguards, and
10 breach incident response requirements.

11 The bill extends the deadline by which voter registration
12 forms must be submitted to voter registration agencies, motor
13 vehicle driver's license stations, and county treasurer's
14 offices participating in county issuance of driver's licenses
15 from 5:00 p.m. to 11:59 p.m. on the day registration closes for
16 an election.

17 The bill changes the time frame for the state commissioner
18 of elections to send an acknowledgment of receipt of a voter
19 registration form or change of information, if that form was
20 submitted within 14 days of a regularly scheduled election,
21 from within 7 days to within 48 hours.

22 The bill requires county commissioners of elections to
23 report temporary combinations of precincts to the state
24 commissioner of elections at least 25 days before the next
25 election for which the precinct will be active, or at least 10
26 days prior to an election held pursuant to Code section 69.14.

27 The bill allows the state commissioner of elections to
28 prescribe, and county commissioners of elections to place
29 on ballots, uniform abbreviations for political parties and
30 organizations. The bill allows abbreviations for the names of
31 political parties and organizations to be used on the remainder
32 of the ballot if the full name and abbreviation appear in the
33 voter instruction portion of the ballot.

34 The bill allows the state commissioner of elections to adopt
35 rules to establish pilot programs related to post-election

1 audits.

2 The bill requires the state commissioner of elections to
3 adopt rules for the implementation of the absentee voting
4 system.

5 The bill moves the first day to mail absentee ballots to
6 the first business day on which mail delivery is available
7 following the 29th day before an election in the event that the
8 United States post office is closed and not delivering mail on
9 the 29th day before an election.

10 The division takes effect upon enactment.

11 DIVISION VI — MISCELLANEOUS PROVISIONS. This division of
12 the bill relates to various changes to the Code.

13 The bill changes the rate of compensation for presidential
14 electors from \$5 per day to one-half of the per diem rate set by
15 the federal general services administration.

16 The bill changes the time at which the senate shall organize
17 as a court of impeachment from forthwith after the hour of
18 final adjournment to as soon as practicable. The bill also
19 changes the rate of compensation for members serving on a court
20 of impeachment to the same rate as for members serving in a
21 special session of the general assembly if the general assembly
22 is not in regular session. If the general assembly is in
23 regular session, the bill provides that members shall receive
24 no additional compensation.

25 DIVISION VII — NOMINATIONS BY PETITION. This division
26 alters the number of signatures required for a person to obtain
27 a nomination by petition.

28 DIVISION VIII — CONDUCT OF ELECTIONS. This division of the
29 bill relates to the conduct of elections.

30 The bill alters the list of possible dates for elections held
31 by counties, cities, school districts, and merged areas.

32 The bill provides that a person who holds an elective office
33 and wins an election for a second office shall automatically
34 vacate the first office if the person does not vacate one of
35 the offices.

1 The bill prohibits a person who seeks the nomination of a
2 political party for election to a certain office but loses the
3 nomination from being eligible for election to that office in
4 the next general election for that office.

5 The bill requires a ballot to include the county seal and
6 prohibits the commissioner's name from appearing on the ballot
7 unless the commissioner is a candidate.

8 The bill alters the deadlines for filing a nomination
9 petition, withdrawing a nomination, and filling a ballot
10 vacancy. If a vacancy occurs on a ballot due to the death of a
11 candidate after the date for filling a vacancy until the time
12 the polls close on election day, the election for that office
13 shall not be canvassed and the office shall be filled by a
14 special election.

15 The bill changes the filing deadline for nomination papers
16 of persons seeking to be a nonparty political organization's
17 candidate for elected office. The bill changes the deadlines
18 for filing nomination papers and objections to the same
19 deadline that is applied to persons seeking to be a political
20 party's candidate for elected office.

21 The bill prohibits a county commissioner of elections
22 from participating in an absentee ballot drive or collection
23 effort in cooperation with a candidate, candidate's committee,
24 political party, or nonparty political organization.

25 The bill requires county commissioners of elections to
26 ensure that each election precinct uses an electronic poll book
27 by February 26, 2020.

28 The bill moves the voter registration deadline for all
29 elections other than general elections from 11 days before an
30 election to 10 days before an election. The voter registration
31 deadline for general elections is currently 10 days before
32 the election. The bill does not affect election day voter
33 registration.

34 The bill allows the state commissioner of elections to
35 oversee the activities of county commissioners of elections

1 during a period beginning 60 days prior to an election and
2 ending 60 days after an election.

3 The bill prohibits county commissioners of elections and
4 the state commissioner of elections from distributing sample
5 ballots to voters other than as required by the Code.

6 The bill changes the circumstances under which and places at
7 which a county commissioner of elections may create a satellite
8 voting location.

9 The bill requires the county commissioner of elections to
10 remove or obscure from public view any material displaying the
11 name of a candidate or elected official other than a ballot or
12 sample ballot.

13 The bill changes the closing time for polling places for
14 state primary and general elections, and other partisan
15 elections, and any other election held concurrently therewith
16 from 9:00 p.m. to 8:00 p.m. The bill requires that the opening
17 and closing times for polling places be placed on the internet
18 site of the legislative services agency, voter identification
19 cards, and property tax statements.

20 The bill requires the state commissioner of elections
21 to transmit a certified copy of a constitutional amendment
22 or public measure and a sample ballot to each county
23 commissioner of elections 63 days before an election at which a
24 constitutional amendment or public measure is to be submitted
25 to a vote of the entire people of the state. Current law
26 requires such certified copies and sample ballots to be sent 69
27 days before the election.

28 The bill requires any election other than a presidential
29 election that results in a tie to go to a special election. A
30 tied election for president shall result in the electors being
31 split between the candidates.

32 The bill allows a candidate requesting a recount to request
33 the presence of a county commissioner of elections from another
34 county at the recount. Such a commissioner may report any
35 irregularities observed by the commissioner at any time after

1 the election to the state commissioner of elections.

2 The bill requires a recount for an election other than a
3 statewide election to include all precincts in which a ballot
4 for the contested election was cast.

5 The bill grants local law enforcement agencies and the state
6 patrol the authority to take all reasonable actions to prevent
7 violations of Code chapter 50 (canvass of votes).

8 The bill requires a county commissioner of elections who
9 receives an incomplete absentee ballot request to inform
10 the applicant within 24 hours of receipt of the request
11 by telephone or electronic mail if such information was
12 provided, and by mail if such information was not provided.
13 The bill prohibits a county commissioner of elections from
14 using the voter registration system to obtain additional
15 necessary information. The bill allows a county commissioner
16 of elections to verify the identity of an applicant for
17 an absentee ballot who cannot access the applicant's voter
18 verification number by asking for at least two of the following
19 from the applicant: date of birth, the last four digits of
20 the applicant's social security number, residential address,
21 mailing address, and middle name.

22 The bill requires a county commissioner of elections to
23 verify the identity of a person voting absentee in person in
24 the same manner as a poll worker verifying the identity of a
25 person voting at the polls on election day.

26 The bill allows an unregistered person seeking to vote
27 absentee at the office of a county commissioner of elections
28 prior to the voter registration deadline who does not have an
29 Iowa driver's license, nonoperator's identification card, or
30 voter identification number to vote absentee by satisfying the
31 voter identification requirements of Code section 49.78.

32 The bill changes the process by which absentee ballots
33 lacking a signature or appearing to have been signed by
34 someone other than the registered voter are verified. If such
35 a ballot is received by 5:00 p.m. on the Saturday before a

1 general election or by 5:00 p.m. on the Friday before any other
2 election, the county commissioner of elections must contact the
3 voter within 24 hours and inform the voter how to remediate
4 the ballot. A ballot received after the applicable deadline
5 is sent to the absentee and special voters precinct board
6 for review. The absentee and special voters precinct board
7 determines that the affidavit is incomplete, the commissioner
8 shall inform the voter within 24 hours how the ballot may be
9 remediated if the ballot lacks a signature or appears to have
10 been signed by someone other than the registered voter.

11 The bill alters the timeline for contesting a gubernatorial
12 election and the makeup of a contest court for such a
13 challenge.

14 The bill requires that all absentee ballots be received
15 prior to the time the polls close on election day. An absentee
16 ballot received after this deadline shall not be counted.

17 The bill prohibits a person from placing on any published
18 material a name or abbreviation of a name intended to cause a
19 voter to believe that the person represents a political party
20 or nonparty political organization of which the person is not a
21 candidate.

22 The bill alters the timeline for holding a special election
23 to fill a vacant office and prohibits a person who has ever
24 been removed from office from being appointed to fill a
25 vacancy.

26 DIVISION IX — CONFLICTS OF INTEREST. This division
27 relates to interests in certain contracts held by certain
28 county employees. The bill repeals the prohibition on
29 elected or appointed county employees holding an interest in
30 a contract for the construction, reconstruction, improvement,
31 or maintenance of any highway, bridge, or culvert, or the
32 furnishing of materials therefor. The bill requires a state
33 or county official who is a voting member of a governmental
34 entity responsible for awarding a contract pursuant to
35 competitive bidding procedures and is the apparent low bidder

1 for the contract to abstain from voting to award the contract
2 and include an explanation of the official's conflict in
3 the resolution entered pursuant to Code section 26.12. The
4 division takes effect March 18, 2021.

5 DIVISION X — VOTER REGISTRATION. This division of the
6 bill relates to voter registration. The bill instructs the
7 state registrar of voters to develop a form to be distributed
8 to and completed by each student graduating from a regents
9 university prior to receiving a diploma. The student shall
10 indicate on the form whether the student will reside in Iowa
11 after graduation. Any student indicating that the student will
12 reside outside Iowa after graduation shall be removed from the
13 statewide voter registration system unless the student plans to
14 vote in Iowa pursuant to Code chapter 53, subchapter II.

15 The bill alters the process for removing inactive voter
16 registration records. The bill requires a county commissioner
17 of elections to, during the January immediately following each
18 presidential election, mark as inactive the voter registration
19 record of a voter who did not vote in the presidential election
20 and who has not registered again, reported a change to an
21 existing registration, and whose name was not reported by the
22 national change of address program. The county commissioner
23 shall also send a notice and return card to each such voter.
24 The commissioner shall send a second notice in April to
25 each person who does not respond to the first notice. The
26 commissioner shall cancel the voter registration of a person
27 who does not respond to a notice by July 1.

28 The bill sets the cost of receiving a voter registration
29 and participation report from the state registrar of voters at
30 \$250. Under current law, the state registrar of voters shall
31 charge a person requesting such a report the cost of preparing
32 the report.

33 The bill requires each county commissioner of registration
34 to submit a report on voter list maintenance activities
35 annually to the state registrar of voters. The state registrar

1 of voters shall publish such reports on the internet site of
2 the state registrar of voters.

3 DIVISION XI — BALLOT ORDER. This division relates to the
4 order in which candidates appear on a ballot.

5 The division requires county commissioners of elections to
6 arrange ballots such that the candidates of the two political
7 parties receiving the highest number of votes shall each
8 appear first on the ballot for one gubernatorial election
9 and one presidential election in an eight-year period. The
10 candidates of a party appearing first on the ballot in half of
11 the counties in Iowa shall appear second on the ballot in the
12 other half of the counties.

13 DIVISION XII — MUNICIPAL ELECTIONS. This division of the
14 bill makes technical changes to Code provisions relating to
15 municipal elections.