

House File 353 - Introduced

HOUSE FILE 353

BY WULF

A BILL FOR

1 An Act relating to eligibility to vote or stand for election in a
2 primary election or caucus.

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

unofficial

1 Section 1. Section 43.17, Code 2025, is amended to read as
2 follows:

3 **43.17 Preclusion of partisan nomination.**

4 1. A person shall not file nomination papers under this
5 chapter on behalf of a candidate if nomination papers have been
6 filed pursuant to section 44.4 on behalf of the candidate for the
7 same office and election year.

8 2. A person shall not file nomination papers under this
9 chapter on behalf of a candidate if the candidate has not been
10 a member of the political party for which the candidate seeks
11 nomination for at least one year immediately prior to the date of
12 filing. This subsection does not apply to a candidate who has
13 not previously cast a ballot in any primary or general election
14 and who is not a member of another political party.

15 Sec. 2. Section 43.38, Code 2025, is amended to read as
16 follows:

17 **43.38 Voter confined to party ticket.**

18 The elector shall be allowed to vote for candidates for
19 nomination on the ballot of the party with which the elector ~~is~~
20 has been registered as affiliated for the thirty days immediately
21 preceding the primary election, or with which the elector is
22 registered as affiliated if the elector has not previously cast
23 a ballot in any primary or general election and is not registered
24 as affiliated with another political party, and shall receive no
25 other ballot. The voter shall mark and return the ballot in the
26 manner provided in section 49.84.

27 Sec. 3. Section 43.43, Code 2025, is amended to read as
28 follows:

29 **43.43 Voter's declaration of eligibility.**

30 Each person voting at a primary election shall sign a
31 declaration of eligibility which shall be in substantially the
32 following form:

33 I do solemnly swear or affirm that I am a resident
34 of the precinct, ward or township, city
35 of, county of, Iowa.

1 I am a registered voter. I have not voted and will not vote
 2 in any other precinct in this election.
 3 I am affiliated with the party. If my current voter
 4 registration record indicates another party affiliation or no
 5 party affiliation, I swear or affirm that I have in good faith
 6 changed my previously declared party affiliation, or declared my
 7 party affiliation, not later than thirty days before this primary
 8 election or that I have not previously cast a ballot in any
 9 primary or general election and that I am not currently a member
 10 of another party, and now desire to be a member of the party
 11 indicated above.
 12
 13 Signature of voter
 14
 15 Address
 16 (.....).....
 17 Telephone (optional)
 18 Approved:
 19
 20 Election board member
 21
 22 Date

23 Sec. 4. Section 43.91, subsection 1, Code 2025, is amended to
 24 read as follows:

25 1. Any person voting at a precinct caucus must be a person
 26 who is or will by the date of the next general election become
 27 an eligible elector, who has not already participated in the
 28 caucus of any political party within the same year, and who
 29 is a resident of the precinct, and who has been a registered
 30 member of the political party holding the precinct caucus for
 31 the thirty days immediately preceding the precinct caucus. A
 32 list of the names and addresses of each person to whom a ballot
 33 was delivered or who was allowed to vote in each precinct caucus
 34 shall be prepared by the caucus chairperson and secretary who
 35 shall certify such list to the commissioner at the same time

1 as the names of those elected as delegates and party committee
2 members are so certified.

3 Sec. 5. Section 53.2, subsection 6, Code 2025, is amended by
4 striking the subsection.

5 Sec. 6. REPEAL. Section 43.42, Code 2025, is repealed.

6 EXPLANATION

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

9 This bill prohibits a person from filing nomination papers on
10 behalf of a candidate for a partisan nomination if the candidate
11 has not been a member of the political party for which the
12 candidate seeks nomination for at least one year immediately
13 prior to the date of filing, unless the candidate has not
14 previously cast a ballot in any primary or general election and
15 is not a member of another political party.

16 The bill requires a person to have been registered as a member
17 of a political party for the 30 days immediately preceding a
18 primary election or caucus held by the political party in order
19 to be allowed to vote in that primary election or caucus. This
20 requirement does not apply to a person who has not previously
21 cast a ballot in any primary or general election and who is
22 not a member of another political party. The bill repeals
23 provisions allowing a registered voter to change or declare a
24 political party affiliation on the day of a primary election or
25 by submitting an absentee ballot request form.