

**Senate Study Bill 3165 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON SCHULTZ)

**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.



S.F. \_\_\_\_\_

1 The bill updates an internal reference regarding withdrawals  
2 of candidates for school district elections.

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