

House File 2466 - Introduced

HOUSE FILE 2466
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 628)

A BILL FOR

- 1 An Act relating to the administration of elections.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 47.4, Code 2024, is amended to read as
2 follows:

3 **47.4 Election filing deadlines.**

4 If the deadline for a filing pertaining to an election
5 falls on a day that the state or county commissioner's office
6 is closed for business, the deadline shall be extended to
7 the next day that the office of state commissioner or county
8 commissioner is open for business to receive the filing. ~~This~~
9 ~~section does not apply to the deadline for voter registration~~
10 ~~under section 48A.9, subsection 2.~~

11 Sec. 2. Section 48A.9, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. The commissioner's office shall be open from 8:00 a.m.
14 until at least 5:00 p.m. on the day registration closes before
15 each regularly scheduled election. ~~However, if the last day to~~
16 ~~register to vote for a regularly scheduled election falls on~~
17 ~~the day after Thanksgiving, the deadline shall be the following~~
18 ~~Monday.~~

19 Sec. 3. Section 49.124, subsection 1, Code 2024, is amended
20 to read as follows:

21 1. The commissioner shall conduct, not later than the day
22 before each ~~primary and general~~ election, a training course for
23 all election personnel, ~~and the commissioner may do so before~~
24 ~~any other election the commissioner administers.~~ The personnel
25 shall include all precinct election officials and any other
26 persons who will be employed in or around the polling places
27 on election day. ~~At least two precinct election officials who~~
28 ~~will serve on each precinct election board at the forthcoming~~
29 ~~election shall attend the training course. If the entire board~~
30 ~~does not attend, those members who do attend shall so far as~~
31 ~~possible be persons who have not previously attended a similar~~
32 ~~training course. The state commissioner shall adopt rules~~
33 ~~pursuant to chapter 17A to implement instruction required under~~
34 ~~this subsection.~~

35 Sec. 4. Section 49.128, subsection 1, unnumbered paragraph

1 1, Code 2024, is amended to read as follows:

2 No later than twenty days following ~~a general~~ an election,
3 the commissioner shall place on file in the commissioner's
4 office a certification that the county met the following
5 requirements at the ~~general~~ election:

6 Sec. 5. Section 49.128, subsection 1, Code 2024, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. *f.* The state commissioner may adopt rules
9 pursuant to chapter 17A to require that the commissioner
10 provide and certify additional information.

11 Sec. 6. Section 49.128, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. ~~a.~~ If the county is required to conduct an audit under
14 section 50.51, the commissioner shall include a copy of the
15 results with the certification required under this section.

16 ~~b.~~ ~~If a county is not required to conduct an audit under~~
17 ~~section 50.51, the commissioner shall include a copy of the~~
18 ~~certification required under this section along with the~~
19 ~~election canvass summary report required under section 50.30A.~~

20 Sec. 7. NEW SECTION. 49.129 Pre-election submission
21 requirements.

22 1. No later than ten days before the election, the
23 commissioner shall notify the state commissioner of all of the
24 following:

25 *a.* The date, time, and location the testing of voting
26 equipment required pursuant to section 52.35 is to be
27 performed.

28 *b.* The date the election notice will be published pursuant
29 to section 49.53 and where it will appear.

30 *c.* The date the election personnel training course required
31 pursuant to section 49.124 is to be conducted.

32 2. The state commissioner may adopt rules pursuant to
33 chapter 17A to require that the commissioner provide and
34 certify additional information.

35 Sec. 8. Section 50.15A, Code 2024, is amended to read as

1 follows:

2 **50.15A Unofficial results of voting —~~general election only.~~**

3 1. In order to provide the public with an early source
4 of election results before the official canvass of votes,
5 the state commissioner of elections, in cooperation with the
6 commissioners of elections, shall conduct an unofficial canvass
7 of election results following the closing of the polls on
8 the day of a regular city election, regular school election,
9 primary election, or general election, or any other election
10 at the discretion of the state commissioner. The unofficial
11 canvass shall report election results for national offices,
12 statewide offices, the office of state representative, the
13 office of state senator, and other offices or public measures
14 at the discretion of the state commissioner of elections.
15 The unofficial canvass shall also report the total number of
16 ballots cast at the ~~general~~ reported election.

17 2. *a.* After the polls close on election day, the
18 commissioner of elections shall periodically provide election
19 results to the state commissioner of elections as the precincts
20 in the county report election results to the commissioner
21 pursuant to [section 50.11](#). If the commissioner determines
22 that all precincts will not report election results before
23 the office is closed, the commissioner shall report the most
24 complete results available prior to leaving the office at the
25 time the office is closed as provided in [section 50.11](#). The
26 commissioner shall specify the number of precincts included in
27 the report to the state commissioner of elections and provide
28 an explanation in writing as to why all precincts will not be
29 reported.

30 *b.* The state commissioner of elections shall tabulate
31 unofficial election results as the results are received from
32 the commissioners of elections and shall periodically make the
33 reports of the results available to the public.

34 3. Before the day of the ~~general~~ reported election, the
35 state commissioner of elections shall provide a form and

1 instructions for reporting unofficial election results pursuant
2 to [this section](#).

3 4. The state commissioner shall set a date and time by which
4 a commissioner must complete testing of the system used for the
5 unofficial canvass before the reported election.

6 Sec. 9. Section 50.48, subsection 5, Code 2024, is amended
7 to read as follows:

8 5. a. (1) At the conclusion of a recount, the recount
9 board shall make and file with the commissioner a written
10 report of its findings, signed by a majority of the recount
11 board.

12 (2) The commissioner or commissioner's designee may
13 assist in compiling the written report. The written report
14 shall include a full tally and accounting of ballots reviewed
15 by the recount board and shall be reported as required by
16 sections 50.24 and 53.20. The written report must allow the
17 commissioner to correct the canvass of voters in the manner
18 required by law, if applicable.

19 b. If the recount board's report is that the abstracts
20 prepared pursuant to the county board's canvass were incorrect
21 as to the number of votes cast for the candidates for the
22 office or nomination in question, in that county or district,
23 the commissioner shall at once so notify the county board. The
24 county board shall reconvene within three days after being so
25 notified, but no later than noon on the twenty-seventh day
26 following the election in question for a recount of the offices
27 of president and vice president, and shall correct its previous
28 proceedings.

29 Sec. 10. Section 53.17, subsection 4, unnumbered paragraph
30 1, Code 2024, is amended to read as follows:

31 When a person designated by the voter pursuant to section
32 53.33 retrieves a completed absentee ballot from the voter, the
33 designee shall, ~~upon request of the voter,~~ fill out a receipt
34 to be retained by the voter. The state commissioner shall
35 prescribe a form for receipts required by [this subsection](#). The

1 receipt shall include all of the following:

2 Sec. 11. Section 53.17, subsection 4, paragraph d, Code
3 2024, is amended by striking the paragraph.

4 Sec. 12. Section 53.17, subsection 4, paragraph f, Code
5 2024, is amended to read as follows:

6 *f.* A statement that the completed absentee ballot will
7 be delivered to the commissioner's office within seventy-two
8 hours of retrieving it from the voter or before the closing of
9 the polls on election day, whichever is earlier, ~~or that the~~
10 ~~completed absentee ballot will be mailed to the commissioner~~
11 ~~within seventy-two hours of retrieving it from the voter.~~

12 Sec. 13. Section 53.20, subsection 2, paragraph b, Code
13 2024, is amended to read as follows:

14 *b.* For the primary election, general election, and for any
15 election in which the commissioner determines in advance of
16 the election to report the results of the special precinct by
17 the resident precincts of the voters who cast absentee and
18 provisional ballots, the commissioner shall prepare a separate
19 absentee ballot style for each precinct in the county and shall
20 program the voting system to produce reports by the resident
21 precincts of the voters.

22 Sec. 14. Section 54.7, subsection 1, Code 2024, is amended
23 to read as follows:

24 1. The presidential electors and alternate electors shall
25 meet in the capitol, at the seat of government, on the first
26 ~~Monday~~ Tuesday after the second Wednesday in December next
27 following their election.

28 Sec. 15. Section 277.4, subsection 4, Code 2024, is amended
29 to read as follows:

30 4. Any person on whose behalf nomination petitions have been
31 filed under [this section](#) may withdraw as a candidate by filing
32 a signed statement to that effect with the secretary consistent
33 with [section 44.9, subsection 5](#).

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill relates to the conduct of elections. The bill
3 changes the filing deadline for voter registration forms that
4 would be due on the day after Thanksgiving from the following
5 Monday to the next day the office of the county commissioner of
6 elections or the state commissioner of elections is open.

7 The bill requires a county commissioner of elections to
8 hold training for all election personnel before each election,
9 rather than before each primary and general election. The bill
10 also requires the state commissioner of elections to adopt
11 rules for the implementation of required instruction.

12 The bill requires a county commissioner of elections
13 to place on file a certification that the office of the
14 commissioner met certain requirements within 20 days after
15 each election. Current law requires that such certifications
16 be filed after a general election. The bill allows the state
17 commissioner of elections to adopt rules requiring county
18 commissioners of elections to provide and certify additional
19 information. The bill strikes a provision requiring a county
20 commissioner of elections to include a copy of a certification
21 along with an election canvass summary report when a county is
22 not required to conduct an audit.

23 The bill requires a county commissioner of elections to
24 provide certain information to the state commissioner of
25 elections not later than 10 days before an election, including
26 the date, time, and location of equipment testing, the date and
27 location where the election notice will be published, and the
28 date that election personnel training will be conducted. The
29 bill allows the state commissioner to adopt rules to require
30 that a county commissioner provide and certify additional
31 information.

32 The bill requires the state commissioner of elections,
33 in cooperation with county commissioners of elections, to
34 conduct an unofficial canvass of election results following the
35 closing of polls for regular city, regular school, primary, or

1 general elections, and any other election at the discretion of
2 the state commissioner. Current law requires an unofficial
3 canvass only for general elections. If a county commissioner
4 of elections determines that all precincts will not report
5 results before the office is closed, the bill requires the
6 county commissioner to provide a written explanation as to why.
7 The bill requires the state commissioner to set a date by which
8 a commissioner must complete testing of equipment used for an
9 unofficial canvass.

10 The bill requires a recount board to include in its written
11 report following the conclusion of a recount a full tally
12 and accounting of ballots reviewed by the board. The report
13 must allow the county commissioner of elections to correct the
14 canvass of votes in the manner required by law, if applicable.
15 The bill requires the report to be signed by a majority of the
16 recount board and allows the commissioner or the commissioner's
17 designee to assist in compiling the report. If the report is
18 that the initial abstracts were incorrect, the bill requires
19 the county board to reconvene no later than noon 27 days
20 following an election if the election is for president or vice
21 president.

22 The bill removes a requirement that a receipt filled out by a
23 person designated to return a voter's completed absentee ballot
24 include a statement regarding the time by which the person
25 will return the ballot and the name of the political party,
26 candidate, or committee for which the designee is acting as an
27 actual or implied agent. Code section 53.33 prohibits such a
28 person from delivering a completed absentee ballot. The bill
29 also removes a provision allowing a voter to request that a
30 person collecting an absentee ballot fill out a receipt. Code
31 section 53.33 makes such receipts mandatory.

32 The bill requires the county commissioner of elections to
33 prepare a separate absentee ballot style for each precinct in
34 the county and program the voting system to produce reports by
35 the resident precincts of the voters for each primary election.

H.F. 2466

1 The bill changes the meeting date for presidential electors
2 and alternates from the first Monday after the second Wednesday
3 in December next following the election to the first Tuesday
4 after the second Wednesday in December next following the
5 election.

6 The bill updates an internal reference regarding withdrawals
7 of candidates for school district elections.