

**House File 65 - Introduced**

HOUSE FILE 65

BY GOLDING, HORA, STOLTENBERG,  
BRADLEY, KNIFF MCCULLA, and  
GUSTOFF

**A BILL FOR**

1 An Act relating to the casting of provisional ballots by  
2 persons registering to vote on election day or when casting  
3 an in-person absentee ballot.

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

1 Section 1. Section 48A.7A, subsection 5, Code 2023, is  
2 amended to read as follows:

3 5. ~~a. If a person registers to vote under [this section](#) at  
4 a polling place that has access to an electronic poll book,  
5 the precinct election official shall verify against a database  
6 maintained by the state commissioner that the person has not  
7 been convicted of a felony or, if the person has been convicted  
8 of a felony, the person has had the person's voting rights  
9 restored. If the precinct election official determines that  
10 the person has not been convicted of a felony or has been  
11 convicted of a felony but the person's voting rights have been  
12 restored, the precinct election official shall furnish a ballot  
13 to the voter. If the database indicates that the person has  
14 been convicted of a felony and that the person's voting rights  
15 have not been restored, the precinct election official shall  
16 challenge the person under [section 49.79](#).~~

17 ~~b. If a A person who registers to vote under [this section](#)  
18 at a polling place that does not have access to an electronic  
19 poll book, the person shall be permitted to cast a provisional  
20 ballot under [section 49.81](#), and the absentee and special voters  
21 precinct board, appointed pursuant to [section 53.23](#), shall  
22 verify against a database maintained by the state commissioner  
23 that the person has not been convicted of a felony or, if the  
24 person has been convicted of a felony, the person's voting  
25 rights have been restored. If information in the database  
26 indicates that the person has not been convicted of a felony  
27 or, if the person has been convicted of a felony, the person's  
28 voting rights have been restored, the voter's provisional  
29 ballot shall be counted. If the database indicates that the  
30 person has been convicted of a felony and the person's voting  
31 rights have not been restored, the voter's provisional ballot  
32 shall be rejected.~~

33

EXPLANATION

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

1 This bill requires a person registering to vote on election  
2 day or when casting an in-person absentee ballot to cast a  
3 provisional ballot. The absentee and special voters precinct  
4 board shall then count the provisional ballot only if the board  
5 determines that the voter was eligible to vote. Under current  
6 law, a person registering to vote on election day or when  
7 casting an in-person absentee ballot may cast a regular ballot  
8 if the polling place can verify the voter's eligibility to vote  
9 using an electronic poll book.