A BILL FOR

1 An Act relating to the conduct of elections, including
2 absentee ballots and voter list maintenance activities,
3 making penalties applicable, and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 39A.2, subsection 1, Code 2021, is amended by adding the following new paragraph:

NEW PARAGRAPH.  g. Failure to perform duties. As an election official, fails to perform duties prescribed by chapters 39 through 53, except for section 48A.41, or fails to follow or implement guidance issued pursuant to section 47.1, or performs those duties and responsibilities in such a way as to hinder or disregard the object of the law.

Sec. 2. Section 39A.3, subsection 1, paragraph b, Code 2021, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (9) Fails to adequately perform voter list maintenance in violation of section 48A.41.

Sec. 3. Section 39A.4, subsection 1, paragraph b, subparagraph (1), Code 2021, is amended to read as follows:

Serving as a member of a challenging committee or observer under section 49.104, subsection 2, 5, or 6, paragraph "b", "e", or "f", while serving as a precinct election official at the polls.

Sec. 4. Section 39A.4, subsection 1, paragraph b, subparagraph (2), Code 2021, is amended by striking the subparagraph.

Sec. 5. Section 39A.4, subsection 1, paragraph b, Code 2021, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (14) Interferes with a person permitted at a polling place pursuant to section 49.104.

Sec. 6. Section 39A.4, subsection 1, paragraph c, subparagraphs (10) and (11), Code 2021, are amended to read as follows:

(10) Returning a voted absentee ballot by mail, to a ballot drop box, or in person, to the commissioner’s office and the person returning the ballot is not the voter, the voter’s designee, or a special precinct election official designated pursuant to section 53.22, subsection 2 a person prohibited to collect and deliver a completed ballot pursuant to section 53.33.
Making a false or untrue statement reporting that a voted absentee ballot was returned to the commissioner’s office, by mail or in person, or to a ballot drop box, by a person other than the voter, the voter’s designee, or a special precinct election official designated pursuant to section 53.22, subsection 2 prohibited to collect and deliver a completed ballot pursuant to section 53.33.

Sec. 7. Section 39A.6, subsection 3, Code 2021, is amended to read as follows:

3. a. This notice is not a final determination of facts or law in the matter, and does not entitle a person to a proceeding under chapter 17A. Upon issuance of a technical infraction to a county commissioner, the state commissioner shall also impose a fine not to exceed ten thousand dollars to be deposited in the general fund.

b. A county commissioner shall pay a fine issued pursuant to this section or file an appeal pursuant to chapter 17A within sixty days. A county commissioner who fails to pay a fine that was not dismissed pursuant to chapter 17A shall be suspended from office for a period not to exceed two years pursuant to sections 66.7 and 66.8.

c. If a county commissioner is suspended pursuant to paragraph "b", the state commissioner shall direct the deputy of the county commissioner to oversee the functions of the office until the suspension is revoked or the office is vacated and a successor is elected. The state commissioner may direct the state commissioner’s staff to assist in the performance of the duties of the county commissioner.

Sec. 8. Section 39A.6, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Upon issuing a technical infraction, the state commissioner shall immediately inform the attorney general and relevant county attorney if the apparent violation constitutes or may constitute election misconduct under this chapter.
Sec. 9. NEW SECTION. 39A.7 Election misconduct —

1. The attorney general or county attorney shall investigate allegations of election misconduct reported to the attorney general or county attorney. Election misconduct by an election official shall also be investigated for prosecution under chapter 721.

2. Upon the completion of an investigation required by this section, the attorney general or county attorney shall submit the results of the investigation to the state commissioner and explain whether the attorney general or county attorney will pursue charges.

Sec. 10. Section 43.20, subsection 1, Code 2021, 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. 11. Section 43.20, subsection 2, Code 2021, is amended by striking the subsection.

Sec. 12. Section 44.1, Code 2021, is amended to read as follows:

44.1 Political nonparty Nonparty political organizations.

1. Any convention or caucus of eligible electors representing a political organization which is not a political party as defined by law, may, for the state, or for any division or municipality thereof, or for any county, or for any subdivision thereof, for which such convention or caucus is held, make one nomination of a candidate for each office to be filled therein at the general election. However, in order to qualify for any nomination made for a statewide elective office by such a political organization there shall be in attendance at the convention or caucus where the nomination is made a minimum of two hundred fifty eligible electors including at least one eligible elector from each of twenty-five counties. In order to qualify for any nomination
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1 to the office of United States representative there shall be
2 in attendance at the convention or caucus where the nomination
3 is made a minimum of fifty two hundred eligible electors who
4 are residents of the congressional district including at least
5 one eligible elector from each of at least one-half of the
6 counties of the congressional district. In order to qualify
7 for any nomination to an office to be filled by the voters
8 of a county or of a city there shall be in attendance at the
9 convention or caucus where the nomination is made a minimum of
10 ten twenty eligible electors who are residents of the county
11 or city, as the case may be, including at least one eligible
12 elector from at least one-half of the voting precincts in that
13 county or city. In order to qualify for any nomination made
14 for the general assembly there shall be in attendance at the
15 convention or caucus where the nomination is made a minimum
16 of ten twenty-five eligible electors who are residents of the
17 representative district or twenty fifty eligible electors who
18 are residents of the senatorial district, as the case may be,
19 with at least one eligible elector from one-half of the voting
20 precincts in the district in each case. The names of all
21 delegates in attendance at such convention or caucus and such
22 fact shall be certified to the state commissioner together with
23 the other certification requirements of this chapter.
24
2. A candidate who has been nominated under a political
25 party under chapter 43 shall not be eligible for nomination
26 under this chapter for the same office in the same election
27 year.
28 Sec. 13. Section 45.1, Code 2021, is amended to read as
29 follows:
30 45.1 Nominations by petition.
31 1. Nominations for candidates for president and vice
32 president, governor and lieutenant governor, and for other
33 statewide elected offices United States senator may be made
34 by nomination petitions signed by not less than one thousand
35 five hundred eligible electors residing in not less than ten
counties of the state three thousand five hundred eligible
electors, including at least one hundred eligible electors each
from at least nineteen counties of the state.

1A. Nominations for candidates for statewide offices other
than those listed in subsection 1 may be made by nomination
petitions signed by not less than two thousand five hundred
eligible electors, including at least seventy-seven eligible
electors from not less than eighteen 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 one thousand seven
hundred twenty-six eligible electors who are residents of the
congressional district, including at least forty-seven eligible
electors each 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
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 eligible electors who are residents of the
representative district.

5. Nominations for candidates for offices filled by the
voters of a whole county may be made by nomination petitions
signed by not less than one hundred fifty eligible electors who
are residents of the county equal in number to at least one
percent of the number of registered voters in the county on
July 1 in the year preceding the year in which the office will
appear on the ballot, or by at least two hundred fifty eligible
electors who are residents of the county, whichever is less.
6. Nominations for candidates for the office of county supervisor elected by the voters of a supervisor district may be made by nomination petitions signed by not less than one hundred fifty eligible electors who are residents of the supervisor district equal in number to at least one percent of the number of registered voters in the supervisor district on July 1 in the year preceding the year in which the office will appear on the ballot, or by at least one hundred fifty eligible electors who are residents of the supervisor district, whichever is less.

7. a. Nomination papers for the offices of president and vice president shall include the names of the candidates for both offices on each page of the petition. A certificate listing the names of the candidates for presidential electors, one from each congressional district and two from the state at large, shall be filed in the state commissioner's office at the same time the nomination papers are filed.

b. Nomination papers for the offices of governor and lieutenant governor shall include the names of candidates for both offices on each page of the petition. Nomination papers for other statewide elected offices and all other offices shall include the name of the candidate on each page of the petition.

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

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

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

c. In cities having a population of less than one hundred
one thousand or greater, but less than five thousand, according
to the most recent federal decennial census, nominations may
be made by nomination papers signed by not less than five
twenty-five eligible electors who are residents of the city.

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

9. Nominations for candidates, other than partisan
candidates, for elective offices in special charter cities
subject to section 43.112 may be submitted as follows:

a. For the office of mayor, and alderman at large,
nominations and ward alderman in special charter cities subject
to the provisions of section 43.112 may be made by nomination
papers signed by not less than one hundred eligible electors
residing in the city equal in number to at least two percent of
the total vote received by all candidates for mayor at the last
preceeding city election.

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

Sec. 14. Section 47.1, subsection 1, Code 2021, is amended
to read as follows:

1. The secretary of state is designated as the state
commissioner of elections and shall supervise the activities of
the county commissioners of elections. There is established
within the office of the secretary of state a division of
elections which shall be under the direction of the state
commissioner of elections. The state commissioner of
elections may appoint a person to be in charge of the division
of elections who shall perform the duties assigned by the
state commissioner of elections. The state commissioner of
elections shall prescribe uniform election practices and
procedures, shall prescribe the necessary forms required
for the conduct of elections, shall assign a number to each
proposed constitutional amendment and statewide public measure
for identification purposes, and shall adopt rules, pursuant to
chapter 17A, to carry out this section. The state commissioner
of elections may issue guidance that is not subject to the
rulemaking process to clarify election laws and rules.

Sec. 15. Section 47.2, subsection 1, Code 2021, is amended
to read as follows:
1. The county auditor of each county is designated as the
county commissioner of elections in each county. The county
commissioner of elections shall conduct voter registration
pursuant to chapter 48A and conduct all elections within the
county. The county commissioner of elections does not possess
home rule powers with respect to the exercise of powers or
duties related to the conduct of elections prescribed by
statute or rule, or guidance issued pursuant to section 47.1.

Sec. 16. Section 47.7, subsection 2, Code 2021, is amended
by adding the following new paragraph:
NEW PARAGRAPH. f. (1) The state registrar shall, in the
first quarter of each calendar year, conduct a verification
of all voters in the statewide voter registration file, which
shall include cross-referencing the records in the statewide
voter registration file with similar records maintained by
other states. The state registrar of voters shall cancel the
registration of a voter found to be ineligible pursuant to
section 48A.30. The state registrar shall submit a report
to the general assembly by April 30 of each year regarding
the number of voter registrations canceled pursuant to this
paragraph. The state registrar shall also publish this report
on the internet site of the state registrar.
(2) The state registrar may contract with a third-party

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vendor to develop or provide a program to allow the state registrar to verify the status of records in the statewide voter registration file and identify ineligible voters on an ongoing basis.

Sec. 17. Section 47.7, Code 2021, is amended by adding the following new subsection:

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

a. In-state duplicates.
b. In-state updates.
c. Cross-state matches.
d. Deceased.
e. Eligible but unregistered.
f. National change of address.

Sec. 18. Section 48A.28, subsections 1 and 2, Code 2021, are amended to read as follows:

1. Each commissioner shall conduct a systematic program that makes a reasonable effort to remove from the official list of registered voters the names of registered voters who have changed residence from their registration addresses. Either or both of the methods described in this section may be used.

2. a. A commissioner may shall participate in the United States postal service national change of address program, as provided in section 48A.27. The state voter registration commission shall adopt rules establishing specific requirements for participation and use of the national change of address program.

b. A commissioner participating in the national change of address program, in the first quarter of each calendar year, shall send a notice and preaddressed, postage paid return card by forwardable mail to each registered voter whose name was not reported by the national change of address program and who has not voted in two or more consecutive general elections the
most recent general election and has not registered again, or
who has not reported a change to an existing registration, or
who has not responded to a notice from the commissioner or registrar during the period between and following the previous two general elections. Registered voters receiving such notice shall be marked inactive. The form and language of the notice and return card shall be specified by the state voter registration commission by rule. A registered voter shall not be sent a notice and return card under this subsection more frequently than once in a four-year period.

Sec. 19. Section 48A.28, subsection 3, Code 2021, is amended by striking the subsection.

Sec. 20. Section 48A.30, subsection 1, paragraph g, Code 2021, is amended to read as follows:

g. The registered voter’s registration record has been inactive pursuant to section 48A.28 or 48A.29 for two successive general elections.

Sec. 21. Section 48A.37, subsection 2, Code 2021, is amended to read as follows:

2. Electronic records shall include a status code designating whether the records are active, inactive, incomplete, pending, or canceled. Inactive records are records of registered voters to whom notices have been sent pursuant to section 48A.28, subsection 3, and who have not returned the card or otherwise responded to the notice, and those records have been designated inactive pursuant to section 48A.29. Inactive records are also records of registered voters to whom notices have been sent pursuant to section 48A.26A and who have not responded to the notice. Incomplete records are records missing required information pursuant to section 48A.11, subsection 8. Pending records are records of applicants whose applications have not been verified pursuant to section 48A.25A. Canceled records are records that have been canceled pursuant to section 48A.30. All other records are active records. An inactive record shall be made active
1 when the registered voter requests an absentee ballot, votes
2 at an election, registers again, or reports a change of name,
3 address, telephone number, or political party or organization
4 affiliation. An incomplete record shall be made active when
5 a completed application is received from the applicant and
6 verified pursuant to section 48A.25A. A pending record shall
7 be made active upon verification or upon the voter providing
8 identification pursuant to section 48A.8.
9  Sec. 22.  NEW SECTION.  48A.40  Voter list maintenance
10 reports.
11 1. The commissioner of registration shall annually
12 submit to the state registrar of voters a report regarding
13 the number of voter registration records marked inactive or
14 canceled pursuant to sections 48A.28 through 48A.30. The state
15 registrar of voters shall publish such reports on the internet
16 site of the state registrar of voters.
17 2. The state registrar of voters shall determine by rule the
18 form and submission deadline of reports submitted pursuant to
19 subsection 1.
20  Sec. 23.  NEW SECTION.  48A.41  Voter registration maintenance
21 audits — investigations.
22 1. The state registrar of voters shall conduct an audit
23 of voter registration maintenance by each commissioner of
24 registration in April of each odd-numbered year, on a schedule
25 determined by the commissioner.
26 2. If in the course of an audit under this section the
27 state registrar of voters finds that a commissioner of
28 registration has failed to adequately perform required voter
29 list maintenance, the state registrar of voters shall submit
30 the audit to the relevant county attorney and attorney general
31 within twenty-four hours for investigation of a violation of
32 section 39A.3, subsection 1, paragraph "b", subparagraph (9),
33 or other provision of law.
34  Sec. 24.  NEW SECTION.  49.2  Oversight by the state
35 commissioner.
The state commissioner, or a designee of the state commissioner, may, at the discretion of the state commissioner, oversee the activities of a county commissioner of elections during a period beginning sixty days before an election and ending sixty days after an election. For the purposes of this section, "oversee" means to observe election-related activity, correct any activity not in accordance with law, and issue a written notice and instructions pursuant to section 39A.6 for any technical infractions that are observed.

Sec. 25. Section 49.13, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A person serving on a precinct election board pursuant to subsection 2 or 3 who changes the political party of which the person is a member within thirty days before an election shall be immediately removed from the board and a substitute shall be appointed pursuant to section 49.14.

Sec. 26. Section 49.77, subsection 2, Code 2021, is amended to read as follows:

2. If the declaration of eligibility is not printed on each page of the election register, any of those persons present pursuant to section 49.104, subsection 2, 3, 5, or 6, paragraph "b", "c", "e", or "f", may upon request view the signed declarations of eligibility and may review the signed declarations on file so long as the person does not interfere with the functions of the precinct election officials. If the declaration of eligibility is printed on the election register, voters shall also sign a voter roster which the precinct election official shall make available for viewing. Any of those persons present pursuant to section 49.104, subsection 2, 3, 5, or 6, paragraph "b", "c", "e", or "f", may upon request view the roster of those voters who have signed declarations of eligibility, so long as the person does not interfere with the functions of the precinct election officials.

Sec. 27. Section 49.90, Code 2021, is amended to read as follows:
49.90 Assisting voter.

Any voter who may declare upon oath that the voter is blind, cannot read the English language, or is, by reason of any physical disability other than intoxication, unable to cast a vote without assistance, shall, upon request, be assisted by the two officers as provided in section 49.89, or alternatively by any other person the voter may select in casting the vote, except that the voter shall not select a person standing for election on the ballot. The officers, or the person selected by the voter, shall cast the vote of the voter requiring assistance, and shall thereafter give no information regarding the vote cast. If any elector because of a disability cannot enter the building where the polling place for the elector’s precinct of residence is located, the two officers shall take a paper ballot to the vehicle occupied by the elector with a disability and allow the elector to cast the ballot in the vehicle. Ballots cast by voters with disabilities shall be deposited in the regular ballot box, or inserted in the tabulating device, and counted in the usual manner.

Sec. 28. Section 49.104, Code 2021, is amended to read as follows:

49.104 Persons permitted at polling places.

1. The following persons shall be permitted to be present at and in the immediate vicinity of the polling places, provided they do not solicit votes:

1. a. Any person who is by law authorized to perform or is charged with the performance of official duties at the election.

2. b. Any number of persons, not exceeding three at a time from each political party having candidates to be voted for at such election, to act as challenging committees, who are appointed and accredited by the executive or central committee of such political party or organization.

3. c. Any number of persons not exceeding three at a time from each of such political parties, appointed and accredited
in the same manner as prescribed in subsection 2 paragraph “b” for challenging committees, and any number of persons not exceeding three at a time appointed as observers under subsection 5 paragraph “e”, to witness the counting of ballots.

4. d. Any peace officer assigned or called upon to keep order or maintain compliance with the provisions of this chapter, upon request of the commissioner or of the chairperson of the precinct election board.

5. e. One observer at a time representing any nonparty political organization, any candidate nominated by petition pursuant to chapter 45, or any other nonpartisan candidate in a city or school election, appearing on the ballot of the election in progress. Candidates who send observers to the polls shall provide each observer with a letter of appointment in the form prescribed by the state commissioner.

6. f. Any persons expressing an interest in a ballot issue to be voted upon at an election except a general or primary election. Any such person shall file a notice of intent to serve as an observer with the commissioner before election day. If more than three persons file a notice of intent to serve at the same time with respect to ballot issues at an election, the commissioner shall appoint from those submitting a notice of intent the three persons who may serve at that time as observers, and shall provide a schedule to all persons who filed notices of intent. The appointees, whenever possible, shall include both opponents and proponents of the ballot issues.

7. g. Any person authorized by the commissioner, in consultation with the secretary of state, for the purposes of conducting and attending educational voting programs.

8. h. Reporters, photographers, and other staff representing the news media. However, representatives of the news media, while present at or in the immediate vicinity of the polling places, shall not interfere with the election process in any way.
2. A precinct election official or county commissioner shall not obstruct or interfere with a person fulfilling that person's role or performing that person's duty under subsection 1. A person who violates this subsection is guilty of election misconduct in the third degree.

Sec. 29. NEW SECTION. 50.52 Enforcement.
Members of local law enforcement agencies and the state patrol are authorized to take all reasonable actions to prevent violations of this chapter.

Sec. 30. Section 53.2, subsection 1, Code 2021, is amended to read as follows:
1. a. Any registered voter, under the circumstances specified in section 53.1, may on any day, except election day, and not more than one hundred twenty seventy days prior to the date of the election, apply in person for an absentee ballot at the commissioner's office or at any location designated by the commissioner. However, for those elections in which the commissioner directs the polls be opened at noon pursuant to section 49.73, a voter may apply in person for an absentee ballot at the commissioner's office from 8:00 a.m. until 11:00 a.m. on election day.

b. A registered voter may make written application to the commissioner for an absentee ballot. A written application for an absentee ballot must be received by the commissioner no later than 5:00 p.m. on the same day as the voter registration deadline provided in section 48A.9 for the election for which the ballot is requested, except when the absentee ballot is requested and voted at the commissioner’s office pursuant to section 53.10. A written application for an absentee ballot delivered to the commissioner and received by the commissioner more than one hundred twenty seventy days prior to the date of the election shall be returned to the voter with a notification of the date when the applications will be accepted.

c. The commissioner shall not send an absentee ballot application to a voter.
1. In the event of a public health disaster declared by the governor pursuant to section 29C.6, the general assembly may by resolution direct the state commissioner to send an absentee ballot application to each registered voter prior to a primary or general election held in an even-numbered year. If the general assembly is not in session, the legislative council may so direct the state commissioner by a majority vote.

Sec. 31. Section 53.2, subsection 2, Code 2021, is amended by adding the following new paragraph:

**NEW PARAGRAPH.**  
1. No absentee ballot application shall be provided to a registered voter with any field prefilled, except that the absentee ballot application may have the fields for the type and date of the election prefilled.

Sec. 32. Section 53.2, Code 2021, is amended by adding the following new subsection:

**NEW SUBSECTION.**  
1. If an application for an absentee ballot is received between 5:00 p.m. on the eleventh day before an election and 5:00 p.m. on the seventh day before an election, the commissioner shall notify the registered voter within twenty-four hours that the absentee ballot request cannot be processed and notify the registered voter of ways the registered voter may participate in the election. A notification sent pursuant to this subsection shall be transmitted in the same manner as a notification transmitted pursuant to subsection 4, paragraph "b".

Sec. 33. **NEW SECTION.** 53.4 **Absentee ballots — reports.**

1. Beginning on the first day that absentee ballots are mailed in each primary and general election and each special election pursuant to section 69.14, and through election day, the state commissioner shall publish a report regarding absentee ballots on a daily basis. The report shall include, at a minimum, all of the following information:

a. The number of absentee ballot request forms received by a county commissioner.

b. The number of absentee ballots sent by a county
The total number of absentee ballots received by a county commissioner, and the total delivered by each of the following methods:

1. Mail.
2. Delivery to a drop box.
3. Delivery by hand.
4. Voted in person at a satellite location.

Each county commissioner shall provide all information necessary under this section to the state commissioner in a manner prescribed by the state commissioner.

Sec. 34. Section 53.8, subsection 1, paragraph a, unnumbered paragraph 1, Code 2021, is amended to read as follows:

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

Sec. 35. Section 53.8, subsection 2, paragraph a, Code 2021, is amended to read as follows:

a. The commissioner shall enclose with the absentee ballot a statement informing the applicant that the sealed return envelope may be mailed to the commissioner by the registered voter or the voter's designee, may be returned to a drop box established by the commissioner pursuant to section 53.17, subsection 1, by the registered voter or the voter's designee, only if the commissioner has established such a drop box, or may be personally delivered to the commissioner’s office by
the registered voter or the voter’s designee. The statement shall also inform the voter that the voter may request that the voter’s designee complete a receipt when retrieving the ballot from the voter. A blank receipt shall be enclosed with the absentee ballot.

Sec. 36. Section 53.8, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The commissioner and the state commissioner shall not mail an absentee ballot to a person who has not submitted an application for an absentee ballot.

Sec. 37. Section 53.10, subsection 1, Code 2021, is amended to read as follows:

1. Not more than twenty-nine eighteen days before the date of the primary election or the general election, the commissioner shall provide facilities for absentee voting in person at the commissioner’s office. This service shall also be provided for other elections as soon as the ballots are ready, but in no case shall absentee ballots be available under this section more than twenty-nine eighteen days before an election.

Sec. 38. Section 53.11, subsection 1, paragraph a, Code 2021, is amended to read as follows:

a. Not more than twenty-nine eighteen days before the date of an election, satellite absentee voting stations may be established throughout the cities and county at the direction of the commissioner and shall be established upon receipt of a petition signed by not less than one hundred eligible electors requesting that a satellite absentee voting station be established at a location to be described on the petition. However, if a special election is scheduled in the county on a date that falls between the date of the regular city election and the date of the city runoff election, the commissioner is not required to establish a satellite absentee voting station for the city runoff election.

Sec. 39. Section 53.17, subsection 1, paragraph b, Code
2021, is amended to read as follows:

b. The sealed return envelope may be mailed to the commissioner by the registered voter or by the voter’s designee. If mailed by the voter’s designee, the envelope must be mailed within seventy-two hours of retrieving it from the voter or within time to be postmarked or, if applicable, to have the postal service barcode traced to a date of entry into the federal mail system not later than the day before the election, as provided in section 53.17A, whichever is earlier.

Sec. 40. Section 53.17, subsection 1, Code 2021, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The sealed return envelope may be delivered by a person not prohibited to collect and deliver a completed ballot pursuant to section 53.33 to a ballot drop box established by the commissioner no later than the time the polls are closed on election day. However, if delivered by the voter’s designee, the envelope shall be delivered within seventy-two hours of retrieving it from the voter or before the closing of the polls on election day, whichever is earlier. A commissioner is not required to establish a ballot drop box. A ballot drop box must meet all of the following requirements:

(1) A commissioner shall not establish more than one ballot drop box, which shall be located at the office of the commissioner, or on property owned and maintained by the county that directly surrounds the building where the office is located. For the purposes of this subparagraph, “office of the commissioner” means a location where a voter may receive services pursuant to section 48A.17, 50.20, 53.10, or 53.18.

(2) The ballot drop box shall not be used for any purpose other than the collection of absentee ballots.

(3) The commissioner shall implement all reasonable and necessary measures to ensure that the ballot drop box is accessible and secure. Security measures may include placing the ballot drop box in a place regularly viewed by the commissioner or the commissioner’s staff.
(4) A video surveillance system shall be used to monitor all activity at the ballot drop box at all times while the ballot drop box is in place. The system shall create a recording, which shall be reviewed by the state commissioner, county attorney, and law enforcement in the event that misconduct occurs.

(5) A ballot drop box shall be available no sooner than the time that absentee ballots are allowed to be mailed pursuant to section 53.8. The ballot drop box shall be removed or restricted from accepting deliveries immediately upon the closure of polls on election day.

(6) While available, a ballot drop box shall be securely fastened to a stationary surface or an immovable object.

(7) The ballot drop box shall be secured by a lock and shall include a tamper-evident seal. Only the commissioner or an employee of the commissioner shall have access to the means to unfasten the lock.

(8) Materials delivered to the ballot drop box shall be retrieved in an expeditious manner, but no less often than four times per day.

(9) The commissioner shall maintain a log of each time materials are retrieved from the ballot drop box, including the date and time materials were retrieved, and the name of the person who retrieved the materials. The commissioner or the commissioner's employee shall record on the ballot, near the portion of the envelope including the affidavit signed by the voter, that the materials were retrieved from a drop box, the date and time of the retrieval, and the initials of the person who retrieved the materials.

(10) A ballot retrieved from a ballot drop box shall be processed in the same manner as a ballot returned pursuant to paragraph "a".

Sec. 41. Section 53.17, subsection 2, Code 2021, is amended to read as follows:

2. In order for the ballot to be counted, the return
envelope must be received in the commissioner’s office before
the polls close on election day or be clearly postmarked by an
officially authorized postal service or bear a postal service
barcode traceable to a date of entry into the federal mail
system not later than the day before the election, as provided
in section 53.17A, and received by the commissioner not later
than noon on the Monday following the election.

Sec. 42. Section 53.17, subsection 4, paragraph f, Code
2021, is amended to read as follows:
f. A statement that the completed absentee ballot will
be delivered to the commissioner’s office within seventy-two
hours of retrieving it from the voter or before the closing of
the polls on election day, whichever is earlier, or that the
completed absentee ballot will be mailed to the commissioner
within seventy-two hours of retrieving it from the voter or
within time to be postmarked or, if applicable, to have the
postal service barcode traced to a date of entry into the
federal mail system not later than the day before the election,
as provided in section 53.17A, whichever is earlier.

Sec. 43. Section 53.17, Code 2021, is amended by adding the
following new subsection:
NEW SUBSECTION. 5. For the purposes of this section,
“voter’s designee” means a person not prohibited to collect and
deliver a completed ballot pursuant to section 53.33.

Sec. 44. Section 53.17A, subsection 2, paragraphs a and b,
Code 2021, are amended by striking the paragraphs.

Sec. 45. Section 53.17A, subsection 3, paragraph b, Code
2021, is amended to read as follows:
b. (1) If the postmark indicates that the absentee ballot
entered the federal mail system by the deadline specified
in section 53.17 or 53.22, the ballot shall be included for
canvass by the absentee and special voters precinct board.
(2) If the postmark is illegible, missing, or dated on
or after election day, the The commissioner shall attempt
to verify the ballot’s date of entry into the federal mail
system by querying the postal service barcode in the tracking information database. If the tracking information database indicates that the absentee ballot entered the federal mail system by the deadline specified in section 53.17 or 53.22, the ballot shall be included for canvass by the absentee and special voters precinct board. A postmark shall not be used to verify the date the absentee ballot entered the federal mail system. The commissioner shall provide a report to the absentee and special voters precinct board regarding the information available in the tracking information database.

(3) If there is a discrepancy between the date indicated by the postmark and the postal service barcode, the earlier of the two shall determine the date of entry of the absentee ballot into the federal mail system.

(4) (2) (a) If neither the postmark nor the postal service barcode indicates does not indicate that the absentee ballot entered the federal mail system by the deadline specified in section 53.17 or 53.22, the absentee ballot shall be sent to the absentee and special voters precinct board pursuant to subparagraph division (b) with the numeric value assigned to the postal service barcode and a full report from the tracking information database.

(b) Up to five absentee and special voters precinct board members from each political party for partisan elections, or any two members of the board for nonpartisan elections, shall review the postal service barcode and tracking database information report of each absentee ballot submitted pursuant to subparagraph division (a) and certify that the tracking information database report corresponds to the absentee ballot by initialing the report and the absentee ballot envelope. If the board concludes that the postal service barcode and tracking information database report verify that the absentee ballot entered the federal mail system by the deadline specified in section 53.17 or 53.22, the ballot shall be counted. Otherwise, the ballot shall not be counted.
Sec. 46. Section 53.18, subsection 2, Code 2021, is amended to read as follows:

2. a. If the commissioner receives the return envelope containing the completed absentee ballot by 5:00 p.m. on the Saturday before the election for general elections and by 5:00 p.m. on the Friday before the election for all other elections, the commissioner shall review the affidavit marked on the return envelope, if applicable, for completeness or shall open the return envelope to review the affidavit for completeness. If the affidavit is incomplete, the commissioner shall, within twenty-four hours of the time the envelope was received, notify the voter of that fact and that the voter may complete the affidavit in person at the office of the commissioner by 5:00 p.m. on the day before the election, vote a replacement ballot in the manner and within the time period provided in subsection 3, or appear at the voter’s precinct polling place on election day and cast a ballot in accordance with section 53.19, subsection 3. If the affidavit lacks the signature of the registered voter, the commissioner shall, within twenty-four hours of the receipt of the envelope, notify the voter of the deficiency and inform the voter that the voter may vote a replacement ballot as provided in subsection 3, cast a ballot as provided in section 53.19, subsection 3, or complete the affidavit in person at the office of the commissioner not later than the time polls close on election day.

b. If the commissioner receives the return envelope containing the completed absentee ballot after the deadline in paragraph “a”, the commissioner shall submit the affidavit to the absentee and special voters precinct board for review. If the absentee and special voters precinct board determines that the affidavit is incomplete, the commissioner shall, within twenty-four hours of the determination, notify the voter. If the affidavit lacks the signature of the registered voter, the commissioner shall notify the voter that the voter may complete the affidavit in person at the office of the commissioner.
not later than noon on the Monday following the election, or
if the law authorizing the election specifies that the votes
be canvassed earlier than the Monday following the election,
before the canvass of the election.

Sec. 47. Section 53.18, Code 2021, is amended by adding the
following new subsection:

NEW SUBSECTION. 04. For the purposes of this section, a
return envelope marked with the affidavit shall be considered
incomplete if the affidavit lacks the registered voter’s
signature. A signature or marking made in accordance with
section 39.3, subsection 17, shall not cause an affidavit to be
considered incomplete.

Sec. 48. Section 53.19, subsection 1, Code 2021, is amended
to read as follows:

1. The commissioner shall maintain a list of the absentee
ballots provided to registered voters, the serial number
appearing on the unsealed envelope, the date the application
for the absentee ballot was received, and the date the absentee
ballot was sent to the registered voter requesting the absentee
ballot, the date the absentee ballot was received by the
commissioner, the date the absentee ballot outer envelope
was opened, and whether the ballot was delivered by mail,
in person, or cast in person at a satellite location. The
information under this subsection shall be reported separately
at the same time as the information reported under section
53.30, subsection 3.

Sec. 49. Section 53.22, subsection 3, Code 2021, is amended
to read as follows:

3. Any registered voter who becomes a patient, tenant, or
resident of a hospital, assisted living program, or health care
facility in the county where the voter is registered to vote
within three days prior to the date of any election after the
deadline to make a written application for an absentee ballot
as provided in section 53.2 or on election day may request an
absentee ballot during that period or on election day. As an
alternative to the application procedure prescribed by section 53.2, the registered voter may make the request directly to the officers who are delivering and returning absentee ballots under this section. Alternatively, the request may be made by telephone to the office of the commissioner not later than four hours before the close of the polls. If the requester is found to be a registered voter of that county, these officers shall deliver the appropriate absentee ballot to the registered voter in the manner prescribed by this section.

Sec. 50. Section 53.22, subsection 6, Code 2021, is amended to read as follows:

6. a. If the registered voter becomes a patient, tenant, or resident of a hospital, assisted living program, or health care facility outside the county where the voter is registered to vote within three days before the date of any election after the deadline to make a written application for an absentee ballot as provided in section 53.2 or on election day, the voter may designate a person to deliver and return the absentee ballot. The designee may be any person the voter chooses except that no candidate for any office to be voted upon for the election for which the ballot is requested may deliver a ballot under this subsection shall be a person not prohibited to collect and deliver a completed ballot pursuant to section 53.33. The request for an absentee ballot may be made by telephone to the office of the commissioner not later than four hours before the close of the polls. If the requester is found to be a registered voter of that county, the ballot shall be delivered by mail or by the person designated by the voter. An application form shall be included with the absentee ballot and shall be signed by the voter and returned with the ballot.

b. Absentee ballots voted under this subsection shall be delivered to the commissioner no later than the time the polls are closed on election day. If the ballot is returned by mail, the return envelope must be received by the time the polls close, or be clearly postmarked by an officially authorized
postal service or bear a postal service barcode traceable to a date of entry into the federal mail system not later than the day before the election, as provided in section 53.17A, and received by the commissioner no later than the time established for the canvass by the board of supervisors for that election.

Sec. 51. Section 53.30, Code 2021, is amended to read as follows:

53.30 Ballots, ballot envelopes, and other information preserved.
1. At the conclusion of each meeting of the absentee and special voter precinct board, the board shall reconcile the number of signed affidavits provided to the board by the commissioner and the number of ballots that were counted and tabulated. The board shall record the number of ballots that were rejected prior to opening the affidavit envelope, the number of absentee ballots that have been challenged and are currently unopened, and the number of absentee ballots that were accepted for counting and tabulation. The board shall also reconcile the number of provisional ballots provided to the board by the commissioner, the number of provisional ballots that were accepted for counting and tabulation, and the number of provisional ballots that were rejected.
2. At the conclusion of each meeting of the absentee and special voters precinct board, the board shall securely seal all ballots counted by them in the manner prescribed in section 50.12. The ballot envelopes, including the affidavit envelope if an affidavit envelope was provided, the return envelope, and secrecy envelope bearing the signatures of precinct election officials, as required by section 53.23, shall be preserved.

3. Following each primary and general election,
commissioners shall report to the state commissioner the number of voted absentee ballots received by the commissioner, the total number of absentee ballots counted and tabulated by the board, and the number of absentee ballots rejected by the board. The commissioner shall also provide the number of provisional ballots cast, the number of provisional ballots rejected, and the number of provisional ballots that were counted and tabulated by the board.

Sec. 52. NEW SECTION. 53.33 Unlawful return of ballot. Notwithstanding any provision of law to the contrary, no person other than the registered voter or an individual who lives in the same household as the registered voter, the registered voter’s immediate family member, an individual serving as a caretaker for the registered voter, or an individual pursuant to section 53.22 shall collect a completed ballot and return the ballot by mail or in person to the county auditor’s office or other election location. A violation of this section constitutes election misconduct in the third degree under section 39A.4.

Sec. 53. Section 66.1A, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 8. For failure to pay a fine imposed pursuant to section 39A.6 and not dismissed pursuant to chapter 17A.

Sec. 54. Section 69.14A, subsection 2, paragraph a, subparagraphs (1) and (2), Code 2021, are amended to read as follows:

(1) The appointment shall be for the period until the next pending election as defined in section 69.12 general election, and shall be made within forty days after the vacancy occurs. If the board of supervisors chooses to proceed under this paragraph, the board shall publish notice in the manner prescribed by section 331.305 stating that the board intends to fill the vacancy by appointment but that the electors of the county have the right to file a petition requiring that
the vacancy be filled by special election. The board may publish notice in advance if an elected official submits a resignation to take effect at a future date. The board may make an appointment to fill the vacancy after the notice is published or after the vacancy occurs, whichever is later. A person appointed to an office under this subsection, except for a county attorney, shall have actually resided in the county which the appointee represents sixty days prior to appointment. A person appointed to the office of county attorney shall be a resident of the county at the time of appointment.

(2) However, if within fourteen days after publication of the notice or within fourteen days after the appointment is made, a petition is circulated and filed with the county auditor requesting a special election to fill the vacancy, the appointment is temporary and a special election shall be called as provided in paragraph “b”. The petition shall meet the requirements of section 331.306. A signature shall not be considered valid if the signature is dated prior to the date on which the appointment was made.

Sec. 55. Section 69.14A, subsection 2, paragraph b, subparagraph (1), Code 2021, is amended to read as follows:

(1) The board of supervisors may, on its own motion, or shall, upon receipt of a petition as provided in paragraph “a”, call for a special election to fill the vacancy in lieu of appointment. The supervisors shall order the special election at the earliest practicable date, but giving at least thirty-two days’ notice of the election. A special election called under this section shall be held on a Tuesday and shall not be held on the same day as a school election within the county.

Sec. 56. Section 331.756, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 75. Bring actions under chapter 66 for failure to pay fines imposed pursuant to section 39A.6 and not dismissed pursuant to chapter 17A.
Sec. 57. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 58. APPLICABILITY. The following apply to all candidates seeking election to an office that will appear on a ballot in or after 2022:

1. The sections of this Act amending section 43.20.
2. The section of this Act amending section 44.1.
3. The section of this Act amending section 45.1.

EXPLANATION

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

This bill relates to the conduct of elections. The bill allows the state commissioner of elections to issue guidance outside of the rulemaking process to clarify election laws and rules. The bill makes failure to follow or implement such guidance election misconduct in the first degree, which is a class "D" felony. A class "D" felony is punishable by confinement for no more than five years and a fine of at least $1,025 but not more than $10,245. The bill also makes the failure to perform election duties and performance of election duties in such a way as to hinder or disregard the object of the law election misconduct in the first degree.

The bill makes interference by a precinct election official or county commissioner with a person who is allowed to be at a polling place election misconduct in the third degree, which is a serious misdemeanor. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least $430 but not more than $2,560.

The bill expressly grants state and local law enforcement agencies the authority to take all reasonable actions to prevent the violation of Code chapter 50 (canvass of votes).

The bill makes failure to adequately perform voter list maintenance by an election official election misconduct in the second degree, an aggravated misdemeanor. An aggravated misdemeanor is punishable by confinement for no more than two years.
The bill allows a county commissioner of elections to establish a single drop box where voters can return completed absentee ballots. The bill requires the drop box to be located at or near the office of the county commissioner and sets certain requirements regarding the security, maintenance, and documentation of ballot drop boxes. The bill makes conforming changes regarding the return of absentee ballots.

The bill requires the state commissioner of elections to issue a fine of up to $10,000, to be paid into the general fund, to a county commissioner of elections when the state commissioner issues a technical infraction to a county commissioner. A county commissioner shall pay or appeal the fine within 60 days. A county commissioner who fails to pay a fine that is not dismissed within 60 days shall be suspended from office for no longer than two years. If a county commissioner is suspended from office, the state commissioner shall direct the deputy county commissioner to fulfill the duties of the office, and the state commissioner may direct the state commissioner's staff to assist the deputy county commissioner. The bill also requires the state commissioner to report a technical infraction to the attorney general and relevant county attorney if the infraction constitutes or may constitute election misconduct. The attorney general or county attorney shall report the results of the investigation to the state commissioner of elections and explain whether the attorney will pursue charges.

The bill requires the attorney general or county attorney to investigate allegations of election misconduct, and to investigate misconduct by election officials for prosecution under Code chapter 721 (official misconduct).

The bill prohibits a person who has been nominated by a political party from being nominated by a nonparty political organization for the same office in the same election.

The bill changes the number of signatures required to be
received for the nomination of candidates for partisan office to be the same as provided for in Code section 45.1. The bill sets the signature requirements for candidates for president and vice president, governor and lieutenant governor, and United States senator to 3,500 signatures, with at least 100 signatures each from at least 19 counties; for other statewide offices to 2,500 signatures, with at least 77 signatures each from at least 18 counties; and for representative in the United States house of representatives to 1,726 signatures, with at least 47 signatures from at least half of the counties in the congressional district.

The bill changes the required convention or caucus size for nominees from nonparty political organizations.

The bill prohibits county commissioners of elections from exercising home rule powers with respect to the administration of elections.

The bill requires the state registrar of voters to verify each record in the statewide voter registration file in the first quarter of each calendar year. The verification procedure shall include cross-referencing the records in the statewide voter registration file with similar records maintained by other states. If the state registrar identifies an invalid registration, the state registrar shall cancel that registration. The bill requires the state registrar to submit a report to the general assembly by April 30 of each year regarding the number of registrations canceled pursuant to the provisions of the bill. The state registrar shall also post the report on the state registrar’s internet site.

The bill allows the state registrar to contract with a third-party vendor to develop or provide a program to allow the state registrar to verify the status of records in the statewide voter registration file and identify ineligible voters on an ongoing basis.

The bill changes the earliest date before an election on which a registered voter may request an absentee ballot from
120 days before the election to 70 days before the election. The bill prohibits county commissioners of elections from sending an absentee ballot application to a voter. In the event of a public health disaster declared by the governor, the bill allows the general assembly to, by resolution, direct the state commissioner to send an absentee ballot application to each registered voter prior to a primary or general election held in an even-numbered year. If the general assembly is not in session, the bill allows the legislative council to so direct the state commissioner by a majority vote.

The bill prohibits an absentee ballot application from being provided to a voter with any information other than the date and type of election prefilled. The bill requires a county commissioner who receives an application for an absentee ballot between 5:00 p.m. on the 11th day before an election and 5:00 p.m. on the 7th day before an election to notify the registered voter within 24 hours that the application cannot be processed and provide options for the registered voter to participate in the election.

The bill requires the state commissioner of elections to publish daily reports regarding absentee ballots during the duration of certain elections. The bill requires county commissioners of elections to provide any necessary information for such reports to the state commissioner of elections.

The bill requires the state registrar of voters to use information from the electronic registration information center to update information in the statewide voter registration system. The bill enumerates certain reports that the state registrar of voters is required to use.

The bill requires each county commissioner of registration to participate in the United States postal service national change of address program. The bill requires the county commissioner to send a notice to and mark as inactive a voter who has not participated in the most recent general election and who has not reported a change of address or registered...
1 again. Current law requires that such voters be marked
2 inactive after having not voted in two consecutive general
3 elections. The bill repeals an alternative to participation in
4 the national change of address program.
5 The bill requires each commissioner of registration to
6 annually submit to the state registrar of voters a report
7 regarding voter registration maintenance activities. The state
8 registrar of voters shall publish such reports on the internet
9 site of the state registrar of voters.
10 The bill requires the state registrar of voters to conduct
11 an audit of the voter registration maintenance activities of
12 each county commissioner of registration in April of each
13 odd-numbered year. If the state registrar of voters discovers
14 that a county commissioner of registration has failed to
15 perform adequate maintenance activities, the state registrar of
16 voters shall transmit the audit to the relevant county attorney
17 and attorney general for investigation of election misconduct.
18 The bill allows the state commissioner of elections to
19 oversee the activities of a county commissioner of elections
20 during a period beginning 60 days before an election and ending
21 60 days after an election. The state commissioner may correct
22 any activity not in accordance with law, including by the
23 issuance of technical infractions.
24 The bill requires that a person serving on a precinct
25 election board for an election including partisan offices or
26 for an election in which candidates' names appear under the
27 heading of political parties who changes party affiliation
28 within 30 days before an election shall be immediately removed
29 from the board and replaced with a substitute.
30 The bill prohibits a voter from selecting as a person to
31 assist the voter in casting a ballot at the polling place a
32 person who is standing for election on the ballot.
33 The bill changes the earliest date before an election on
34 which a county commissioner of elections may mail an absentee
35 ballot from 29 days before the election to 18 days before the
1 election. The bill strikes a provision altering the first
day on which an absentee ballot may be mailed when the United
States post office is closed and not delivering mail on that
day.
5 The bill prohibits the county commissioner of elections
6 and state commissioner of elections from mailing an absentee
7 ballot to a person who has not submitted an application for an
8 absentee ballot.
9 The bill repeals a provision allowing a county commissioner
10 of elections to establish satellite absentee voting locations
11 at the commissioner’s discretion. The bill does not alter
12 a provision requiring a county commissioner of elections to
13 establish satellite absentee voting locations upon receipt of
14 a petition.
15 The bill changes the earliest date on which a person can vote
16 absentee in person at the county commissioner’s office from 29
days before an election to 18 days before an election.
18 The bill removes a postmark as a method by which the date on
19 which an absentee ballot was mailed may be verified. The bill
20 prohibits a postmark from being used for such purpose.
21 The bill removes certain requirements that county
22 commissioners of elections must meet before implementing or
23 discontinuing the use of a postal service barcode for the
24 purpose of tracking absentee ballots.
25 The bill changes the process for a county commissioner to
26 notify a voter that an absentee ballot affidavit is incomplete.
27 The bill requires a county commissioner to notify a voter
28 within 24 hours of receipt of an affidavit lacking a signature
29 that the voter may vote a replacement ballot, cast a ballot
30 at the polls, or complete the affidavit at the office of the
31 county commissioner. If the county commissioner receives
32 an absentee ballot after 5:00 p.m. on the Saturday before
33 a general election or after 5:00 p.m. on the Friday before
34 any other election, the county commissioner shall submit the
35 affidavit to the special voters precinct board. If the board
finds that the affidavit is incomplete, the county commissioner shall notify the voter that the voter may complete the affidavit in person at the county commissioner's office. The bill defines an incomplete affidavit as one lacking the voter's signature.

The bill adds the date the absentee ballot was received by the county commissioner, the date the absentee ballot outer envelope was opened, and how the ballot was delivered to the county commissioner to the information that the county commissioner must maintain regarding absentee ballots. The bill requires such information to be reported to the state commissioner of elections.

The bill allows a person who becomes a patient, tenant, or resident of a hospital, assisted living program, or health care facility in the county where the voter is registered to vote after the deadline to make a written application for an absentee ballot to request an absentee ballot by phone or in person to election officers delivering or collecting such ballots.

The bill requires the absentee and special voter precinct board to reconcile the number of signed affidavits provided by the county commissioner of elections with the number of ballots counted and tabulated by the board, as well as the number of provisional ballots provided to the board, the number rejected by the board, and the number counted and tabulated by the board. The board shall also record the number of ballots rejected prior to opening the affidavit envelope, the number of absentee ballots that have been challenged and remain unopened, and the number of absentee ballots that were accepted for counting and tabulation. Following each primary and general election, the bill requires the county commissioner to report to the state commissioner certain information regarding absentee ballots.

The bill prohibits a person other than a registered voter, the registered voter's immediate family member, an individual
in the voter's household, an individual acting as a caretaker
for the registered voter, or an election official assisting
a confined person from collecting and returning a completed
absentee ballot, including to a ballot drop box. A person who
violates this provision of the bill commits election misconduct
in the third degree and is guilty of a serious misdemeanor. A
serious misdemeanor is punishable by confinement for no more
than one year and a fine of at least $430 but not more than
$2,560.

The bill changes the period of appointment for a person
appointed to fill a vacancy in an elected county office from
until the next pending election to until the next general
election. For petitions requesting a special election to fill
the vacancy, the bill requires a petition to be circulated and
filed within 14 days after the appointment. The bill requires
signatures on such a petition to be dated on or after the
date of the appointment. The bill repeals a prohibition on a
special election to fill a vacancy in a county elected office
being held on the same day as a school election within the
county.

The bill takes effect upon enactment. The provisions of the
bill relating to nominations of candidates apply to candidates
seeking election to an office on a ballot in or after 2022.