

**Senate File 2081 - Introduced**

SENATE FILE 2081

BY SALMON

**A BILL FOR**

1 An Act relating to the casting of provisional ballots by persons  
2 registering to vote on election day or when casting an  
3 in-person absentee ballot.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 48A.7A, subsection 5, Code 2026, is  
2 amended to read as follows:

3 5. ~~α. 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 been  
7 convicted of a felony or, if the person has been convicted of a  
8 felony, the person has had the person's voting rights restored.  
9 If the precinct election official determines that the person has  
10 not been convicted of a felony or has been convicted of a felony  
11 but the person's voting rights have been restored, the precinct  
12 election official shall furnish a ballot to the voter. If the  
13 database indicates that the person has been convicted of a felony  
14 and that the person's voting rights have not been restored,  
15 the precinct election official shall challenge the person under  
16 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 verify  
22 against a database maintained by the state commissioner that the  
23 person has not been convicted of a felony or, if the person  
24 has been convicted of a felony, the person's voting rights have  
25 been restored. If information in the database indicates that the  
26 person has not been convicted of a felony or, if the person has  
27 been convicted of a felony, the person's voting rights have been  
28 restored, the voter's provisional ballot shall be counted. If  
29 the database indicates that the person has been convicted of a  
30 felony and the person's voting rights have not been restored, the  
31 voter's provisional ballot shall be rejected.~~

32 Sec. 2. Section 48A.14, subsection 4, Code 2026, is amended  
33 to read as follows:

34 4. A challenge may be filed at any time. A challenge filed  
35 less than seventy days before a regularly scheduled election

1 shall not be processed until after the pending election unless  
2 the challenge is filed within twenty days of the commissioner's  
3 receipt of the challenged registrant's registration form or  
4 notice of change to an existing registration. ~~A challenge filed  
5 against a person registering to vote pursuant to section 48A.7A  
6 is considered a challenge to a person offering to vote and must  
7 be filed under section 49.79.~~

8 Sec. 3. Section 49.77, subsection 3, paragraph b, Code 2026,  
9 is amended to read as follows:

10 b. If the voter informs the precinct election official that  
11 the voter resides in the precinct and is not registered to  
12 vote, the voter may register to vote pursuant to section 48A.7A  
13 and cast a ballot. ~~If such a voter is unable to establish  
14 identity and residency in the manner provided in section 48A.7A,  
15 subsection 1, paragraph "b" or "c", the voter shall be allowed to  
16 cast a ballot in the manner prescribed by section 49.81.~~

17 EXPLANATION

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

20 This bill requires a person registering to vote on election  
21 day or when casting an in-person absentee ballot to cast a  
22 provisional ballot. The absentee and special voters precinct  
23 board shall then count the provisional ballot only if the board  
24 determines that the voter was eligible to vote. Under current  
25 law, a person registering to vote on election day or when casting  
26 an in-person absentee ballot may cast a regular ballot if the  
27 polling place can verify the voter's eligibility to vote using an  
28 electronic poll book.