

House File 356 - Introduced

HOUSE FILE 356

BY KAUFMANN

A BILL FOR

1 An Act relating to the conduct of elections, including
2 provisions related to absentee ballots, recounts, and
3 contested gubernatorial elections and impeachments,
4 making penalties applicable, and including effective date
5 provisions.

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

1 Section 1. Section 43.56, subsection 1, paragraph c, Code
2 2023, is amended to read as follows:

3 ~~c. A third person mutually agreeable to the board members~~
4 ~~designated by the candidates~~ One person who is a precinct
5 election official selected by the chief judge of the judicial
6 district in which the canvass occurs at or before the time the
7 board is required to convene.

8 Sec. 2. Section 43.78, subsection 5, paragraph b, Code 2023,
9 is amended to read as follows:

10 b. In the office of the appropriate commissioner, at least
11 ~~sixty-four~~ sixty-seven days before the date of the election.

12 Sec. 3. Section 43.92, Code 2023, is amended to read as
13 follows:

14 **43.92 Date of caucus published.**

15 1. The date, time, and place of each precinct caucus of a
16 political party shall be published at least twice in at least
17 one newspaper of general circulation in the precinct. The
18 first publication shall be made not more than fifteen days nor
19 less than seven days before the date of the caucus and the
20 second shall be made not more than seven days before and not
21 later than the date of the caucus. Such publication shall
22 also state in substance that each voter affiliated with the
23 specified political party may attend the precinct caucus.
24 Publication in a news item or advertisement in such newspaper
25 shall constitute publication for the purposes of [this section](#).
26 The cost of such publication, if any, shall be paid by the
27 political party.

28 2. a. In lieu of the requirement to publish a notice in a
29 newspaper of general circulation in the precinct, a political
30 party may publish the notice in its entirety on the political
31 party's internet site, if the political party maintains an
32 internet site. The notice shall include all information
33 otherwise required to be contained in the publication and
34 shall comply with all requirements relating to the date of
35 publication.

1 b. In posting and maintaining a notice on a political
2 party's internet site, the political party shall satisfy all
3 of the following requirements:

4 (1) The internet site shall be available and easily
5 accessible at all times by the public.

6 (2) The public shall not be charged for access to any notice
7 posted on the internet site pursuant to this subsection.

8 (3) The notice shall be maintained and accessible through
9 the same internet site address for as long as required by law
10 or as long as such information is customarily maintained by the
11 political party, whichever is longer.

12 c. Compliance with the requirements of this subsection
13 shall constitute compliance with the newspaper publication
14 requirements in subsection 1.

15 Sec. 4. Section 48A.14, Code 2023, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 6. A challenger shall post a bond at the
18 time of filing a challenge in an amount to be determined by
19 the commissioner that is sufficient to cover the costs of
20 verifying the registration of the challenged registrant. If
21 the commissioner determines that the challenged registrant's
22 registration is invalid, the bond shall be returned to the
23 challenger. In all other cases, the bond shall be deposited in
24 the election fund of the county of the commissioner with whom
25 it was filed.

26 Sec. 5. Section 49.53, subsection 1, Code 2023, is amended
27 to read as follows:

28 1. The commissioner shall not less than four nor more
29 than ~~twenty~~ thirty days before the day of each election,
30 except those for which different publication requirements are
31 prescribed by law, publish notice of the election. The notice
32 shall list the names of all candidates or nominees and the
33 office each seeks, and all public questions, to be voted upon
34 at the election. The notice shall also state the date of the
35 election, the hours the polls will be open, that each voter is

1 required to provide identification at the polling place before
2 the voter can receive and cast a ballot, the location of each
3 polling place at which voting is to occur in the election, ~~and~~
4 the names of the precincts voting at each polling place, the
5 date the election will be audited pursuant to section 50.51,
6 the location of the audit, and the hours during which the
7 election will be audited. The notice shall include the full
8 text of all public measures to be voted upon at the election.
9 The notice may contain one or more facsimiles of the portion of
10 the ballot containing the first arrangement of candidates as
11 prescribed by [section 49.31, subsection 2.](#)

12 Sec. 6. NEW SECTION. **49.76A Electronic election register.**

13 1. The commissioner may use an electronic election register
14 in lieu of a paper register if the electronic election register
15 is a product that has been certified for use in this state by
16 the state commissioner.

17 2. The state commissioner shall adopt rules pursuant to
18 chapter 17A for the implementation of this section.

19 Sec. 7. Section 50.11, subsection 1, Code 2023, is amended
20 to read as follows:

21 1. When the canvass is completed one of the precinct
22 election officials shall, upon request of a person at the
23 precinct, publicly announce the total number of votes received
24 by each of the persons voted for, the office for which the
25 person is designated, as announced by the designated tally
26 keepers, and the number of votes for, and the number of votes
27 against, any proposition which shall have been submitted to a
28 vote of the people. A precinct election official may, at the
29 request of the commissioner who is conducting the election,
30 communicate the election results by telephone and shall deliver
31 the election results in person pursuant to [section 50.14](#) to the
32 commissioner who is conducting the election immediately upon
33 completion of the canvass.

34 Sec. 8. Section 50.12, Code 2023, is amended to read as
35 follows:

1 **50.12 Return and preservation of ballots.**

2 Immediately after making the proclamation, and before
3 separating, the board members of each precinct in which votes
4 have been received by paper ballot shall enclose in an envelope
5 or other container all ballots which have been counted by them,
6 except those endorsed "Rejected as double", "Defective", or
7 "Objected to", and securely seal the envelope. The signatures
8 of all board members of the precinct shall be placed across
9 the seal or the opening of the container so that it cannot
10 be opened without breaking the seal. The precinct election
11 officials shall return all the ballots to the commissioner,
12 who shall carefully preserve them for six months. Ballots
13 from elections for federal offices shall be preserved for
14 twenty-two months. The sealed packages containing voted
15 ballots shall be opened only for an official recount authorized
16 by [section 50.48](#), [or 50.49](#), ~~or 50.50~~, for an election contest
17 held pursuant to [chapters 57 through 62](#), to conduct an audit
18 pursuant to [section 50.50 or 50.51](#), or to destroy the ballots
19 pursuant to [section 50.19](#).

20 Sec. 9. Section 50.15A, Code 2023, is amended to read as
21 follows:

22 **50.15A Unofficial results of voting — ~~general election only~~.**

23 1. In order to provide the public with an early source
24 of election results before the official canvass of votes,
25 the state commissioner of elections, in cooperation with the
26 commissioners of elections, shall conduct an unofficial canvass
27 of election results following the closing of the polls on
28 the day of a regular city election, regular school election,
29 primary election, and general election. The unofficial
30 canvass shall report election results for national offices,
31 statewide offices, the office of state representative, the
32 office of state senator, and other offices or public measures
33 at the discretion of the state commissioner of elections.
34 The unofficial canvass shall also report the total number of
35 ballots cast at the ~~general~~ election.

1 2. *a.* After the polls close on election day, the
2 commissioner of elections shall periodically provide election
3 results to the state commissioner of elections as the precincts
4 in the county report election results to the commissioner
5 pursuant to [section 50.11](#). If the commissioner determines
6 that all precincts will not report election results before
7 the office is closed, the commissioner shall report the most
8 complete results available prior to leaving the office at the
9 time the office is closed as provided in [section 50.11](#). The
10 commissioner shall specify the number of precincts included in
11 the report to the state commissioner of elections and provide
12 an explanation in writing as to why all precincts will not be
13 reported.

14 *b.* The state commissioner of elections shall tabulate
15 unofficial election results as the results are received from
16 the commissioners of elections and shall periodically make the
17 reports of the results available to the public.

18 3. Before the day of the ~~general~~ election, the state
19 commissioner of elections shall provide a form and instructions
20 for reporting unofficial election results pursuant to this
21 section.

22 Sec. 10. Section 50.24, subsections 1 and 4, Code 2023, are
23 amended to read as follows:

24 1. The county board of supervisors shall meet to canvass
25 the vote on the first ~~Monday~~ or Tuesday after the day of
26 each election to which [this chapter](#) is applicable, unless
27 the law authorizing the election specifies another date for
28 the canvass. If that ~~Monday~~ or Tuesday is a public holiday,
29 section 4.1, subsection 34, controls.

30 4. For a regular or special city election or a city runoff
31 election, if the city is located in more than one county, the
32 controlling commissioner for that city under [section 47.2](#) shall
33 conduct a second canvass on the second ~~Monday~~ or Tuesday after
34 the day of the election. However, if a recount is requested
35 pursuant to [section 50.48](#), the controlling commissioner shall

1 conduct the second canvass within two business days after the
2 conclusion of the recount proceedings. Each commissioner
3 conducting a canvass for the city pursuant to [subsection 1](#)
4 shall transmit abstracts for the offices and public measures of
5 that city to the controlling commissioner for that city, along
6 with individual tallies for each write-in candidate. At the
7 second canvass, the county board of supervisors of the county
8 of the controlling commissioner shall canvass the abstracts
9 received pursuant to [this subsection](#) and shall prepare a
10 combined city abstract stating the number of votes cast in the
11 city for each office and on each question on the ballot for
12 the city election. The combined city abstract shall further
13 indicate the name of each person who received votes for each
14 office on the ballot, the number of votes each person named
15 received for that office, and the number of votes for and
16 against each question submitted to the voters at the election.
17 The votes of all write-in candidates who each received less
18 than five percent of the total votes cast in the city for
19 an office shall be reported collectively under the heading
20 "scattering".

21 Sec. 11. Section 50.24, subsection 5, paragraph a, Code
22 2023, is amended to read as follows:

23 a. For a regular or special school election, if the school
24 district is located in more than one county, the controlling
25 commissioner for that school district under [section 47.2](#) shall
26 conduct a second canvass on the second ~~Monday~~ or Tuesday after
27 the day of election. However, if a recount is requested
28 pursuant to [section 50.48](#), the controlling commissioner shall
29 conduct the second canvass within two business days after the
30 conclusion of the recount proceedings. Each commissioner
31 conducting a canvass for the school district pursuant to
32 subsection 1 shall transmit abstracts for the offices and
33 public measures of that school district to the controlling
34 commissioner for that school district, along with individual
35 tallies for each write-in candidate. At the second canvass the

1 county board of supervisors of the controlling county shall
2 canvass the abstracts received pursuant to [this subsection](#) and
3 shall prepare a combined school district abstract stating the
4 number of votes cast in the school district for each office and
5 on each question on the ballot for the school election. The
6 combined school district abstract shall further indicate the
7 name of each person who received votes for each office on the
8 ballot, the number of votes each person named received for that
9 office, and the number of votes for and against each question
10 submitted to the voters at the election. The votes of all
11 write-in candidates who each received less than five percent of
12 the total votes cast in the school district for an office shall
13 be reported collectively under the heading "scattering".

14 Sec. 12. Section 50.48, subsection 1, paragraphs a and b,
15 Code 2023, are amended to read as follows:

16 *a.* The county board of canvassers shall order a recount of
17 the votes cast for a particular office or nomination in ~~one~~
18 ~~or more specified~~ all election precincts in that county if a
19 written request for a recount is made not later than 5:00 p.m.
20 on the ~~third~~ second day following the county board's canvass
21 of the election in question. For a city runoff election held
22 pursuant to [section 376.9](#), the written request must be made not
23 later than 5:00 p.m. on the day following the county board's
24 canvass of the city runoff election. A written request for a
25 recount shall indicate whether the recount shall be conducted
26 only using automatic tabulating equipment or by a hand recount
27 following the use of automatic tabulating equipment. If a
28 candidate requests a hand recount in one county, the candidate
29 shall also request a hand recount in each county at which the
30 candidate requests a recount. The request shall be filed with
31 the commissioner of that county and shall be signed by either
32 of the following:

33 (1) A candidate for that office or nomination whose name
34 was printed on ~~the a ballot of the precinct or precincts~~ in the
35 county where the recount is requested.

1 (2) Any other person who receives votes for that particular
2 office or nomination in the ~~precinct or precincts~~ county where
3 the recount is requested and who is legally qualified to seek
4 and to hold the office in question.

5 *b.* Immediately upon receipt of a request for a recount,
6 the commissioner shall send a copy of the request to the
7 apparent winner by certified mail and the state commissioner
8 by electronic mail. The commissioner shall also attempt to
9 contact the apparent winner by telephone. If the apparent
10 winner cannot be reached within ~~four~~ three days, the
11 chairperson of the political party or organization which
12 nominated the apparent winner shall be contacted and shall act
13 on behalf of the apparent winner, if necessary. For candidates
14 for state or federal offices, the chairperson of the state
15 party shall be contacted. For candidates for county offices,
16 the county chairperson of the party shall be contacted.

17 Sec. 13. Section 50.48, subsection 2, Code 2023, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. *c.* (1) Upon receipt of a written request
20 for a hand recount involving a state office, including a seat
21 in the general assembly, a seat in the United States Congress,
22 or electors for president or vice president, forwarded by
23 the commissioner, the state commissioner shall verify that
24 each request for a recount for that office submitted by that
25 candidate included a request for a hand recount. For each
26 request that did not include a request for a hand recount, the
27 state commissioner shall assess a civil penalty of one hundred
28 dollars against the candidate. The civil penalty shall first
29 be deducted from the bond filed by the candidate.

30 (2) Upon verification that a candidate for a state office,
31 including a seat in the general assembly, a seat in the United
32 States Congress, or electors for president or vice president,
33 submitted a written request for hand recount in at least one
34 but not all counties, the state commissioner shall, within six
35 days following the county canvass of the election, inform each

1 commissioner at which a hand recount was not requested that a
2 hand recount shall be performed pursuant to this section.

3 Sec. 14. Section 50.48, subsections 3 and 4, Code 2023,
4 are amended by striking the subsections and inserting in lieu
5 thereof the following:

6 3. a. The recount shall be conducted by a board which shall
7 consist of one of the following:

8 (1) For a county with a population of fewer than fifteen
9 thousand people according to the most recent federal decennial
10 census:

11 (a) A designee of the candidate requesting the recount,
12 who shall be named in the written request when the request is
13 filed.

14 (b) A designee of the apparent winning candidate, who shall
15 be named by the candidate at or before the time the board is
16 required to convene.

17 (c) A member who is a precinct election official selected by
18 the chief judge of the judicial district in which the canvass
19 occurs at or before the time the board is required to convene.

20 (2) For a county with a population of at least fifteen
21 thousand but fewer than fifty thousand people according to the
22 most recent federal decennial census:

23 (a) A designee of the candidate requesting the recount,
24 who shall be named in the written request when the request is
25 filed.

26 (b) A designee of the apparent winning candidate, who shall
27 be named by the candidate at or before the time the board is
28 required to convene.

29 (c) Three members who are precinct election officials
30 selected by the chief judge of the judicial district in which
31 the canvass occurs at or before the time the board is required
32 to convene.

33 (3) For a county with a population of fifty thousand people
34 or greater:

35 (a) Two designees of the candidate requesting the recount,

1 who shall be named in the written request when the request is
2 filed.

3 (b) Two designees of the apparent winning candidate, who
4 shall be named by the candidate at or before the time the board
5 is required to convene.

6 (c) Three members who are precinct election officials
7 selected by the chief judge of the judicial district in which
8 the canvass occurs at or before the time the board is required
9 to convene.

10 b. Members appointed to the recount board by the chief judge
11 shall be selected consistent with section 49.13, subsection 2,
12 for partisan offices and section 49.12 for nonpartisan offices.

13 c. The commissioner shall convene the persons designated
14 under paragraph "a" not later than 9:00 a.m. on the sixth
15 day following the county board's canvass of the election in
16 question.

17 4. When all members of the recount board have been selected,
18 the board shall undertake and complete the required recount as
19 expeditiously as reasonably possible in the following manner:

20 a. The commissioner shall inform the board whether the
21 candidate has requested a hand recount. The commissioner
22 or the commissioner's designee shall supervise the handling
23 of ballots to ensure that the ballots are protected from
24 alteration or damage.

25 b. The board shall direct the commissioner to retabulate
26 the ballots using the automatic tabulating equipment. The same
27 program used for tabulating the votes on election day shall be
28 used at the recount unless the program is believed or known to
29 be flawed.

30 c. The board shall recount only the ballots which were voted
31 and counted for the office in question, including any disputed
32 ballots returned as required in section 50.5.

33 d. After retabulating the ballots as provided in paragraph
34 "b", the board shall compare the printed results of the
35 tabulation equipment to the abstract prepared pursuant to the

1 county board's canvass. The board shall note any discrepancies
2 between the two results.

3 e. If the candidate's written request included a request
4 for a hand recount, the board shall separate the ballots into
5 piles: one for each candidate, one for write-in votes, and
6 one for ballots considered an over or under count. The board
7 shall review and tabulate the ballots in each pile as provided
8 in section 49.98. The board shall compare the hand recount
9 results to the printed results of the tabulation equipment and
10 the abstract. If there are discrepancies between the three
11 results, then the results of the hand recount shall control.

12 f. The ballots shall be resealed by the recount board before
13 adjournment and shall be preserved as required by section
14 50.12.

15 Sec. 15. Section 50.48, subsection 5, Code 2023, is amended
16 to read as follows:

17 5. a. At the conclusion of the recount, the recount board
18 shall make and file with the commissioner a written report of
19 its findings signed by a majority of the recount board. The
20 commissioner or commissioner's designee may assist in compiling
21 the written report. The written report shall include a full
22 tally and accounting of ballots reviewed by the recount board
23 and shall be reported as required by sections 50.24 and 53.20.
24 The written report must allow the commissioner to correct the
25 canvass of voters in the manner required by law, if applicable.

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

1 c. The recount board shall complete the recount and file its
2 report as follows:

3 (1) For the offices of president and vice president, not
4 later than the seventeenth day following the county board's
5 canvass of the election in question.

6 (2) For a state office, including a seat in the general
7 assembly, or a seat in the United States Congress, not later
8 than the twenty-first day following the county board's canvass
9 of the election in question.

10 (3) For any other office, not later than the thirteenth
11 day following the county board's canvass of the election in
12 question.

13 Sec. 16. Section 50.49, subsection 1, Code 2023, is amended
14 by striking the subsection and inserting in lieu thereof the
15 following:

16 1. a. A recount for any public measure shall be ordered
17 by the board of canvassers if a petition requesting a recount
18 is filed with the county commissioner of a county at which
19 the question appeared on the ballot not later than two days
20 after the completion of the canvass of voters for the election.
21 The petition for a recount shall indicate whether the recount
22 shall be conducted only using automatic tabulating equipment
23 or by a hand recount following the use of automatic tabulating
24 equipment. If a petition requests a hand recount in one
25 county, the petition shall also request a hand recount in each
26 county in which the petition is filed. A petition must be
27 filed by the person submitting the petition in each county
28 in which the public measure appeared on the ballot. If the
29 petition is not filed by the person submitting the petition in
30 each county in which the public measure appeared on the ballot,
31 a recount shall not be conducted.

32 b. The petition must be signed by the greater of ten
33 eligible electors or a number of eligible electors equaling
34 one percent of the total number of votes cast upon the public
35 measure in the county. Each person signing the petition must

1 be a person who was entitled to vote on the public measure in
2 question or would have been so entitled if registered to vote.

3 *c.* Immediately upon receipt of a petition for a recount,
4 the commissioner shall send a copy of the petition to the
5 state commissioner by electronic mail. The state commissioner
6 shall confirm that a petition was filed in every county the
7 public measure appeared on the ballot prior to the convening of
8 the recount board. The state commissioner shall also verify
9 whether each petition for a recount included a request for
10 a hand recount. If the state commissioner verifies that a
11 petition included a request for a hand recount in at least one
12 but not all counties, the state commissioner shall, prior to
13 convening of the recount board, inform each commissioner at
14 which a hand recount was not requested that a hand recount
15 shall be performed.

16 Sec. 17. Section 50.49, subsection 2, paragraph b, Code
17 2023, is amended by striking the paragraph and inserting in
18 lieu thereof the following:

19 *b.* Two members who are precinct election officials selected
20 by the chief judge of the judicial district in which the
21 canvass occurs at or before the time the board is required to
22 convene. The members shall be selected consistent with section
23 49.12.

24 Sec. 18. Section 50.49, subsection 2, paragraph c, Code
25 2023, is amended by striking the paragraph.

26 Sec. 19. Section 50.49, subsection 3, Code 2023, is amended
27 by striking the subsection and inserting in lieu thereof the
28 following:

29 3. The commissioner shall convene the recount board not
30 later than 9:00 a.m. on the sixth day following the county
31 board's canvass of the election in question.

32 Sec. 20. Section 50.50, Code 2023, is amended to read as
33 follows:

34 **50.50 Administrative ~~recounts~~ audits.**

35 1. The commissioner who was responsible for conducting an

1 election may request an administrative ~~recount~~ audit when the
2 commissioner is informed or suspects that voting equipment used
3 in the election malfunctioned or that programming errors may
4 have affected the outcome of the election, or if the precinct
5 election officials report counting errors to the commissioner
6 after the conclusion of the canvass of votes in the precinct.
7 An administrative ~~recount~~ audit shall be conducted by the board
8 of the special precinct established by section 53.23. ~~Bond~~
9 ~~shall not be required for an administrative recount.~~ The
10 state commissioner may adopt rules for administrative ~~recounts~~
11 audits.

12 2. ~~If the recount board finds that there is an error~~
13 ~~in the programming of any voting equipment which may have~~
14 ~~affected the outcome of the election for any office or public~~
15 ~~measure on the ballot, the recount board shall describe the~~
16 ~~errors in its report to the commissioner. The commissioner~~
17 ~~shall notify the board of supervisors. The supervisors shall~~
18 ~~determine whether to order an administrative recount for any~~
19 ~~or all of the offices and public measures on the ballot. Each~~
20 political party, as defined in section 43.2, may appoint up
21 to five observers to witness an audit conducted pursuant to
22 this section. The observers shall be appointed by the county
23 chairperson or, if the county chairperson fails to make an
24 appointment, by the state chairperson. However, if either or
25 both political parties fail to appoint an observer, the board
26 may continue with the proceedings.

27 Sec. 21. Section 50.51, subsection 3, paragraph a, Code
28 2023, is amended by striking the paragraph.

29 Sec. 22. NEW SECTION. 53.1B Definitions.

30 For purposes of this subchapter, unless the context
31 otherwise requires:

32 1. "*Affidavit envelope*" means an envelope that includes
33 a serial number and bears on the back an affidavit for a
34 registered voter to mark the registered voter's signature and
35 voter verification number in a form prescribed by the state

1 commissioner.

2 2. "*Delivery envelope*" means an envelope that bears on its
3 face the name and address of the registered voter requesting an
4 absentee ballot, the words "county commissioner of elections",
5 the address of the commissioner's office, and the same serial
6 number that appears on the affidavit envelope and return
7 envelope.

8 3. "*Return envelope*" means an envelope that is addressed
9 to the commissioner's office, bears appropriate return postage
10 or a postal permit guaranteeing that the commissioner will pay
11 the return postage, and includes the same serial number as the
12 affidavit envelope and delivery envelope.

13 4. "*Secrecy envelope*" means an envelope, folder, or sleeve
14 that hides all voting ovals on a ballot when folded.

15 Sec. 23. Section 53.8, subsection 1, Code 2023, is amended
16 to read as follows:

17 1. a. Upon receipt of an application for an absentee ballot
18 and immediately after the absentee ballots are printed, but not
19 more than twenty days before the election, the commissioner
20 shall mail an absentee ballot to the applicant within
21 twenty-four hours, except as otherwise provided in subsection
22 3. The absentee ballot shall be ~~sent to the registered voter~~
23 ~~by one of the following methods:~~ enclosed in an unsealed
24 affidavit envelope. The absentee ballot and affidavit envelope
25 shall be enclosed in or with an unsealed return envelope. The
26 absentee ballot, affidavit envelope, and return envelope shall
27 be enclosed in the delivery envelope. If the ballot cannot
28 be folded so that all the voting ovals on the ballot will be
29 hidden, the commissioner shall also enclose a secrecy envelope
30 with the absentee ballot.

31 ~~(1) The absentee ballot shall be enclosed in an unsealed~~
32 ~~envelope marked with a serial number and affidavit. The~~
33 ~~absentee ballot and affidavit envelope shall be enclosed in~~
34 ~~or with an unsealed return envelope marked postage paid which~~
35 ~~bears the same serial number as the affidavit envelope. The~~

1 ~~absentee ballot, affidavit envelope, and return envelope shall~~
2 ~~be enclosed in a third envelope to be sent to the registered~~
3 ~~voter. If the ballot cannot be folded so that all of the votes~~
4 ~~cast on the ballot will be hidden, the commissioner shall also~~
5 ~~enclose a secrecy envelope with the absentee ballot.~~

6 ~~(2) The absentee ballot shall be enclosed in an unsealed~~
7 ~~return envelope marked with a serial number and affidavit~~
8 ~~and marked postage paid. The absentee ballot and return~~
9 ~~envelope shall be enclosed in a second envelope to be sent~~
10 ~~to the registered voter. If the ballot cannot be folded so~~
11 ~~that all of the votes cast on the ballot will be hidden, the~~
12 ~~commissioner shall also enclose a secrecy envelope with the~~
13 ~~absentee ballot.~~

14 ~~b. The affidavit shall be marked on the appropriate envelope~~
15 ~~in a form prescribed by the state commissioner of elections~~
16 ~~registered voter requesting and receiving an absentee ballot~~
17 ~~shall subscribe to the affidavit by signing and marking the~~
18 ~~registered voter's voter verification number on the affidavit~~
19 ~~envelope.~~

20 ~~c. All domestic return envelope flaps or backs shall also~~
21 ~~be printed or stamped with a notice of the deadline to return a~~
22 ~~completed absentee ballot and the manner to track the status of~~
23 ~~the ballot in a form prescribed by the state commissioner.~~

24 ~~e. d.~~ For envelopes mailed at any election other than the
25 primary election, the commissioner shall not mark any envelope
26 with any information related to the party affiliation of the
27 applicant.

28 Sec. 24. Section 53.10, subsection 2, paragraph a, Code
29 2023, is amended to read as follows:

30 a. Each person who wishes to vote by absentee ballot at
31 the commissioner's office shall first sign an application for
32 a ballot including the following information: name, current
33 address, voter verification number, and the election for which
34 the ballot is requested. The person may report a change of
35 address or other information on the person's voter registration

1 record at that time. Prior to furnishing a ballot, the
2 commissioner shall verify the person's identity as provided
3 in [section 49.78](#). The registered voter shall immediately
4 mark the ballot; enclose the ballot in a secrecy envelope,
5 if necessary, and seal ~~it~~ the ballot in the ~~envelope~~ marked
6 ~~with the affidavit envelope~~; subscribe to the affidavit ~~on~~
7 ~~the reverse side of the envelope~~ by signing and marking the
8 registered voter's voter verification number; and return the
9 sealed affidavit envelope containing the absentee ballot to
10 the commissioner. The commissioner shall record the numbers
11 appearing on the application and affidavit envelope along with
12 the name of the registered voter.

13 Sec. 25. Section 53.12, Code 2023, is amended by striking
14 the section and inserting in lieu thereof the following:

15 **53.12 Duty of commissioner.**

16 The commissioner shall affix to the application the same
17 serial number that appears on the affidavit envelope, return
18 envelope, and delivery envelope.

19 Sec. 26. Section 53.16, Code 2023, is amended by striking
20 the section and inserting in lieu thereof the following:

21 **53.16 Subscribing to affidavit.**

22 After marking the ballot, the voter shall enclose the ballot
23 in a secrecy envelope, if necessary, and seal the ballot in
24 the affidavit envelope; subscribe to the affidavit by signing
25 and marking the registered voter's voter verification number;
26 place the sealed affidavit envelope in the return envelope; and
27 securely seal the return envelope.

28 Sec. 27. Section 53.17, subsection 1, unnumbered paragraph
29 1, Code 2023, is amended to read as follows:

30 ~~If the commissioner mailed the ballot pursuant to section~~
31 ~~53.8, subsection 1, paragraph "a", subparagraph (1), the sealed~~
32 ~~envelope bearing the voter's affidavit and containing the~~
33 ~~absentee ballot shall be enclosed in a return envelope which~~
34 ~~shall be securely sealed. If the commissioner mailed the~~
35 ~~ballot pursuant to section [53.8, subsection 1, paragraph "a",](#)~~

1 ~~subparagraph (2), the absentee ballot shall be enclosed in the~~
2 ~~return envelope which shall be securely sealed.~~ The sealed
3 return envelope shall be returned to the commissioner by one of
4 the following methods:

5 Sec. 28. Section 53.18, subsections 2 and 3, Code 2023, are
6 amended to read as follows:

7 2. If the commissioner receives the return envelope
8 containing the completed absentee ballot by 5:00 p.m. on the
9 Saturday before the election for general elections and by 5:00
10 p.m. on the Friday before the election for all other elections,
11 the commissioner shall ~~review the affidavit marked on the~~
12 ~~return envelope, if applicable, for completeness or shall open~~
13 ~~the return envelope to review the affidavit for completeness~~
14 open the return envelope, if applicable, and review the
15 affidavit marked on the affidavit envelope for completeness.
16 If the affidavit lacks the signature or voter verification
17 number of the registered voter, the commissioner shall, within
18 twenty-four hours of the receipt of the envelope, notify the
19 voter of the deficiency and inform the voter that the voter may
20 vote a replacement ballot as provided in [subsection 3](#), cast a
21 ballot as provided in [section 53.19, subsection 3](#), or complete
22 the affidavit in person at the office of the commissioner not
23 later than the time polls close on election day.

24 3. If the affidavit envelope ~~or the return envelope marked~~
25 ~~with the affidavit~~ contains a defect that would cause the
26 absentee ballot to be rejected by the absentee and special
27 voters precinct board, the commissioner shall immediately
28 notify the voter of that fact and that the voter's absentee
29 ballot shall not be counted unless the voter requests and
30 returns a replacement ballot in the time permitted under
31 section 53.17, subsection 2. For the purposes of [this section](#),
32 ~~a return an affidavit envelope marked with the affidavit~~
33 shall be considered to contain a defect if ~~it appears to~~
34 ~~the commissioner that the signature on the envelope has been~~
35 ~~signed by someone other than the registered voter, in comparing~~

1 ~~the signature on the envelope to the signature on record of~~
2 ~~the registered voter named on the envelope. A signature or~~
3 ~~marking made in accordance with section 39.3, subsection~~
4 ~~17, shall not be considered a defect for purposes of this~~
5 ~~section~~ the voter verification number provided does not match
6 the voter verification number associated with the voter's
7 voter registration. The voter may request a replacement
8 ballot in person, in writing, or over the telephone. The
9 same serial number that was assigned to the records of the
10 original absentee ballot application shall be used on the
11 envelope envelopes and records of the replacement ballot. The
12 affidavit envelope ~~marked with the affidavit and~~ containing
13 the completed replacement ballot shall be marked "Replacement
14 ballot". The affidavit envelope ~~marked with the affidavit and~~
15 containing the original ballot shall be marked "Defective" ~~and~~
16 ~~the~~ "Defective". The replacement ballot shall be attached to
17 ~~such~~ the affidavit envelope containing the original ballot and
18 shall be stored in a secure place until they are delivered to
19 the absentee and special voters precinct board, notwithstanding
20 sections 53.26 and 53.27.

21 Sec. 29. Section 53.20, subsection 2, paragraph b, Code
22 2023, is amended to read as follows:

23 *b.* For the primary election, general election election,
24 and for any election in which the commissioner determines in
25 advance of the election to report the results of the special
26 precinct by the resident precincts of the voters who cast
27 absentee and provisional ballots, the commissioner shall
28 prepare a separate absentee ballot style for each precinct
29 in the county and shall program the voting system to produce
30 reports by the resident precincts of the voters.

31 Sec. 30. Section 53.21, subsection 2, paragraph b, Code
32 2023, is amended to read as follows:

33 *b.* The voter shall enclose one copy of the above statement
34 in the return envelope along with the affidavit envelope, ~~if~~
35 ~~the voter was mailed a separate affidavit envelope,~~ and shall

1 retain a copy for the voter's records.

2 Sec. 31. Section 53.23, subsection 3, paragraph b,
3 subparagraph (1), Code 2023, is amended to read as follows:

4 (1) The commissioner may direct the board to meet on the day
5 before the election for the purpose of reviewing the absentee
6 voters' affidavits appearing on the sealed envelopes. If in
7 the commissioner's judgment this procedure is necessary due
8 to the number of absentee ballots received, the members of
9 the board may open the sealed affidavit envelopes and remove
10 the secrecy envelope containing the ballot, but under no
11 circumstances shall a secrecy envelope or ~~a return~~ an affidavit
12 envelope ~~marked with an affidavit~~ be opened before the board
13 convenes on election day, except as provided in paragraph
14 "c". If the affidavit envelopes are opened before election
15 day pursuant to this paragraph "b", the observers appointed
16 by each political party, as defined in [section 43.2](#), shall
17 witness the proceedings. Each political party may appoint up
18 to five observers under this paragraph "b". The observers
19 shall be appointed by the county chairperson or, if the
20 county chairperson fails to make an appointment, by the state
21 chairperson. However, if either or both political parties fail
22 to appoint an observer, the commissioner may continue with the
23 proceedings.

24 Sec. 32. Section 53.23, subsection 5, Code 2023, is amended
25 to read as follows:

26 5. The special precinct election board shall preserve the
27 secrecy of all absentee and provisional ballots. After the
28 affidavits on the affidavit envelopes have been reviewed and
29 the qualifications of the persons casting the ballots have been
30 determined, those that have been accepted for counting shall
31 be opened. The ballots shall be removed from the affidavit
32 envelopes ~~or return envelopes marked with the affidavit, as~~
33 ~~applicable,~~ without being unfolded or examined, and then shall
34 be thoroughly intermingled, after which they shall be unfolded
35 and tabulated. If secrecy ~~folders~~ or envelopes are used with

1 provisional paper ballots, the ballots shall be removed from
2 the secrecy ~~folders~~ envelopes after the ballots have been
3 intermingled.

4 Sec. 33. Section 53.25, subsection 1, paragraph a, Code
5 2023, is amended to read as follows:

6 a. If the absentee voter's affidavit lacks the voter's
7 signature or voter verification number, if the applicant is
8 not a duly registered voter on election day in the precinct
9 where the absentee ballot was cast, if the affidavit envelope
10 ~~marked with the affidavit~~ contains more than one ballot of any
11 one kind, or if the voter has voted in person, such vote shall
12 be rejected by the absentee and special voters precinct board.
13 If the affidavit envelope ~~or return envelope marked with the~~
14 ~~affidavit~~ is open, or has been opened and resealed, or if the
15 ballot is not enclosed in such the affidavit envelope, and an
16 affidavit envelope or return envelope marked with the affidavit
17 with the same serial number and marked "Replacement ballot" is
18 not attached as provided in [section 53.18](#), the ballot shall be
19 rejected by the absentee and special voters precinct board.

20 Sec. 34. Section 53.25, subsection 2, Code 2023, is amended
21 to read as follows:

22 2. If the absentee or provisional ballot is rejected prior
23 to the opening of the affidavit envelope ~~or return envelope~~
24 ~~marked with the affidavit~~, the voter casting the ballot shall
25 be notified by a precinct election official by the time the
26 canvass is completed of the reason for the rejection on a form
27 prescribed by the state commissioner of elections.

28 Sec. 35. Section 53.30, subsection 2, Code 2023, is amended
29 to read as follows:

30 2. At the conclusion of each meeting of the absentee and
31 special voters precinct board, the board shall securely seal
32 all ballots counted by them in the manner prescribed in section
33 50.12. The ballot envelopes, including the affidavit envelope
34 ~~if an affidavit envelope was provided~~, the return envelope, and
35 secrecy envelope bearing the signatures of precinct election

1 officials, as required by section 53.23, shall be preserved.
2 All applications for absentee ballots, ballots rejected without
3 being opened, absentee ballot logs, and any other documents
4 pertaining to the absentee ballot process shall be preserved
5 until such time as the documents may be destroyed pursuant to
6 section 50.19.

7 Sec. 36. Section 53.32, Code 2023, is amended to read as
8 follows:

9 **53.32 Ballot of deceased voter.**

10 When it shall be made to appear by due proof to the precinct
11 election officials that any elector, who has so marked and
12 forwarded a ballot, has died before the ~~envelope marked with~~
13 ~~the affidavit~~ affidavit envelope is opened, then the ballot of
14 such deceased voter shall be endorsed, "Rejected because voter
15 is dead", and be returned to the commissioner. The casting
16 of the ballot of a deceased voter shall not invalidate the
17 election.

18 Sec. 37. Section 58.4, subsections 1 and 2, Code 2023, are
19 amended to read as follows:

20 1. The names of members of each house, except the presiding
21 officer and the majority and minority leaders, written on
22 similar paper tickets, shall be placed in a box, the names of
23 the senators in their presence by their secretary, and the
24 names of the representatives in their presence by their clerk.

25 2. The secretary of the senate in the presence of the
26 senate, and the clerk of the house of representatives in
27 the presence of the house, shall draw from their respective
28 boxes the names of ~~seven~~ five members each. The majority and
29 minority leaders of each house shall also serve on the contest
30 court.

31 Sec. 38. Section 60.2, Code 2023, is amended to read as
32 follows:

33 **60.2 Clerk.**

34 The ~~secretary of state~~ clerk of the supreme court shall be
35 the clerk of the court, or, in the ~~secretary of state's~~ clerk

1 of the supreme court's absence or inability to act, the clerk
2 of the supreme court secretary of state.

3 Sec. 39. Section 61.2, Code 2023, is amended to read as
4 follows:

5 **61.2 Clerk.**

6 The ~~secretary of state~~ clerk of the supreme court shall be
7 the clerk of this court; ~~but if the person holding that office~~
8 ~~is a party to the contest, the clerk of the supreme court, or,~~
9 ~~in case of that person's absence or inability, the auditor of~~
10 ~~state shall be clerk,~~ or, in the clerk of the supreme court's
11 absence or inability to act, the secretary of state. If the
12 person holding the office of secretary of state is a party to
13 the contest, the auditor of state shall be clerk.

14 Sec. 40. Section 68.9, subsection 1, Code 2023, is amended
15 to read as follows:

16 1. When an impeachment is presented, the senate shall, after
17 ~~the hour of final adjournment of the legislature~~ as soon as
18 practicable, be ~~forthwith~~ organized as a court of impeachment
19 for the trial thereof, at the capitol.

20 Sec. 41. Section 69.14, Code 2023, is amended to read as
21 follows:

22 **69.14 Special election to fill vacancies.**

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

32 2. In the event the special election is to fill a vacancy
33 in the general assembly while it is in session or within
34 forty-five days of the convening of any session, the time limit
35 provided in [this section](#) shall not apply and the governor shall

1 order such special election at the earliest practical time,
2 giving at least eighteen days' notice of the special election.
3 Any special election called under [this section](#) must be held on
4 a Tuesday and shall not be held on the same day as a school
5 election within the district.

6 Sec. 42. Section 260C.15, subsection 5, Code 2023, is
7 amended to read as follows:

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

23 Sec. 43. Section 277.4, subsection 4, Code 2023, is amended
24 to read as follows:

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

29 Sec. 44. EFFECTIVE DATE. Except as otherwise provided, this
30 Act, being deemed of immediate importance, takes effect upon
31 enactment.

32 Sec. 45. EFFECTIVE DATE. The following take effect January
33 1, 2024:

34 The sections of this Act amending or enacting sections of
35 chapter 53.

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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 provides that a political party that this required by statute to publish a notice of a precinct caucus in a newspaper of general circulation may, in lieu of such requirement, publish the notice, action, or other information in its entirety on the political party's internet site, if the political party maintains an internet site.

The bill changes the deadline for a person nominated to fill a ballot vacancy to withdraw by filing a notice in the office of the appropriate county commissioner of elections from 64 days before the date of the election to 67 days before the date of the election.

The bill requires a person challenging the voter registration of another person to post a bond, in an amount to be determined by the commissioner, sufficient to cover the costs of verifying the validity of the challenged voter's registration. If the challenged voter's registration is determined to be invalid, the bond shall be returned to the challenger. Otherwise, the bill requires the bond to be deposited in the election fund of the county of the commissioner with whom the challenge was filed.

The bill requires a notice for an election to include the date the election will be audited, the location of the audit, and the hours during which the election will be audited. The bill also changes the earliest date that notice of an election may be published from 20 to 30 days before the date of the election.

The bill allows a county commissioner of elections to use an electronic election register in lieu of a paper register if the electronic election register is a product that has been certified for use in the state by the state commissioner of elections. The bill directs the state commissioner of

1 elections to adopt rules regarding electronic election
2 registers.

3 The bill requires a precinct election official to publicly
4 announce the results of a canvass only upon the request of
5 a person at the precinct. Current law requires a precinct
6 election official to always publicly announce the results of
7 a canvass.

8 The bill requires the state commissioner of elections, in
9 cooperation with county commissioners of elections, to conduct
10 an unofficial canvass of election results following the closing
11 of polls for regular city, regular school, primary, and general
12 elections. Current law requires an unofficial canvass only
13 for general elections. If a county commissioner of elections
14 determines that all precincts will not report results before
15 the office is closed, the bill requires the county commissioner
16 to provide a written explanation as to why.

17 The bill removes the first Monday after an election as a
18 possible date for canvassing an election.

19 The bill changes the deadline to request a recount from 5:00
20 p.m. on the third day following the canvass of an election
21 to 5:00 p.m. on the second day following the canvass of an
22 election. The bill requires a recount request to include all
23 precincts in a county instead of only specified counties. The
24 bill also requires the request to include whether the candidate
25 requests only a machine recount or a machine recount followed
26 by a hand recount. If a candidate requests a hand recount
27 in one county, the bill requires the candidate to request a
28 hand recount in all counties in which the candidate requests
29 a recount. The bill imposes a fine of \$100 for each violation
30 on a candidate who does not request a hand recount in all
31 counties in which the candidate is required to do so. The
32 state commissioner of elections shall then inform each other
33 county to be recounted that a hand recount shall be conducted.
34 The bill imposes similar requirements on recounts for public
35 measures.

1 The bill requires the county commissioner of elections to
2 notify the state commissioner of elections by electronic mail
3 when a recount is requested. If the apparent winning candidate
4 in an election for which a recount has been requested cannot be
5 contacted, the bill changes the deadline by which the county
6 commissioner of elections must contact the chairperson of the
7 political party or organization that nominated the apparent
8 winner from four days after attempting to make contact to three
9 days.

10 The bill changes the composition of recount boards based
11 on the population of the county. For a county of fewer than
12 15,000 people, the board shall consist of a designee of the
13 candidate requesting the recount, a designee of the apparent
14 winning candidate, and a person who is a precinct election
15 official selected by the chief judge of the judicial district
16 in which the canvass occurs. For a county with a population
17 between 15,000 and 49,999, the board shall consist of a
18 designee of the candidate requesting the recount, a designee
19 of the apparent winning candidate, and three persons who are
20 precinct election officials selected by the chief judge of the
21 judicial district in which the canvass occurs. For a county
22 with a population of 50,000 or greater, the board shall consist
23 of two designees of the candidate requesting the recount, two
24 designees of the apparent winning candidate, and three persons
25 who are precinct election officials selected by the chief judge
26 of the judicial district in which the canvass occurs. Members
27 appointed by the chief judge for the recount of a partisan
28 election shall not be comprised of more than one-third of
29 persons who are not members of either of the two political
30 parties whose candidates for president received the most or
31 next-most votes at the last general election for a partisan
32 election and not more than a simple majority of members
33 appointed by a chief judge shall be from the same political
34 party or organization.

35 The bill makes a similar change for recounts requested

1 in a primary election for an office for which no candidate
2 has received the required 35 percent to be nominated. Under
3 current law, the recount board consists of one person chosen
4 by the candidate requesting the recount, one person chosen by
5 the candidate receiving the highest number of votes excluding
6 the requestor, and a third person mutually agreeable to the
7 board members designated by the candidates. The bill provides
8 that the third person is instead a precinct election official
9 selected by the chief judge of the judicial district in which
10 the canvass occurs.

11 The bill requires a recount board to be convened no later
12 than 9:00 a.m. on the sixth day following the canvass of
13 the election. The commissioner shall then inform the board
14 whether the candidate requested a hand recount. The board
15 shall direct the commissioner to retabulate the ballots using
16 the automatic tabulating equipment using the same program as
17 was used to tabulate the votes on election day unless the
18 program is believed or known to be flawed. The board shall
19 recount only the ballots which were voted and counted for
20 the office in question, including disputed ballots. After
21 retabulating, the board shall compare the results to the
22 abstract prepared pursuant to the county board's canvass and
23 note any discrepancies. If the candidate requested a hand
24 recount, the bill requires the ballots to be separated into
25 categories and tabulated. The board shall then compare the
26 results of the tabulation to the results of the canvass and the
27 automatic recount. If there are discrepancies, the results of
28 the hand recount shall control. The bill then requires the
29 board to reseal and preserve the ballots.

30 At the conclusion of the recount, the bill requires the board
31 to make and file with the county commissioner of elections a
32 report of its findings, signed by a majority of the board.
33 The bill requires a recount board to include in its written
34 report following the conclusion of a recount a full tally
35 and accounting of ballots reviewed by the board. The report

1 must allow the county commissioner of elections to correct the
2 canvass of votes in the manner required by law, if applicable.
3 The board shall file its report by 17 days after the canvass of
4 an election for the offices of president and vice president,
5 by 21 days after the canvass of an election for a state office
6 or a seat in the United States Congress, and by 13 days after
7 the canvass of any other election. The bill also requires
8 the county board of elections to reconvene no later than 27
9 days following a presidential election to correct any errors
10 identified by the recount board.

11 The bill requires a petition for a recount of an election
12 for a public measure to be submitted not later than two days
13 following the canvass of the votes for the measure rather
14 than three days. The bill changes the makeup of the recount
15 board for a public measure by removing a designee named by the
16 commissioner and a person jointly selected by that person and
17 a designee named in the petition requesting the recount and
18 replacing them with two election officials selected by the
19 chief judge of the judicial district where the canvass occurs.
20 The commissioner shall convene the recount board not later than
21 9:00 a.m. on the sixth day following the county board's canvass
22 of the election in question.

23 Under current law, a county commissioner of elections may
24 conduct an administrative recount if the commissioner suspects
25 that voting equipment used in the election malfunctioned or
26 that programming errors may have affected the outcome of the
27 election, or if the precinct election officials report counting
28 errors to the commissioner. The bill allows the county
29 commissioner of elections to conduct an administrative audit if
30 such circumstances exist. The bill allows political parties,
31 defined in Code, to appoint observers to witness the audit.

32 The bill requires an absentee ballot that is mailed to a
33 voter to be enclosed in an unsealed affidavit envelope and with
34 or in an unsealed return envelope, which shall then be enclosed
35 in the delivery envelope. If the ballot cannot be folded so

1 that all the voting ovals on the ballot will be hidden, the
2 bill requires the commissioner to also send a secrecy envelope.
3 The bill requires a registered voter to subscribe to an
4 affidavit on an affidavit envelope by signing the envelope and
5 writing the voter's voter verification number. The bill also
6 requires return envelopes to have printed on them the deadline
7 to return the ballot and the manner to track the status of the
8 ballot.

9 The bill strikes a requirement that an affidavit envelope
10 be considered to contain a defect if it appears to the county
11 commissioner of elections that it was signed by a person other
12 than the voter. The bill adds a requirement that an affidavit
13 envelope be considered to contain a defect if the voter
14 verification number on the envelope does not match the voter
15 verification number on file for the voter.

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

20 The bill repeals certain requirements regarding what
21 materials a commissioner shall include with an absentee ballot
22 and instead requires a commissioner to put the same serial
23 number on the affidavit, return, and delivery envelopes.
24 The bill requires all mailed absentee ballots to include an
25 affidavit envelope. The bill also requires the absentee and
26 special voters precinct board to reject an absentee ballot
27 if the affidavit envelope does not include the voter's voter
28 verification number.

29 The bill changes the makeup of the contest court for a
30 contested gubernatorial election to include five members each
31 from the house and the senate and the majority and minority
32 leaders of each chamber.

33 The bill requires the senate to organize as a court of
34 impeachment as soon as practicable after an impeachment is
35 presented.

1 The bill changes the clerk of a court of contest for
2 presidential electors and congresspersons from the secretary
3 of state to the clerk of the supreme court. If the clerk of
4 the supreme court is absent or unable to act, the secretary of
5 state shall be the clerk of the court. For elections for state
6 officers, the bill changes the clerk of a contest court to the
7 clerk of the supreme court. If the clerk of the supreme court
8 is absent or unable to act, the secretary of state shall be the
9 clerk of the court. However, if the secretary of state is a
10 party to the contest, the auditor of state shall be the clerk
11 of the court.

12 The bill updates an internal reference regarding withdrawals
13 of candidates for school district elections.

14 The bill takes effect upon enactment, except that sections
15 amending Code chapter 53 (absent voters) take effect on January
16 1, 2024.