

Senate File 568 - Reprinted

SENATE FILE 568
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1237)

(As Amended and Passed by the Senate March 17, 2021)

A BILL FOR

1 An Act relating to the conduct of elections, including
2 nominations and procedures for proposed amendments to the
3 Iowa Constitution, and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 39.2, subsection 4, paragraph a, Code
2 2021, is amended to read as follows:

3 a. For a county, in an odd-numbered year, the first Tuesday
4 in March, the second Tuesday in September, or the first Tuesday
5 after the first Monday in November. For a county, in an
6 even-numbered year, the first Tuesday in March, ~~or~~ the second
7 Tuesday in September, or the first Tuesday after the first
8 Monday in November.

9 Sec. 2. Section 39.4, Code 2021, is amended to read as
10 follows:

11 **39.4 Proclamation concerning revision of Constitution.**

12 1. In the years in which the Constitution requires, or at
13 other times when the general assembly by law provides for, a
14 vote on the question of calling a convention and revising the
15 Constitution, the governor shall at least sixty days before the
16 general election issue a proclamation directing that at the
17 general election there be proposed to the people the following
18 question:

19 Shall there be a convention to revise the Constitution, and
20 propose amendment or amendments to same?

21 2. The question proposed pursuant to this section shall be
22 considered a public measure for the purposes of sections 49.43
23 through 49.47.

24 Sec. 3. Section 39.11, Code 2021, is amended to read as
25 follows:

26 **39.11 More than one office prohibited.**

27 1. Statewide elected officials and members of the general
28 assembly shall not hold more than one elective office at a
29 time. All other elected officials shall not hold more than
30 one elective office at the same level of government at a time.
31 This section does not apply to the following offices: county
32 agricultural extension council or soil and water conservation
33 district commission.

34 2. Notwithstanding subsection 1, an elected official may
35 hold a second elective office if not more than thirty days

1 remain in the term of the first office and the elected official
2 did not seek reelection for the first office in the most recent
3 election.

4 Sec. 4. Section 39.12, Code 2021, is amended to read as
5 follows:

6 **39.12 Failure to vacate.**

7 An elected official who has been elected to another elective
8 office to which [section 39.11](#) applies shall choose only one
9 office in which to serve unless otherwise permitted pursuant
10 to section 39.11, subsection 2. The official shall resign
11 from all but one of the offices to which [section 39.11](#) applies
12 before the beginning of the term of the office to which the
13 person was most recently elected unless otherwise permitted
14 pursuant to section 39.11, subsection 2. Failure to submit the
15 required resignation will result in a vacancy in ~~all~~ the first
16 elective offices office to which the person was elected.

17 Sec. 5. Section 43.11, subsection 1, Code 2021, is amended
18 to read as follows:

19 1. For an elective county office, in the office of the
20 county commissioner not earlier than ninety-two days nor later
21 than 5:00 p.m. on the ~~sixty-ninth~~ seventy-fourth day before the
22 day fixed for holding the primary election.

23 Sec. 6. Section 43.16, subsection 2, paragraph b, Code 2021,
24 is amended to read as follows:

25 *b.* A person who has filed nomination papers with the
26 commissioner may withdraw as a candidate not later than the
27 ~~sixty-seventh~~ sixty-ninth day before the primary election by
28 notifying the commissioner in writing.

29 Sec. 7. Section 43.23, Code 2021, is amended to read as
30 follows:

31 **43.23 Death or withdrawal of primary candidate.**

32 1. If a person who has filed nomination papers with the
33 state commissioner as a candidate in a primary election dies
34 or withdraws up to the seventy-sixth day before the primary
35 election, the appropriate convention or central committee of

1 that person's political party may designate one ~~additional~~
 2 primary election candidate for the nomination that person
 3 was seeking, if the designation is submitted to the state
 4 commissioner in writing by 5:00 p.m. on the seventy-first day
 5 before the date of the primary election and no other person has
 6 filed as a candidate for the nomination in that election. The
 7 name of any candidate so submitted shall be included in the
 8 appropriate certificate or certificates furnished by the state
 9 commissioner under [section 43.22](#).

10 2. If a person who has filed nomination papers with the
 11 commissioner as a candidate in a primary election dies or
 12 withdraws up to the ~~sixty-seventh~~ sixty-ninth day before
 13 the primary election, the appropriate convention or central
 14 committee of that person's political party may designate one
 15 ~~additional~~ primary election candidate for the nomination
 16 that person was seeking, if the designation is submitted to
 17 the commissioner in writing by 5:00 p.m. on the ~~sixty-third~~
 18 sixty-fourth day before the primary election. The name of
 19 any candidate so submitted shall be placed on the appropriate
 20 ballot or ballots by the commissioner.

21 Sec. 8. Section 43.24, subsection 1, paragraph a, Code 2021,
 22 is amended to read as follows:

23 a. Objections to the legal sufficiency of a nomination
 24 petition or certificate of nomination filed or issued under
 25 this chapter or to the eligibility of a candidate may be filed
 26 in writing by any person who would have the right to vote for
 27 the candidate for the office in question. Objections relating
 28 to incorrect or incomplete information for information that is
 29 required under section 43.14 or 43.18 shall be sustained.

30 Sec. 9. Section 43.24, subsection 1, paragraph b,
 31 subparagraph (2), Code 2021, is amended to read as follows:

32 (2) Those filed with the commissioner, not less than
 33 ~~sixty-four~~ sixty-seven days before the date of the election,
 34 or for certificates of nomination filed under [section 43.23](#),
 35 not less than ~~sixty-two~~ sixty-three days before the date of the

1 election.

2 Sec. 10. Section 43.78, subsection 2, Code 2021, is amended
3 to read as follows:

4 2. The name of any candidate designated to fill a vacancy
5 on the general election ballot in accordance with subsection
6 1, paragraph "a", "b", or "c" shall be submitted in writing
7 to the state commissioner not later than 5:00 p.m. on the
8 ~~seventy-third~~ seventy-sixth day before the date of the general
9 election.

10 Sec. 11. Section 43.79, Code 2021, is amended to read as
11 follows:

12 **43.79 Death of candidate after time for withdrawal.**

13 The death of a candidate nominated as provided by law for
14 any office to be filled at a general election, during the
15 period beginning on the eighty-first day before the general
16 election, in the case of any candidate whose nomination papers
17 were filed with the state commissioner, or beginning on the
18 ~~seventy-third~~ seventy-fourth day before the general election,
19 in the case of any candidate whose nomination papers were filed
20 with the commissioner, and ending ~~on the last day before~~ at
21 the time the polls close on the day of the general election
22 shall not operate to remove the deceased candidate's name from
23 the general election ballot. If the deceased candidate was
24 seeking the office of senator or representative in the Congress
25 of the United States, governor, attorney general, senator or
26 representative in the general assembly or county supervisor,
27 section 49.58 shall control. If the deceased candidate was
28 seeking any other office, and as a result of the candidate's
29 death a vacancy is subsequently found to exist, the vacancy
30 shall be filled as provided by [chapter 69](#).

31 Sec. 12. Section 44.4, subsection 2, paragraph a,
32 subparagraphs (1) and (2), Code 2021, are amended to read as
33 follows:

34 (1) Those filed with the state commissioner, not less than
35 ~~sixty-eight~~ seventy-four days before the first Tuesday after

1 the first Monday in June in each even-numbered year, or for
2 certificates of nomination filed under subsection 1, paragraph
3 "b", not less than seventy-four days before the date of the
4 election.

5 (2) Those filed with the commissioner, not less than
6 ~~sixty-four~~ sixty-seven days before the ~~date of the election~~
7 first Tuesday after the first Monday in June in each
8 even-numbered year, except as provided in subparagraph (3).

9 Sec. 13. Section 44.6, Code 2021, is amended to read as
10 follows:

11 **44.6 Hearing before state commissioner.**

12 Objections filed with the state commissioner shall be
13 considered by the secretary of state and auditor of state and
14 attorney general, and a majority decision shall be final; but
15 if the objection is to the certificate of nomination of one
16 or more of the above named officers, said officer or officers
17 so objected to shall not pass upon the same, but their places
18 shall be filled, respectively, by the treasurer of state,
19 the governor, and the secretary of agriculture. Objections
20 relating to incorrect or incomplete information for information
21 that is required under section 44.3 shall be sustained.

22 Sec. 14. Section 44.7, Code 2021, is amended to read as
23 follows:

24 **44.7 Hearing before commissioner.**

25 Except as otherwise provided in [section 44.8](#), objections
26 filed with the commissioner shall be considered by the county
27 auditor, county treasurer, and county attorney, and a majority
28 decision shall be final. However, if the objection is to the
29 certificate of nomination of one or more of the above named
30 county officers, the officer or officers objected to shall not
31 pass upon the objection, but their places shall be filled,
32 respectively, by the chairperson of the board of supervisors,
33 the sheriff, and the county recorder. Objections relating to
34 incorrect or incomplete information for information that is
35 required under section 44.3 shall be sustained.

1 Sec. 15. Section 44.8, Code 2021, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 3. Objections relating to incorrect or
4 incomplete information for information that is required under
5 section 44.3 shall be sustained.

6 Sec. 16. Section 44.9, subsections 1 and 2, Code 2021, are
7 amended to read as follows:

8 1. In the office of the state commissioner, at least
9 ~~sixty-eight~~ eighty-one days before the date of the election,
10 or for withdrawals of nominations filed under section 44.4,
11 subsection 1, paragraph "b", at least seventy-six days before
12 the date of election.

13 2. In the office of the appropriate commissioner, at least
14 ~~sixty-four~~ seventy-four days before the date of the election,
15 except as otherwise provided in [subsection 6](#).

16 Sec. 17. Section 44.11, Code 2021, is amended to read as
17 follows:

18 **44.11 Vacancies filled.**

19 If a candidate named under [this chapter](#) withdraws or dies
20 before the deadline established in [section 44.9](#), declines a
21 nomination, ~~or dies before election day~~, or if a certificate of
22 nomination is held insufficient or inoperative by the officer
23 with whom it is required to be filed, or in case any objection
24 made to a certificate of nomination, or to the eligibility
25 of any candidate named in the certificate, is sustained by
26 the board appointed to determine such questions, the vacancy
27 or vacancies may be filled by the convention, or caucus, or
28 in such manner as such convention or caucus has previously
29 provided. The vacancy or vacancies shall be filled not less
30 than ~~seventy-four~~ seventy-six days before the election in
31 the case of nominations required to be filed with the state
32 commissioner or not less than seventy-one days for nominations
33 filed under section 44.4, subsection 1, paragraph "b", not less
34 than ~~sixty-four~~ sixty-nine days before the election in the case
35 of nominations required to be filed with the commissioner, not

1 less than forty-two days before the election in the case of
2 nominations required to be filed in the office of the school
3 board secretary, and not less than forty-two days before the
4 election in the case of nominations required to be filed with
5 the commissioner for city elections.

6 Sec. 18. Section 48A.30, subsection 1, paragraph a, Code
7 2021, is amended to read as follows:

8 a. The registered voter dies. For the purposes of this
9 subsection, the commissioner may accept as evidence of death a
10 notice from the state registrar of vital statistics forwarded
11 by the state registrar of voters, a notice from the federal
12 social security administration, a written statement from a
13 person related to the registered voter within the second degree
14 of consanguinity or first degree of affinity, an obituary
15 in a newspaper or that appears on the internet site of a
16 funeral establishment licensed under [chapter 156](#) or by the
17 proper authority of another state, a written statement from an
18 election official or personal representative of the registered
19 voter's estate, or a notice from the county recorder of the
20 county where the registered voter died.

21 Sec. 19. Section 49.31, subsection 2, paragraph c, Code
22 2021, is amended to read as follows:

23 c. On the general election ballot the names of candidates
24 for the nonpartisan offices listed in [section 39.21](#) shall
25 be arranged by drawing lots for position. The commissioner
26 shall hold the drawing on the ~~first business day following the~~
27 ~~deadline for filing of nomination certificates or petitions~~
28 ~~with the commissioner for the general election pursuant to~~
29 ~~section 44.4~~ sixty-eighth day prior to the first Tuesday after
30 the first Monday in November. If a candidate withdraws, dies,
31 or is removed from the ballot after the ballot position of
32 names has been determined, such candidate's name shall be
33 removed from the ballot, and the order of the remaining names
34 shall not be changed.

35 Sec. 20. NEW SECTION. 49.42B Form of official ballot —

1 **candidates for president and vice president.**

2 When candidates for president and vice president of the
3 United States appear on the ballot, the following statement
4 shall appear directly above the section of the ballot listing
5 such candidates:

6 [A ballot cast for the named candidates for president and vice
7 president of the United States is considered to be cast for
8 the slate of presidential electors nominated by the political
9 party, nonparty political organization, or independent
10 candidate.]

11 Sec. 21. Section 49.43, subsection 2, Code 2021, is amended
12 to read as follows:

13 2. Constitutional amendments and other public measures ~~may~~
14 shall be summarized by the commissioner as provided in sections
15 49.44 and 52.25.

16 Sec. 22. Section 49.44, subsection 1, Code 2021, is amended
17 to read as follows:

18 1. When a proposed constitutional amendment or other public
19 measure to be decided by the voters of the entire state is to
20 be voted upon, the state commissioner shall prepare a written
21 summary of the amendment or measure including the number of
22 the amendment or statewide public measure assigned by the
23 state commissioner. The summary shall be printed immediately
24 preceding the text of the proposed amendment or measure on the
25 paper ballot or optical scan ballot referred to in section
26 49.43. If the complete text of the proposed amendment or
27 public measure will not fit on the ballot it shall be posted
28 inside the voting booth. A copy of the full text shall be
29 included with any absentee ballots.

30 Sec. 23. NEW SECTION. **49.47A Public measures —**
31 **notification.**

32 For a public measure appearing on a ballot in the month of
33 March or September, the entity requesting the public measure
34 shall mail notification of the election to each household that
35 includes a registered voter eligible to vote on the public

1 measure not later than twenty days before the election. The
2 notification shall include the date of the election, the hours
3 during which the polls will be open, and information on finding
4 the voter's polling place, including the internet site and
5 telephone number of the county commissioner of elections and
6 the internet site of the state commissioner of elections.

7 Sec. 24. Section 49.53, subsection 1, Code 2021, is amended
8 to read as follows:

9 1. The commissioner shall not less than four nor more than
10 twenty days before the day of each election, except those for
11 which different publication requirements are prescribed by law,
12 publish notice of the election. The notice shall ~~contain a~~
13 ~~facsimile of the portion of the ballot containing the first~~
14 ~~rotation as prescribed by section 49.31, subsection 2, and~~
15 ~~shall show list~~ the names of all candidates or nominees and the
16 office each seeks, and all public questions, to be voted upon
17 at the election. ~~The sample ballot published as a part of the~~
18 ~~notice may at the discretion of the commissioner be reduced in~~
19 ~~size relative to the actual ballot but such reduction shall~~
20 ~~not cause upper case letters appearing in candidates' names or~~
21 ~~in summaries of public measures on the published sample ballot~~
22 ~~to be less than nine point type.~~ The notice shall also state
23 the date of the election, the hours the polls will be open,
24 that each voter is required to provide identification at the
25 polling place before the voter can receive and cast a ballot,
26 the location of each polling place at which voting is to occur
27 in the election, and the names of the precincts voting at each
28 polling place, ~~but the statement need not set forth any fact~~
29 ~~which is apparent from the portion of the ballot appearing as~~
30 ~~a part of the same notice.~~ The notice shall include the full
31 text of all public measures to be voted upon at the election.
32 The notice may contain one or more facsimiles of the portion
33 of the ballot containing the first rotation as prescribed by
34 section 49.31, subsection 2.

35 Sec. 25. Section 49.57, subsection 6, Code 2021, is amended

1 to read as follows:

2 6. A portion of the ballot shall include the words "Official
3 ballot", the unique identification number or name assigned by
4 the commissioner to the ballot style, the date of the election,
5 and the ~~impression or likeness of the~~ county seal of the county
6 of the commissioner who has caused the ballot to be printed
7 pursuant to [section 49.51](#).

8 Sec. 26. Section 49.58, subsection 1, Code 2021, is amended
9 to read as follows:

10 1. If any candidate nominated by a political party,
11 as defined in [section 43.2](#), for the office of senator or
12 representative in the Congress of the United States, governor,
13 attorney general, or senator or representative in the general
14 assembly dies during the period beginning on the ~~eighty-eighth~~
15 eighty-first day and ending at the time the polls close on the
16 ~~last~~ day ~~before~~ of the general election, or if any candidate
17 so nominated for the office of county supervisor dies during
18 the period beginning on the ~~seventy-third~~ seventy-fourth day
19 and ending at the time the polls close on the ~~last~~ day ~~before~~
20 of the general election, the vote cast at the general election
21 for that office shall not be canvassed as would otherwise be
22 required by [chapter 50](#). Instead, a special election shall be
23 held on the first Tuesday after the second Monday in December,
24 for the purpose of electing a person to fill that office.

25 Sec. 27. Section 49.75, Code 2021, is amended to read as
26 follows:

27 **49.75 Oath.**

28 Before opening the polls, each of the board members shall
29 take the following oath:

30 I, A. B., do solemnly swear or affirm that I will
31 impartially, and to the best of my knowledge and ability,
32 perform the duties of precinct election official of this
33 election, and will studiously endeavor to prevent fraud,
34 deceit, and abuse in conducting the election.

35 I understand that as a precinct election official, I have

1 access to certain information that is considered confidential
2 and is protected under Code chapters 22, 39A, 48A, and 715C.
3 Due to this protected status, I agree to only release this
4 information in accordance with Iowa law.

5 Additionally, I understand that the prohibition on sharing
6 confidential information extends before and after the hours
7 that my assigned polling place is open.

8 Sec. 28. Section 49.78, subsection 4, Code 2021, is amended
9 to read as follows:

10 4. A person who is registered to vote but is unable
11 to present a form of identification under [subsection 2](#) or
12 3 may establish identity and residency in the precinct by
13 written oath of a person who is also registered to vote in
14 the precinct. Before signing an oath under this subsection,
15 the attesting registered voter shall present to the precinct
16 election official proof of the voter's identity as provided
17 in subsection 2 or 3. The attesting registered voter's oath
18 shall attest to the stated identity of the person wishing to
19 vote and that the person is a current resident of the precinct.
20 The oath must be signed by the attesting registered voter in
21 the presence of the appropriate precinct election official.
22 A registered voter who has signed two oaths on election day
23 attesting to a person's identity and residency as provided in
24 this subsection is prohibited from signing any further oaths as
25 provided in [this subsection](#) on that day.

26 Sec. 29. Section 49A.6, Code 2021, is amended to read as
27 follows:

28 **49A.6 Certification — sample ballot.**

29 The state commissioner of elections shall, not less than
30 ~~sixty-nine~~ sixty-three days preceding any election at which a
31 constitutional amendment or public measure is to be submitted
32 to a vote of the entire people of the state, transmit to the
33 county commissioner of elections of each county a certified
34 copy of the amendment or measure and a sample of the ballot to
35 be used in such cases, prepared in accordance with law.

1 Sec. 30. Section 50.11, subsection 1, Code 2021, is amended
2 to read as follows:

3 1. When the canvass is completed one of the precinct
4 election officials shall publicly announce the total number of
5 votes received by each of the persons voted for, the office for
6 which the person is designated, as announced by the designated
7 tally keepers, and the number of votes for, and the number of
8 votes against, any proposition which shall have been submitted
9 to a vote of the people. A precinct election official ~~shall~~
10 may, at the request of the commissioner who is conducting
11 the election, communicate the election results by telephone
12 ~~or~~ and shall deliver the election results in person pursuant
13 to section 50.14 to the commissioner who is conducting the
14 election immediately upon completion of the canvass.

15 Sec. 31. Section 50.12, Code 2021, is amended to read as
16 follows:

17 **50.12 Return and preservation of ballots.**

18 Immediately after making the proclamation, and before
19 separating, the board members of each precinct in which votes
20 have been received by paper ballot shall enclose in an envelope
21 or other container all ballots which have been counted by them,
22 except those endorsed "Rejected as double", "Defective", or
23 "Objected to", and securely seal the envelope. The signatures
24 of all board members of the precinct shall be placed across
25 the seal or the opening of the container so that it cannot
26 be opened without breaking the seal. The precinct election
27 officials, or a precinct election official not delivering
28 election results in person pursuant to section 50.14, shall
29 return all the ballots to the commissioner on the night of the
30 election, who and the commissioner shall carefully preserve
31 them for six months. Ballots from elections for federal
32 offices shall be preserved for twenty-two months. The sealed
33 packages containing voted ballots shall be opened only for
34 an official recount authorized by [section 50.48](#), [50.49](#), or
35 [50.50](#), for an election contest held pursuant to chapters 57

1 through 62, to conduct an audit pursuant to [section 50.51](#), or
2 to destroy the ballots pursuant to [section 50.19](#).

3 **Sec. 32. NEW SECTION. 50.14 Return of results.**

4 When election results are delivered in person to the
5 commissioner who is conducting the election, the printed
6 results and memory device of the voting equipment shall be
7 returned to the commissioner on election night by two precinct
8 election officials who shall be of different political parties
9 in the case of a partisan election, or by a person designated
10 by the commissioner, including but not limited to a state or
11 local law enforcement officer. The printed results and memory
12 device shall be returned in a securely sealed envelope with the
13 signatures of all board members of the precinct placed across
14 the seal so that the envelope cannot be opened without breaking
15 the seal.

16 **Sec. 33.** Section 50.17, Code 2021, is amended to read as
17 follows:

18 **50.17 Return of election register.**

19 The precinct election register prepared for each election,
20 together with the ballots to be returned pursuant to section
21 50.12, if any, and the signed and attested tally list, shall be
22 delivered to the commissioner by one of the precinct election
23 officials ~~by noon of the day following the election~~ who does
24 not deliver the election results in person pursuant to section
25 50.14.

26 **Sec. 34.** Section 50.23, Code 2021, is amended to read as
27 follows:

28 **50.23 Messengers for missing tally lists.**

29 The commissioner shall send messengers for all tally lists
30 not received in the commissioner's office ~~by noon of the day~~
31 following the election on the night of the election. The
32 expense of securing such tally lists shall be paid by the
33 county.

34 **Sec. 35.** Section 50.24, subsection 2, Code 2021, is amended
35 to read as follows:

1 2. Upon convening, the board shall open and canvass the
2 tally lists and shall prepare abstracts stating the number of
3 votes cast in the county, or in that portion of the county
4 in which the election was held, for each office and on each
5 question on the ballot for the election. The board shall
6 contact the chairperson of the special precinct board before
7 adjourning and include in the canvass any write-in votes
8 tallied and recorded by the special precinct board or any
9 absentee ballots which were received after the polls closed in
10 accordance with [section 53.17](#) and which were canvassed by the
11 special precinct board after election day. The abstract shall
12 further indicate the name of each person who received votes for
13 each office on the ballot, and the number of votes each person
14 named received for that office, and the number of votes for and
15 against each question submitted to the voters at the election.
16 The votes of all write-in candidates who each received less
17 than five percent of the votes cast for an office or who
18 each received fewer than ten votes and was not determined to
19 be elected shall be reported collectively under the heading
20 "scattering".

21 Sec. 36. Section 50.51, subsection 5, Code 2021, is amended
22 to read as follows:

23 5. In advance of ~~any~~ all other ~~election~~ elections, the state
24 commissioner ~~may~~ shall order an audit of the election in the
25 manner provided in [this section](#).

26 Sec. 37. Section 53.17A, Code 2021, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 4. The state commissioner shall by February
29 26, 2024, include on the state commissioner's internet site
30 an application through which a voter can track the voter's
31 absentee ballot request form and absentee ballot. The
32 application shall provide all of the following information:

33 a. Whether the voter returned a ballot in person, by mail,
34 or by voting in person at a satellite location.

35 b. The date the absentee ballot request form was received by

1 the county commissioner.

2 c. The date the absentee ballot was mailed or given to the
3 voter.

4 d. The date the absentee ballot was received by the county
5 commissioner.

6 e. The date the county commissioner opened the outer
7 envelope.

8 f. Whether there is a problem with the absentee ballot
9 request form or absentee ballot that requires correction by the
10 voter, along with instructions for the voter to contact the
11 county commissioner as soon as possible to resolve the issue.

12 Sec. 38. Section 53.37, subsection 2, Code 2021, is amended
13 to read as follows:

14 2. The term "*armed forces of the United States*", as used in
15 this subchapter, shall mean the army, navy, marine corps, coast
16 guard, ~~and~~ air force, and space force of the United States.

17 Sec. 39. Section 53.49, Code 2021, is amended to read as
18 follows:

19 **53.49 Applicable to armed forces and other citizens.**

20 The provisions of [this subchapter](#) as to absent voting shall
21 apply only to absent voters in the armed forces of the United
22 States as defined for the purpose of absentee voting in section
23 53.37. The provisions of sections 53.1 through ~~53.34~~ 53.33
24 shall apply to all other voters not members of the armed forces
25 of the United States.

26 Sec. 40. Section 54.9, Code 2021, is amended to read as
27 follows:

28 **54.9 Compensation.**

29 The electors shall each receive a compensation of
30 ~~five dollars~~ one-half of the federal general services
31 administration's per diem rate for the relevant date and
32 location for every day's attendance, and the same mileage as
33 members of the general assembly which shall be paid from funds
34 not otherwise appropriated from the general fund of the state.

35 Sec. 41. Section 99F.7, subsection 11, paragraph a, Code

1 2021, is amended to read as follows:

2 a. A license to conduct gambling games in a county shall
3 be issued only if the county electorate approves the conduct
4 of the gambling games as provided in [this subsection](#). The
5 board of supervisors, upon receipt of a valid petition meeting
6 the requirements of [section 331.306](#), and subject to the
7 requirements of paragraph "e", shall direct the commissioner of
8 elections to submit to the registered voters of the county a
9 proposition to approve or disapprove the conduct of gambling
10 games in the county. The proposition shall be submitted at an
11 election held on a date specified in section 39.2, subsection
12 4, paragraph "a". ~~To be submitted at a general election, the~~
13 ~~petition must be received by the board of supervisors at least~~
14 ~~five working days before the last day for candidates for county~~
15 ~~offices to file nomination papers for the general election~~
16 ~~pursuant to [section 44.4](#).~~ If a majority of the county voters
17 voting on the proposition favor the conduct of gambling games,
18 the commission may issue one or more licenses as provided in
19 this chapter. If a majority of the county voters voting on
20 the proposition do not favor the conduct of gambling games, a
21 license to conduct gambling games in the county shall not be
22 issued.

23 Sec. 42. Section 277.4, subsection 4, Code 2021, is amended
24 to read as follows:

25 4. Any person on whose behalf nomination petitions have
26 been filed under [this section](#) may withdraw as a candidate by
27 filing a signed statement to that effect with the secretary at
28 ~~any time prior to 5:00 p.m. on the thirty-fifth day before the~~
29 ~~election~~ consistent with section 44.9, subsection 5.

30 Sec. 43. Section 331.552, subsection 4, Code 2021, is
31 amended to read as follows:

32 4. a. Keep the official county seal provided by the county.
33 The official seal shall be an impression seal on the face of
34 which shall appear the name of the county, the word "county",
35 which may be abbreviated, and the word "Iowa". A county shall

1 have only one official county seal.

2 b. Notwithstanding paragraph "a", the county commissioner
3 of elections may use a facsimile of the official county seal
4 or a modified facsimile of the official county seal for the
5 purposes of election duties set forth in sections 43.36 and
6 49.51, and section 49.57, subsection 6. If modified, the
7 county seal shall contain the name of the county, the word
8 "county", which may be abbreviated, the word "auditor", which
9 may be abbreviated, and the word "Iowa".

10 Sec. 44. Section 347.25, subsection 1, Code 2021, is amended
11 to read as follows:

12 1. The election of hospital trustees whose offices are
13 established by [this chapter](#) or [chapter 145A](#) or [347A](#) shall
14 take place at the general election on ballots which shall
15 not reflect a nominee's political affiliation. Nomination
16 shall be made by petition in accordance with [chapter 45](#). The
17 petition form shall be furnished by the county commissioner
18 of elections, shall be signed by fifty eligible electors of
19 the county, and shall be filed with the county commissioner
20 of elections at least sixty-nine days before the date of
21 the election. A plurality is sufficient to elect hospital
22 trustees.

23 Sec. 45. Section 376.5, Code 2021, is amended to read as
24 follows:

25 **376.5 Publication of ballot.**

26 ~~Notice containing a copy of the ballot~~ for each regular,
27 special, primary, or runoff city election ~~must~~ shall be
28 published by the county commissioner of elections as provided
29 in [section 362.3](#), except that notice of a regular, primary, or
30 runoff election may be published not less than four days before
31 the date of the election. The published notice ~~must contain~~
32 list the names of all candidates, and may not contain any party
33 designations. The published notice ~~must contain~~ include any
34 question to be submitted to the voters. The notice may contain
35 one or more facsimiles of the portion of the ballot containing

1 the first arrangement of candidates as prescribed by section
2 49.31, subsection 2.

3 Sec. 46. REPEAL. Sections 43.80, 49A.10, 49A.11, and 53.34,
4 Code 2021, are repealed.

5 Sec. 47. REPEAL. 2017 Iowa Acts, chapter 155, section 1,
6 is repealed.

7 Sec. 48. EFFECTIVE DATE.

8 1. Except as otherwise provided, this Act, being deemed of
9 immediate importance, takes effect upon enactment.

10 2. The following take effect January 1, 2022:

11 a. The section of this Act amending section 43.11,
12 subsection 1.

13 b. The section of this Act amending section 43.16,
14 subsection 2, paragraph "b".

15 c. The section of this Act amending section 43.24,
16 subsection 1, paragraph "b", subparagraph (2).

17 d. The section of this Act amending section 43.78,
18 subsection 2.

19 e. The section of this Act amending section 43.79.

20 f. The section of this Act amending section 44.4, subsection
21 2, paragraph "a", subparagraphs (1) and (2).

22 g. The section of this Act amending section 44.9,
23 subsections 1 and 2.

24 h. The section of this Act amending section 44.11.

25 i. The section of this Act amending section 49.58,
26 subsection 1.

27 j. The section of this Act amending section 50.51,
28 subsection 5.