

**House File 566 - Reprinted**

HOUSE FILE 566  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HF 166)

(As Amended and Passed by the House March 22, 2017)

**A BILL FOR**

1 An Act relating to political subdivision elections by changing  
2 the date of the election of directors of local school  
3 districts, merged areas, and area education agency boards,  
4 by providing for the combined administration of regular  
5 and special school and city elections, making changes to  
6 the administration of elections for political subdivisions  
7 located in more than one county, establishing requirements  
8 for ballot arrangement and placement for political  
9 subdivision offices, and including effective date and  
10 applicability and transition provisions.

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

DIVISION I

ELECTION DAY FOR REGULAR SCHOOL ELECTIONS

1  
2  
3 Section 1. Section 39.2, subsection 4, paragraph c, Code  
4 2017, is amended to read as follows:

5 c. For a school district or merged area, in the odd-numbered  
6 year, the first Tuesday in ~~February~~ March, the first Tuesday in  
7 ~~April~~ May, the ~~last~~ first Tuesday in ~~June~~ August, or the ~~second~~  
8 first Tuesday after the first Monday in ~~September~~ November.

9 For a school district or merged area, in the even-numbered  
10 year, the first Tuesday in ~~February~~ March, the first Tuesday  
11 in ~~April~~ May, the ~~second~~ first Tuesday in ~~September~~ August, or  
12 the first Tuesday in December.

13 Sec. 2. Section 260C.12, subsection 1, Code 2017, is amended  
14 to read as follows:

15 1. The board of directors of the merged area shall  
16 organize at the first regular meeting ~~in October~~ following the  
17 regular school election or at a special meeting called by the  
18 secretary of the board to organize the board in advance of the  
19 first regular meeting following the regular school election.  
20 Organization of the board shall be effected by the election  
21 of a president and other officers from the board membership  
22 as board members determine. The board of directors shall  
23 appoint a secretary and a treasurer who shall each give bond  
24 as prescribed in [section 291.2](#) and who shall each receive the  
25 salary determined by the board. The secretary and treasurer  
26 shall perform duties under [chapter 291](#) and additional duties  
27 the board of directors deems necessary. However, the board may  
28 appoint one person to serve as the secretary and treasurer.  
29 If one person serves as the secretary and treasurer, only one  
30 bond is necessary for that person. The frequency of meetings  
31 other than organizational meetings shall be as determined by  
32 the board of directors but the president or a majority of the  
33 members may call a special meeting at any time.

34 Sec. 3. Section 260C.13, subsection 1, Code 2017, is amended  
35 to read as follows:

1 1. The board of a merged area may change the number of  
2 directors on the board and shall make corresponding changes  
3 in the boundaries of director districts. Changes shall be  
4 completed not later than ~~June~~ August 1 of the year of the  
5 regular school election. As soon as possible after adoption  
6 of the boundary changes, notice of changes in the director  
7 district boundaries shall be submitted by the merged area to  
8 the county commissioner of elections in all counties included  
9 in whole or in part in the merged area.

10 Sec. 4. Section 260C.15, subsection 5, Code 2017, is amended  
11 to read as follows:

12 5. The votes cast in the election shall be canvassed and  
13 abstracts of the votes cast shall be certified as required by  
14 section 277.20. In each county whose commissioner of elections  
15 is responsible under [section 47.2](#) for conducting elections  
16 held for a merged area, the county board of supervisors shall  
17 convene on the last Monday in ~~September~~ November or at the  
18 last regular board meeting in ~~September~~ November, canvass the  
19 abstracts of votes cast and declare the results of the voting.  
20 The commissioner shall at once issue certificates of election  
21 to each person declared elected, and shall certify to the  
22 merged area board in substantially the manner prescribed by  
23 section 50.27 the result of the voting on any public question  
24 submitted to the voters of the merged area. Members elected to  
25 the board of directors of a merged area shall qualify by taking  
26 the oath of office prescribed in [section 277.28](#).

27 Sec. 5. Section 273.8, subsection 2, paragraphs a and b,  
28 Code 2017, are amended to read as follows:

29 a. Notice of the election shall be published by the area  
30 education agency administrator not later than ~~July~~ September 15  
31 of the odd-numbered year in at least one newspaper of general  
32 circulation in the director district. The cost of publication  
33 shall be paid by the area education agency.

34 b. A candidate for election to the area education agency  
35 board shall file a statement of candidacy with the area

1 education agency secretary not later than ~~August~~ October 15 of  
2 the odd-numbered year, on forms prescribed by the department  
3 of education. The statement of candidacy shall include the  
4 candidate's name, address, and school district. The list of  
5 candidates shall be sent by the secretary of the area education  
6 agency in ballot form by certified mail to the presidents of  
7 the boards of directors of all school districts within the  
8 director district not later than ~~September~~ November 1. In  
9 order for the ballot to be counted, the ballot must be received  
10 in the secretary's office by the end of the normal business  
11 day on ~~September~~ November 30 or be clearly postmarked by an  
12 officially authorized postal service not later than ~~September~~  
13 November 29 and received by the secretary not later than noon  
14 on the first Monday following ~~September~~ November 30.

15 Sec. 6. Section 273.8, subsection 4, paragraph a, Code 2017,  
16 is amended to read as follows:

17 a. The board of directors of each area education agency  
18 shall meet and organize at the first regular meeting in ~~October~~  
19 December following the regular school election at a suitable  
20 place designated by the president. Directors whose terms  
21 commence at the organizational meeting shall qualify by taking  
22 the oath of office required by [section 277.28](#) at or before the  
23 organizational meeting.

24 Sec. 7. Section 273.8, subsection 6, Code 2017, is amended  
25 to read as follows:

26 6. *Change in directors.* The board of an area education  
27 agency may change the number of directors on the board and  
28 shall make corresponding changes in the boundaries of director  
29 districts. Changes shall be completed not later than ~~July~~  
30 September 1 of a ~~fiscal~~ the odd-numbered year for the director  
31 district conventions to be held the following ~~September~~  
32 November.

33 Sec. 8. Section 277.1, Code 2017, is amended to read as  
34 follows:

35 **277.1 Regular election.**

1 The regular election shall be held biennially on the ~~second~~  
2 first Tuesday after the first Monday in September November of  
3 each odd-numbered year in each school district for the election  
4 of officers of the district and merged area and for the purpose  
5 of submitting to the voters any matter authorized by law.

6 Sec. 9. EFFECTIVE DATE. This division of this Act takes  
7 effect July 1, 2019.

8 Sec. 10. APPLICABILITY.

9 1. This division of this Act applies to regular school  
10 elections held on or after November 5, 2019, and to the terms  
11 of office of directors of local school districts, merged areas,  
12 and area education agencies commencing on or after that date.

13 2. Under this division of this Act, the regular school  
14 elections previously scheduled to be held in September 2019  
15 shall be held in November 2019.

16 DIVISION II

17 COMBINED ADMINISTRATION OF CITY AND SCHOOL ELECTIONS

18 Sec. 11. Section 39.2, subsection 1, paragraph b, Code 2017,  
19 is amended to read as follows:

20 *b.* A special election shall not be held in conjunction with  
21 the primary election. ~~A special election shall not be held in~~  
22 ~~conjunction with a school election unless the special election~~  
23 ~~is for a school district or community college.~~ A special  
24 election shall not be held in conjunction with a regularly  
25 scheduled or special city primary or city runoff election.

26 Sec. 12. Section 39.2, subsection 2, Code 2017, is amended  
27 to read as follows:

28 2. Except as otherwise provided in subsection 1, a special  
29 election may be held on the same day as a regularly scheduled  
30 election if the two elections are not in conflict within the  
31 meaning of section 47.6, subsection 2. A special election  
32 may be held on the same day as a regularly scheduled election  
33 with which it does so conflict if the commissioner who is  
34 responsible for conducting the elections concludes that to do  
35 so will cause no undue difficulties, except that a special

1 election for a city, school district, or merged area shall not  
2 be scheduled to coincide with the general election.

3 Sec. 13. Section 39.2, subsection 4, paragraph b, Code 2017,  
4 is amended to read as follows:

5 b. For a city, ~~on the day of the general election, on the~~  
6 ~~day of the regular city election, on the date of a special~~  
7 ~~election held to fill a vacancy in the same city, or on in~~  
8 the odd-numbered year, the first Tuesday in March, the first  
9 Tuesday in May, ~~or the first Tuesday in August of each year, or~~  
10 the first Tuesday after the first Monday in November. For a  
11 city, in the even-numbered year, the first Tuesday in March,  
12 the first Tuesday in May, the first Tuesday in August, or the  
13 first Tuesday in December.

14 Sec. 14. Section 44.11, Code 2017, is amended to read as  
15 follows:

16 **44.11 Vacancies filled.**

17 If a candidate named under **this chapter** withdraws before the  
18 deadline established in **section 44.9**, declines a nomination,  
19 or dies before election day, or if a certificate of nomination  
20 is held insufficient or inoperative by the officer with whom  
21 it is required to be filed, or in case any objection made  
22 to a certificate of nomination, or to the eligibility of any  
23 candidate named in the certificate, is sustained by the board  
24 appointed to determine such questions, the vacancy or vacancies  
25 may be filled by the convention, or caucus, or in such manner  
26 as such convention or caucus has previously provided. The  
27 vacancy or vacancies shall be filled not less than seventy-four  
28 days before the election in the case of nominations required  
29 to be filed with the state commissioner, not less than  
30 sixty-four days before the election in the case of nominations  
31 required to be filed with the commissioner, not less than  
32 ~~thirty-five~~ forty-two days before the election in the case of  
33 nominations required to be filed in the office of the school  
34 board secretary, and not less than forty-two days before the  
35 election in the case of nominations required to be filed with

1 the commissioner for city elections.

2 Sec. 15. Section 47.2, subsection 2, Code 2017, is amended  
3 to read as follows:

4 2. When an election is to be held as required by law or  
5 is called by a political subdivision of the state and the  
6 political subdivision is located in more than one county, the  
7 county commissioner of elections of each of those counties  
8 shall conduct that election within the commissioner's county.  
9 However, the commissioner for the county having the greatest  
10 taxable base within the political subdivision shall ~~conduct~~  
11 ~~that election~~ serve as the controlling commissioner for  
12 the election. The controlling commissioner shall receive  
13 all nomination papers and public measures for the political  
14 subdivision. By the forty-first day prior to the election, the  
15 controlling commissioner shall certify the names of candidates  
16 and the text and summary of any public measure being submitted  
17 to the electorate to all county commissioners of elections  
18 required to conduct elections for the political subdivision.  
19 The county commissioners of elections of the other counties  
20 in which the political subdivision is located shall cooperate  
21 with the county controlling commissioner of ~~elections who is~~  
22 ~~conducting the election.~~

23 Sec. 16. Section 47.6, subsection 2, Code 2017, is amended  
24 to read as follows:

25 2. For the purpose of **this section**, a conflict between  
26 two elections exists only when ~~one of the elections would~~  
27 ~~require use of precinct boundaries which differ from those~~  
28 ~~to be used for the other election, or when some but not all~~  
29 of the registered voters of any precinct would be entitled  
30 to vote in one of the elections and all of the registered  
31 voters of the same precinct would be entitled to vote in  
32 the other election. Nothing in **this subsection** shall deny  
33 a commissioner discretionary authority to approve holding a  
34 special election on the same date as another election, even  
35 though the two elections may be defined as being in conflict,

1 if the commissioner concludes that to do so will cause no undue  
2 difficulties.

3 Sec. 17. Section 49.9, Code 2017, is amended to read as  
4 follows:

5 **49.9 Proper place of voting.**

6 Except as provided in [section 49.11, subsection 3](#), paragraph  
7 "b", and as required by the designation of a commissioner  
8 pursuant to section 49.21, subsection 1, a person shall not  
9 vote in any precinct but that of the person's residence.

10 Sec. 18. Section 49.21, subsection 1, Code 2017, is amended  
11 to read as follows:

12 1. a. It is the responsibility of the commissioner to  
13 designate a polling place for each precinct in the county.  
14 Notwithstanding any provision of law to the contrary, for  
15 city and school elections the commissioner shall, whenever  
16 practicable, designate polling places so that an eligible  
17 elector will be assigned to vote at the same polling place  
18 at which the eligible elector would be assigned to vote at  
19 the general election. However, if a city does not have a  
20 polling place designated for the general election precinct, the  
21 commissioner may designate an additional polling place for the  
22 precinct in that city.

23 b. Each polling place designated shall be accessible to  
24 persons with disabilities. However, if the commissioner is  
25 unable to provide an accessible polling place for a precinct,  
26 the commissioner shall apply for a temporary waiver of the  
27 accessibility requirement. The state commissioner shall adopt  
28 rules in accordance with [chapter 17A](#) prescribing standards  
29 for determining whether a polling place is accessible and the  
30 process for applying for a temporary waiver of accessibility.

31 Sec. 19. Section 49.30, Code 2017, is amended to read as  
32 follows:

33 **49.30 All candidates and issues on one ballot — exceptions.**

34 1. All constitutional amendments, all public measures, and  
35 the names of all candidates, other than presidential electors,



1 to be voted for in each election precinct, shall be printed on  
2 one ballot, except that separate ballots are authorized when it  
3 is not possible to include all offices and public measures on a  
4 single ballot. In the event that it is not possible to include  
5 all offices and public measures on a single ballot, separate  
6 ballots may be provided for nonpartisan offices, judges, or  
7 public measures.

8 2. If printed on the same ballot, the offices of political  
9 subdivisions shall, if applicable, be printed in the following  
10 order:

11 a. Those of a county.

12 b. Those of a city.

13 c. Those of a school district.

14 d. Those of a merged area.

15 e. Those of any other political subdivision.

16 3. If printed on the same ballot, the public measures of  
17 political subdivisions shall be printed in the same order as  
18 provided for offices of the political subdivisions.

19 Sec. 20. Section 49.31, subsection 2, paragraph b, Code  
20 2017, is amended to read as follows:

21 *b.* The commissioner shall then arrange the surnames of each  
22 political party's candidates for each office to which two or  
23 more persons are to be elected at large alphabetically for  
24 the respective offices for the first precinct on the list;  
25 thereafter, for each political party and for each succeeding  
26 precinct, the names appearing first for the respective offices  
27 in the last preceding precinct shall be placed last, so that  
28 the names that were second before the change shall be first  
29 after the change. The commissioner may also rotate the names  
30 of candidates of a political party in the reverse order of that  
31 provided in [this subsection](#) or alternate the rotation so that  
32 the candidates of different parties shall not be paired as they  
33 proceed through the rotation. ~~The procedure for arrangement~~  
34 ~~of names on ballots provided in [this section](#) shall likewise be~~  
35 ~~substantially followed in elections in political subdivisions~~

1 ~~of less than a county.~~

2 Sec. 21. Section 49.31, subsection 2, Code 2017, is amended  
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *d.* On the regular and special city election  
5 and school election ballots the names of candidates for city,  
6 school district, and merged area offices shall be arranged  
7 by drawing lots for position. The commissioner shall hold  
8 the drawing on the second business day following the deadline  
9 for filing of nomination papers or petitions under sections  
10 260C.15, 277.4, and 376.4. If a candidate withdraws, dies, or  
11 is removed from the ballot after the ballot position of names  
12 has been determined, such candidate's name shall be removed  
13 from the ballot, and the order of the remaining names shall not  
14 be changed.

15 Sec. 22. Section 49.31, subsection 3, Code 2017, is amended  
16 to read as follows:

17 3. The Except as otherwise provided in subsection 2,  
18 paragraph "d", the ballots for any ~~city elections, school~~  
19 ~~elections,~~ special election, or any other election at which  
20 any office is to be filled on a nonpartisan basis and the  
21 statutes governing the office to be filled are silent as to  
22 the arrangement of names on the ballot, shall contain the  
23 names of all nominees or candidates arranged in alphabetical  
24 order by surname under the heading of the office to be filled.  
25 ~~When~~ Except as otherwise provided in subsection 2, paragraph  
26 "d", when a ~~city election, school election,~~ special election,  
27 or any other election at which an office is to be filled on  
28 a nonpartisan basis, is held in more than one precinct, the  
29 candidates' names shall be rotated on the ballot from precinct  
30 to precinct in the manner prescribed by [subsection 2](#) unless  
31 there are no more candidates for an office than the number of  
32 persons to be elected to that office.

33 Sec. 23. Section 49.41, subsection 1, paragraph a, Code  
34 2017, is amended to read as follows:

35 *a.* A person shall not be a candidate for more than one

1 office to be filled at the same election, except that a person  
2 may be a candidate for a city office and school board office at  
3 the same election. A person who has been nominated for more  
4 than one office and is prohibited from being a candidate for  
5 more than one office shall file a written notice declaring the  
6 office for which the person wishes to appear on the ballot.

7 Sec. 24. Section 49.51, Code 2017, is amended to read as  
8 follows:

9 **49.51 Commissioner to control printing.**

10 The commissioner shall have charge of the printing of the  
11 ballots to be used for any election held in the county, ~~unless~~  
12 ~~the commissioner delegates that authority as permitted by this~~  
13 ~~section. The commissioner may delegate this authority only~~  
14 ~~to another commissioner who is responsible under section 47.2~~  
15 ~~for conducting the elections held for a political subdivision~~  
16 ~~which lies in more than one county, and only with respect to~~  
17 ~~printing of ballots containing only public questions or the~~  
18 ~~names of candidates to be voted upon by the registered voters~~  
19 ~~of that political subdivision. Only one facsimile signature,~~  
20 ~~that of the commissioner under whose direction the ballot is~~  
21 ~~printed, shall appear on the ballot. It is the duty of the~~  
22 ~~commissioner to insure that the arrangement of any ballots~~  
23 ~~printed under the commissioner's direction conforms to all~~  
24 ~~applicable requirements of [this chapter](#).~~

25 Sec. 25. Section 49.73, subsection 1, paragraphs a and b,  
26 Code 2017, are amended by striking the paragraphs.

27 Sec. 26. Section 49.73, subsection 2, Code 2017, is amended  
28 to read as follows:

29 2. ~~The commissioner shall not shorten voting hours for any~~  
30 ~~election if there is filed in the commissioner's office, at~~  
31 ~~least twenty five days before the election, a petition signed~~  
32 ~~by at least fifty eligible electors of the school district~~  
33 ~~or city, as the case may be, requesting that the polls be~~  
34 ~~opened not later than 7:00 a.m. All polling places where the~~  
35 ~~candidates of or any public question submitted by any one~~

1 political subdivision are being voted upon shall be opened at  
2 the same hour, ~~except that this requirement shall not apply~~  
3 ~~to merged areas established under [chapter 260C](#)~~. The hours at  
4 which the respective precinct polling places are to open shall  
5 not be changed after publication of the notice required by  
6 section 49.53. The polling places shall be closed at 9:00 p.m.  
7 for state primary and general elections and other partisan  
8 elections, and for any other election held concurrently  
9 therewith, and at 8:00 p.m. for all other elections.

10 Sec. 27. Section 50.11, Code 2017, is amended to read as  
11 follows:

12 **50.11 Proclamation of result.**

13 1. When the canvass is completed one of the precinct  
14 election officials shall publicly announce the total number of  
15 votes received by each of the persons voted for, the office for  
16 which the person is designated, as announced by the designated  
17 tally keepers, and the number of votes for, and the number of  
18 votes against, any proposition which shall have been submitted  
19 to a vote of the people. A precinct election official shall  
20 communicate the election results by telephone or in person to  
21 the commissioner who is conducting the election immediately  
22 upon completion of the canvass.

23 2. Election results may be transmitted electronically from  
24 voting equipment to the commissioner's office only after the  
25 precinct election officials have produced a written report of  
26 the election results. The devices used for the electronic  
27 transmission of election results shall be approved for use  
28 by the board of examiners pursuant to [section 52.41](#). The  
29 state commissioner of elections shall adopt rules establishing  
30 procedures for the electronic transmission of election results.

31 3. The commissioner shall remain on duty until such  
32 information is communicated to the commissioner from each  
33 polling place in the commissioner's county. For an election  
34 for a political subdivision that is located in more than one  
35 county, the commissioner shall, if applicable, communicate

1 that county's election results for the political subdivision  
2 to the controlling commissioner for that political subdivision  
3 under section 47.2, and the controlling commissioner shall  
4 remain on duty until such information is communicated to  
5 the controlling commissioner from each commissioner for the  
6 political subdivision.

7 Sec. 28. Section 50.24, Code 2017, is amended by adding the  
8 following new subsections:

9 NEW SUBSECTION. 3A. For a regular or special city election  
10 or a city runoff election, if the city is located in more than  
11 one county, the controlling commissioner for that city under  
12 section 47.2 shall conduct a second canvass on the second  
13 Monday or Tuesday after the day of the election. However, if a  
14 recount is requested pursuant to section 50.48, the controlling  
15 commissioner shall conduct the second canvass within two  
16 business days after the conclusion of the recount proceedings.  
17 Each commissioner conducting a canvass for the city pursuant  
18 to subsection 1 shall transmit abstracts for the offices and  
19 public measures of that city to the controlling commissioner  
20 for that city, along with individual tallies for each write-in  
21 candidate. At the second canvass, the county board of  
22 supervisors of the county of the controlling commissioner shall  
23 canvass the abstracts received pursuant to this subsection and  
24 shall prepare a combined city abstract stating the number of  
25 votes cast in the city for each office and on each question on  
26 the ballot for the city election. The combined city abstract  
27 shall further indicate the name of each person who received  
28 votes for each office on the ballot, the number of votes each  
29 person named received for that office, and the number of votes  
30 for and against each question submitted to the voters at the  
31 election. The votes of all write-in candidates who each  
32 received less than five percent of the total votes cast in the  
33 city for an office shall be reported collectively under the  
34 heading "scattering".

35 NEW SUBSECTION. 3B. a. For a regular or special school

1 election, if the school district is located in more than one  
2 county, the controlling commissioner for that school district  
3 under section 47.2 shall conduct a second canvass on the second  
4 Monday or Tuesday after the day of election. However, if a  
5 recount is requested pursuant to section 50.48, the controlling  
6 commissioner shall conduct the second canvass within two  
7 business days after the conclusion of the recount proceedings.  
8 Each commissioner conducting a canvass for the school district  
9 pursuant to subsection 1 shall transmit abstracts for the  
10 offices and public measures of that school district to the  
11 controlling commissioner for that school district, along with  
12 individual tallies for each write-in candidate. At the second  
13 canvass the county board of supervisors of the controlling  
14 county shall canvass the abstracts received pursuant to  
15 this subsection and shall prepare a combined school district  
16 abstract stating the number of votes cast in the school  
17 district for each office and on each question on the ballot for  
18 the school election. The combined school district abstract  
19 shall further indicate the name of each person who received  
20 votes for each office on the ballot, the number of votes each  
21 person named received for that office, and the number of votes  
22 for and against each question submitted to the voters at the  
23 election. The votes of all write-in candidates who each  
24 received less than five percent of the total votes cast in the  
25 school district for an office shall be reported collectively  
26 under the heading "scattering".

27 *b.* The second canvass of votes for a merged area shall be  
28 conducted pursuant to section 260C.15, subsection 5, and each  
29 commissioner conducting a canvass for the merged area pursuant  
30 to subsection 1 shall transmit abstracts for the offices and  
31 public measures of that school district to the controlling  
32 commissioner for that merged area, along with individual  
33 tallies for each write-in candidate.

34 Sec. 29. Section 50.48, subsection 1, paragraph a,  
35 unnumbered paragraph 1, Code 2017, is amended to read as

1 follows:

2 The county board of canvassers shall order a recount of the  
3 votes cast for a particular office or nomination in one or  
4 more specified election precincts in that county if a written  
5 request ~~therefor~~ for a recount is made not later than 5:00 p.m.  
6 on the third day following the county board's canvass of the  
7 election in question. For a city runoff election held pursuant  
8 to section 376.9, the written request must be made not later  
9 than 5:00 p.m. on the day following the county board's canvass  
10 of the city runoff election. The request shall be filed with  
11 the commissioner of that county, ~~or with the commissioner~~  
12 ~~responsible for conducting the election if section 47.2,~~  
13 ~~subsection 2, is applicable,~~ and shall be signed by either of  
14 the following:

15 Sec. 30. Section 52.25, subsection 2, paragraph b, Code  
16 2017, is amended to read as follows:

17 b. In the case of a public question to be voted on in  
18 a political subdivision lying in more than one county, the  
19 summary shall be worded by the controlling commissioner  
20 ~~responsible~~ under [section 47.2](#) for ~~conducting~~ that election.

21 Sec. 31. Section 53.40, subsection 1, paragraph a, Code  
22 2017, is amended to read as follows:

23 a. A request in writing for a ballot may be made by any  
24 member of the armed forces of the United States who is or  
25 will be a qualified voter on the day of the election at which  
26 the ballot is to be cast, at any time before the election.  
27 Any member of the armed forces of the United States may  
28 request ballots for all elections to be held during a calendar  
29 year. The request may be made by using the federal postcard  
30 application form and indicating that the applicant wishes to  
31 receive ballots for all elections as permitted by state law.  
32 If the applicant does not specify which elections the request  
33 is for, the county commissioner shall send the applicant a  
34 ballot for each federal election held after the application  
35 is received until the end of the calendar year in which the

1 request is received. ~~If the applicant requests ballots for all~~  
2 ~~elections to be held in a calendar year, the commissioner, if~~  
3 ~~necessary, shall forward a copy of the absentee ballot request~~  
4 ~~to other commissioners who are responsible under section 47.2,~~  
5 ~~subsection 2, for conducting elections in which the applicant~~  
6 ~~is eligible to vote.~~

7 Sec. 32. Section 260C.15, subsection 3, Code 2017, is  
8 amended to read as follows:

9 3. Nomination papers on behalf of candidates for member of  
10 the board of directors of a merged area shall be filed with the  
11 secretary of the board not earlier than ~~sixty-four~~ seventy-one  
12 days nor later than 5:00 p.m. on the ~~fortieth~~ forty-seventh day  
13 prior to the election at which members of the board are to be  
14 elected. On the day following the last day on which nomination  
15 petitions can be filed, and no later than 5:00 p.m. on that  
16 day, the secretary shall deliver all nomination petitions so  
17 filed, together with the text of any public measure being  
18 submitted by the board of directors to the electorate, to the  
19 merged area's controlling county commissioner of elections ~~who~~  
20 ~~is responsible under section 47.2 for conducting elections~~  
21 ~~held for the merged area.~~ That controlling commissioner shall  
22 certify the names of candidates, and the text and summary of  
23 any public measure being submitted to the electorate, to all  
24 county commissioners of elections in the merged area by the  
25 ~~thirty-fifth~~ forty-second day prior to the election.

26 Sec. 33. Section 260C.15, subsection 4, paragraph b, Code  
27 2017, is amended to read as follows:

28 b. The objection must be filed with the secretary of the  
29 board at least ~~thirty-five~~ forty-two days before the day of  
30 the election at which members of the board are elected. When  
31 objections are filed, notice shall immediately be given to  
32 the candidate affected, addressed to the candidate's place  
33 of residence as given on the candidate's affidavit, stating  
34 that objections have been made to the legal sufficiency of  
35 the petition or to the eligibility of the candidate, and also



1 stating the time and place the objections will be considered.  
2 The board secretary shall also attempt to notify the candidate  
3 by telephone if the candidate provided a telephone number on  
4 the candidate's affidavit.

5 Sec. 34. Section 260C.15, subsection 5, Code 2017, is  
6 amended to read as follows:

7 5. The votes cast in the election shall be canvassed and  
8 abstracts of the votes cast shall be certified as required by  
9 section 277.20. In each county whose commissioner of elections  
10 is ~~responsible~~ the controlling commissioner for a merged area  
11 under section 47.2 ~~for conducting elections held for a merged~~  
12 ~~area,~~ the county board of supervisors shall convene on the last  
13 Monday in September or at the last regular board meeting in  
14 September, canvass the abstracts of votes cast from each county  
15 in the 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. 35. Section 260C.22, subsection 3, Code 2017, is  
24 amended to read as follows:

25 3. A voted tax imposed under this section may be  
26 discontinued, or its maximum rate increased, by petition and  
27 election. Upon receipt of a petition containing the required  
28 number of signatures, the board of directors of a merged  
29 area shall direct ~~the~~ each county commissioner of elections  
30 responsible under section 47.2 for conducting elections in the  
31 merged area to submit to the voters of the merged area the  
32 question of whether to discontinue the authority of the board  
33 of directors to impose the voted tax under this section or  
34 to increase the maximum rate of the voted tax, whichever is  
35 applicable. The petition must be signed by eligible electors

1 equal in number to not less than twenty-five percent of the  
2 votes cast at the last preceding election in the merged area  
3 where the question of the imposition of the tax appeared on the  
4 ballot and received by the board of directors by June 1 of the  
5 year in which the election is to be held. The question shall  
6 be submitted at an election held on a date authorized for an  
7 election under [subsection 1](#), paragraph "a". If a majority of  
8 those voting on the question of discontinuance of the board of  
9 directors' authority to impose the tax favors discontinuance,  
10 the board shall not impose the tax for any fiscal year  
11 beginning after expiration of the period of time for imposing  
12 the tax approved at the last election under [subsection 1](#) or the  
13 period of time for imposing the tax established by resolution  
14 of the board under [subsection 2](#) that is in effect on the  
15 date the petition for the election is filed with the board,  
16 whichever is applicable, unless following discontinuance the  
17 voted tax is again authorized at election under [subsection 1](#).  
18 If the question of whether to discontinue the authority of the  
19 board of directors to impose the tax fails to gain approval at  
20 election, the question shall not be submitted to the voters of  
21 the merged area for a period of ten years following the date of  
22 the election. If a majority of those voting on the question to  
23 increase the maximum rate of the voted tax favors the proposed  
24 increase, the new maximum rate shall apply to fiscal years  
25 beginning after the date of the election.

26 Sec. 36. Section 260C.28, subsection 3, paragraph c, Code  
27 2017, is amended to read as follows:

28 c. The additional tax authorized under [subsection 2](#) may  
29 be discontinued by petition and election. Upon receipt of a  
30 petition containing the required number of signatures, the  
31 board of directors of a merged area shall direct the each  
32 county commissioner of elections responsible under section  
33 47.2 for conducting elections in the merged area to submit  
34 to the voters of the merged area the question of whether  
35 to discontinue the authority of the board of directors to

1 impose the additional tax under **subsection 2**. The petition  
 2 must be signed by eligible electors equal in number to not  
 3 less than twenty-five percent of the votes cast at the last  
 4 preceding election in the merged area where the question of  
 5 the imposition of the additional tax appeared on the ballot.  
 6 The question shall be submitted at an election held on a date  
 7 specified in **section 39.2, subsection 4**, paragraph "c". If  
 8 a majority of those voting on the question of discontinuance  
 9 of the board of directors' authority to impose the additional  
 10 tax favors discontinuance, the board shall not impose the  
 11 additional tax for any fiscal year beginning after the  
 12 expiration of the period of time for imposing the tax approved  
 13 at the last election under paragraph "a" or the period of time  
 14 for imposing the additional tax established by resolution of  
 15 the board under paragraph "b" that is in effect on the date the  
 16 petition for the election is filed with the board, whichever  
 17 is applicable, unless following discontinuance the additional  
 18 tax is again authorized at election under paragraph "a". If  
 19 the question of whether to discontinue the authority of the  
 20 board of directors to impose the additional tax fails to gain  
 21 approval at election, the question shall not be submitted  
 22 to the voters of the merged area for a period of ten years  
 23 following the date of the election.

24 Sec. 37. Section 275.22, Code 2017, is amended to read as  
 25 follows:

26 **275.22 Canvass and return.**

27 ~~The precinct election officials shall count the ballots,~~  
 28 ~~and make return to and deposit the ballots with the county~~  
 29 ~~commissioner of elections, who shall enter the return of record~~  
 30 ~~in the commissioner's office. The election tally lists,~~  
 31 ~~including absentee ballots, shall be listed by individual~~  
 32 ~~school district. The canvass shall be conducted pursuant~~  
 33 ~~to section 50.24. The county commissioner of elections or~~  
 34 ~~controlling commissioner shall certify the results of the~~  
 35 election to the area education agency administrator. If the

1 majority of the votes cast by the registered voters is in favor  
2 of the proposition, as provided in [section 275.20](#), a new school  
3 corporation shall be organized. If the majority of votes cast  
4 is opposed to the proposition, a new petition describing the  
5 identical or similar boundaries shall not be filed for at least  
6 six months from the date of the election. If territory is  
7 excluded from the reorganized district, action pursuant to  
8 section 274.37 shall be taken prior to the effective date of  
9 reorganization. The secretary of the new school corporation  
10 shall file a written description of the boundaries as provided  
11 in [section 274.4](#).

12 Sec. 38. Section 277.4, subsection 1, Code 2017, is amended  
13 to read as follows:

14 1. Nomination papers for all candidates for election  
15 to office in each school district shall be filed with the  
16 secretary of the school board not more than ~~sixty-four~~  
17 seventy-one days, nor less than ~~forty~~ forty-seven days before  
18 the election. Nomination petitions shall be filed not later  
19 than 5:00 p.m. on the last day for filing. If the school  
20 board secretary is not readily available during normal office  
21 hours, the secretary may designate a full-time employee of  
22 the school district who is ordinarily available to accept  
23 nomination papers under [this section](#). On the final date for  
24 filing nomination papers the office of the school secretary  
25 shall remain open until 5:00 p.m.

26 Sec. 39. Section 277.5, Code 2017, is amended to read as  
27 follows:

28 **277.5 Objections to nominations.**

29 1. Objections to the legal sufficiency of a nomination  
30 petition or to the eligibility of a candidate may be filed by  
31 any person who would have the right to vote for a candidate for  
32 the office in question. The objection must be filed with the  
33 secretary of the school board at least ~~thirty-five~~ forty-two  
34 days before the day of the school election. When objections  
35 are filed notice shall forthwith be given to the candidate

1 affected, addressed to the candidate's place of residence as  
2 given on the candidate's affidavit, stating that objections  
3 have been made to the legal sufficiency of the petition or to  
4 the eligibility of the candidate, and also stating the time and  
5 place the objections will be considered.

6 2. Objections shall be considered not later than two working  
7 days following the receipt of the objections by the president  
8 of the school board, the secretary of the school board, and  
9 one additional member of the school board chosen by ballot.  
10 If objections have been filed to the nominations of either of  
11 those school officials, that official shall not pass on the  
12 objection. The official's place shall be filled by a member  
13 of the school board against whom no objection exists. The  
14 replacement shall be chosen by ballot.

15 Sec. 40. Section 277.20, Code 2017, is amended to read as  
16 follows:

17 **277.20 Canvassing returns.**

18 1. ~~On the next Friday after the regular school election, the~~  
19 ~~county board of supervisors shall~~ The canvass the of returns  
20 ~~made to the county commissioner of elections from the several~~  
21 ~~precinct polling places and the absentee ballot counting board,~~  
22 ~~ascertain the result of the voting with regard to every matter~~  
23 ~~voted upon and cause a record to be made thereof as required~~  
24 ~~by~~ shall be conducted pursuant to [section 50.24](#). Special  
25 elections held in school districts shall be canvassed at the  
26 time and in the manner required by ~~that~~ [section 50.24](#). The  
27 appropriate board of supervisors shall declare the results  
28 of the voting for members of boards of directors of school  
29 corporations nominated pursuant to [section 277.4](#), and the  
30 commissioner of elections or controlling commissioner for the  
31 district shall at once issue a certificate of election to  
32 each person declared elected. The appropriate board shall  
33 also declare the results of the voting on any public question  
34 submitted to the voters of a single school district, and the  
35 commissioner or controlling commissioner shall certify the

1 result as required by [section 50.27](#).

2 2. The abstracts of the votes cast for members of the board  
3 of directors of any merged area, and of the votes cast on any  
4 public question submitted to the voters of any merged area,  
5 shall be promptly certified by the county commissioner of  
6 elections to the merged area's controlling county commissioner  
7 ~~of elections who is responsible under [section 47.2](#) for~~  
8 ~~conducting the elections held for that merged area.~~

9 Sec. 41. Section 376.6, subsection 2, Code 2017, is amended  
10 to read as follows:

11 2. Each city clerk shall certify to the city's controlling  
12 commissioner of elections responsible under [section 47.2](#) for  
13 ~~conducting elections for that city~~ the type of nomination  
14 process to be used for the city no later than ninety days  
15 before the date of the regular city election. If the city has  
16 by ordinance chosen a runoff election or has chosen to have  
17 nominations made in the manner provided by [chapter 44](#) or [45](#),  
18 or has repealed nomination provisions under those sections  
19 in preference for the primary election method, a copy of the  
20 city ordinance shall be attached. No changes in the method of  
21 nomination to be used in a city shall be made after the clerk  
22 has filed the certification with the commissioner, unless the  
23 change will not take effect until after the next regular city  
24 election.

25 Sec. 42. Section 376.9, subsection 2, Code 2017, is amended  
26 to read as follows:

27 2. a. Runoff elections shall be held four weeks after the  
28 date of the regular city election and shall be conducted in the  
29 same manner as regular city elections, except that the county  
30 board of supervisors required to canvass the vote of the runoff  
31 election pursuant to [section 50.24](#) shall meet to canvass the  
32 vote on the Thursday following the runoff election.

33 b. For a city that is located in more than one county,  
34 the county board of supervisors conducting the canvass under  
35 paragraph "a" shall transmit abstracts for the offices and

1 public measures of that city, along with individual tallies for  
2 each write-in candidate, to the city's controlling commissioner  
3 under section 47.2 within twenty-four hours of completing the  
4 canvass. The county board of supervisors of the county of the  
5 controlling commissioner shall canvass the abstracts received  
6 pursuant to this subsection on the first Monday or the first  
7 Tuesday after the day of the runoff election and shall proceed  
8 as provided in section 50.24, subsection 3A.

9 Sec. 43. REPEAL. Section 277.6, Code 2017, is repealed.

10 Sec. 44. EFFECTIVE DATE. This division of this Act takes  
11 effect July 1, 2019.

12 DIVISION III

13 TRANSITION PROVISIONS

14 Sec. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

15 1. Notwithstanding the provisions of section 260C.11  
16 designating a term of four years for members of a board of  
17 directors of a merged area, the term of office for a seat on a  
18 board of directors filled at the regular school election held  
19 on:

20 a. September 8, 2015, shall expire November 5, 2019.

21 b. September 12, 2017, shall expire November 2, 2021.

22 2. Notwithstanding the provisions of section 273.8,  
23 subsection 1, designating a term of four years for members of  
24 a board of directors of an area education agency, the term of  
25 office for a seat on a board of directors filled by election  
26 in:

27 a. September 2015 shall expire November 30, 2019.

28 b. September 2017 shall expire November 30, 2021.

29 3. Notwithstanding the provisions of section 274.7  
30 designating a term of four years for members of a board of  
31 directors of a school district, the term of office for a seat  
32 on a board of directors filled at the regular school election  
33 held on:

34 a. September 8, 2015, shall expire November 5, 2019.

35 b. September 12, 2017, shall expire November 2, 2021.