

Senate File 115 - Introduced

SENATE FILE 115

BY NUNN and WILLIAMS

A BILL FOR

1 An Act relating to requesting and returning absentee ballots.

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

1 Section 1. Section 53.2, subsection 1, paragraph b, Code
2 2021, is amended to read as follows:

3 b. A registered voter may make written application to the
4 commissioner for an absentee ballot. A written application
5 for an absentee ballot must be received by the commissioner no
6 later than 5:00 p.m. ~~on the same day as the voter registration~~
7 ~~deadline provided in section 48A.9~~ for fifteen days before the
8 election for which the ballot is requested, except when the
9 absentee ballot is requested and voted at the commissioner's
10 office pursuant to [section 53.10](#). A written application for
11 an absentee ballot delivered to the commissioner and received
12 by the commissioner more than one hundred twenty days prior
13 to the date of the election shall be returned to the voter
14 with a notification of the date when the applications will be
15 accepted.

16 Sec. 2. Section 53.17, subsection 1, paragraph b, Code 2021,
17 is amended to read as follows:

18 b. The sealed return envelope may be mailed to the
19 commissioner by the registered voter or by the voter's
20 designee. If mailed by the voter's designee, the envelope
21 must be mailed within seventy-two hours of retrieving it from
22 the voter or within time to be postmarked or, if applicable,
23 to have the postal service barcode traced to a date of entry
24 into the federal mail system not later than ~~the day~~ ten days
25 before the election, as provided in [section 53.17A](#), whichever
26 is earlier.

27 Sec. 3. Section 53.17, subsection 2, Code 2021, is amended
28 to read as follows:

29 2. In order for the ballot to be counted, the return
30 envelope must be received in the commissioner's office before
31 the polls close on election day or be clearly postmarked by an
32 officially authorized postal service or bear a postal service
33 barcode traceable to a date of entry into the federal mail
34 system not later than ~~the day~~ ten days before the election, as
35 provided in [section 53.17A](#), and received by the commissioner

1 not later than noon on the Monday following the election.

2 Sec. 4. Section 53.17, subsection 4, paragraph f, Code 2021,
3 is amended to read as follows:

4 *f.* A statement that the completed absentee ballot will
5 be delivered to the commissioner's office within seventy-two
6 hours of retrieving it from the voter or before the closing of
7 the polls on election day, whichever is earlier, or that the
8 completed absentee ballot will be mailed to the commissioner
9 within seventy-two hours of retrieving it from the voter or
10 within time to be postmarked or, if applicable, to have the
11 postal service barcode traced to a date of entry into the
12 federal mail system not later than ~~the day~~ ten days before the
13 election, as provided in [section 53.17A](#), whichever is earlier.

14 Sec. 5. Section 53.17A, subsection 3, paragraph b,
15 subparagraph (2), Code 2021, is amended to read as follows:

16 (2) If the postmark is illegible, missing, or dated on
17 or after ~~election~~ the day nine days before the election, the
18 commissioner shall attempt to verify the ballot's date of entry
19 into the federal mail system by querying the postal service
20 barcode in the tracking information database. If the tracking
21 information database indicates that the absentee ballot entered
22 the federal mail system by the deadline specified in section
23 53.17 or [53.22](#), the ballot shall be included for canvass by the
24 absentee and special voters precinct board. The commissioner
25 shall provide a report to the absentee and special voters
26 precinct board regarding the information available in the
27 tracking information database.

28 Sec. 6. Section 53.22, subsection 6, paragraph b, Code 2021,
29 is amended to read as follows:

30 *b.* Absentee ballots voted under [this subsection](#) shall be
31 delivered to the commissioner no later than the time the polls
32 are closed on election day. If the ballot is returned by mail
33 the return envelope must be received by the time the polls
34 close, or be clearly postmarked by an officially authorized
35 postal service or bear a postal service barcode traceable to

1 a date of entry into the federal mail system not later than
2 ~~the day~~ ten days before the election, as provided in section
3 53.17A, and received by the commissioner no later than the time
4 established for the canvass by the board of supervisors for
5 that election.

6 EXPLANATION

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

9 This bill is related to the requesting and returning of
10 absentee ballots. The bill changes the date by which an
11 application for an absentee ballot must be received from
12 either 10 or 11 days before an election, depending on the type
13 of election, to 15 days before the election. The bill also
14 changes the date by which an absentee ballot returned by mail
15 must be postmarked or marked with an intelligent mail barcode
16 from the day before an election to 10 days before an election.