

**EIGHTY-FIFTH GENERAL ASSEMBLY  
2014 REGULAR SESSION  
DAILY  
SENATE CLIP SHEET**

APRIL 1, 2014

SENATE FILE 2344

S-5108

1 Amend Senate File 2344 as follows:  
2 1. Page 4, after line 26 by inserting:  
3 <Sec. \_\_\_\_\_. Section 422.11Y, subsection 9, Code  
4 2014, is amended to read as follows:  
5 9. This section is repealed on January 1, ~~2018~~  
6 2020.  
7 Sec. \_\_\_\_\_. Section 422.33, subsection 11D, paragraph  
8 c, Code 2014, is amended to read as follows:  
9 c. This subsection is repealed on January 1, ~~2018~~  
10 2020.  
11 Sec. \_\_\_\_\_. 2011 Iowa Acts, chapter 113, section 37,  
12 is amended to read as follows:  
13 SEC. 37. TAX CREDIT AVAILABILITY. For a retail  
14 dealer who may claim an E-15 plus gasoline promotion  
15 tax credit under section 422.11Y or 422.33, subsection  
16 11D, as enacted in this Act and amended in subsequent  
17 Acts, in calendar year ~~2017~~ 2019, and whose tax year  
18 ends prior to December 31, ~~2017~~ 2019, the retail  
19 dealer may continue to claim the tax credit in the  
20 retail dealer's following tax year. In that case, the  
21 tax credit shall be calculated in the same manner as  
22 provided in section 422.11Y or 422.33, subsection 11D,  
23 as enacted in this Act and amended in subsequent Acts,  
24 for the remaining period beginning on the first day of  
25 the retail dealer's new tax year until December 31,  
26 ~~2017~~ 2019. For that remaining period, the tax credit  
27 shall be calculated in the same manner as a retail  
28 dealer whose tax year began on the previous January 1  
29 and who is calculating the tax credit on December 31,  
30 ~~2017~~ 2019.>  
31 2. Page 4, after line 33 by inserting:  
32 <DIVISION \_\_\_\_  
33 E-85 GASOLINE PROMOTION TAX CREDIT  
34 Sec. \_\_\_\_\_. Section 422.110, subsection 8, Code 2014,  
35 is amended to read as follows:  
36 8. This section is repealed on January 1, ~~2018~~  
37 2020.  
38 Sec. \_\_\_\_\_. Section 422.33, subsection 11B, paragraph  
39 c, Code 2014, is amended to read as follows:  
40 c. This subsection is repealed on January 1, ~~2018~~  
41 2020.  
42 Sec. \_\_\_\_\_. 2006 Iowa Acts, chapter 1142, section 49,  
43 subsection 3, as amended in 2011 Iowa Acts, chapter  
44 113, section 20, is amended to read as follows:  
45 3. For a retail dealer who may claim an E-85  
46 gasoline promotion tax credit under section 422.110  
47 or 422.33, subsection 11B, as enacted in this Act and  
48 amended in subsequent Acts, in calendar year ~~2017~~ 2019  
49 and whose tax year ends prior to December 31, ~~2017~~  
50 2019, the retail dealer may continue to claim the tax

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1 credit in the retail dealer's following tax year. In  
2 that case, the tax credit shall be calculated in the  
3 same manner as provided in section 422.110 or 422.33,  
4 subsection 11B, as enacted in this Act and amended in  
5 subsequent Acts, for the remaining period beginning on  
6 the first day of the retail dealer's new tax year until  
7 December 31, ~~2017~~ 2019. For that remaining period, the  
8 tax credit shall be calculated in the same manner as  
9 a retail dealer whose tax year began on the previous  
10 January 1 and who is calculating the tax credit on  
11 December 31, ~~2017~~ 2019.

12

DIVISION \_\_\_\_

13

BIODIESEL BLENDED FUEL TAX CREDIT

14

Sec. \_\_\_\_\_. Section 422.11P, subsection 8, Code 2014,  
15 is amended to read as follows:

16

8. This section is repealed January 1, ~~2018~~ 2020.

17

Sec. \_\_\_\_\_. Section 422.33, subsection 11C, paragraph  
18 c, Code 2014, is amended to read as follows:

19

c. This subsection is repealed on January 1, ~~2018~~  
20 2020.

21

Sec. \_\_\_\_\_. 2011 Iowa Acts, chapter 113, section 31,  
22 is amended to read as follows:

23

SEC. 31. TAX CREDIT AVAILABILITY. For a retail  
24 dealer who may claim a biodiesel blended fuel promotion  
25 tax credit under section 422.11P or 422.33, subsection  
26 11C, as amended in this Act and amended in subsequent  
27 Acts, in calendar year ~~2017~~ 2019, and whose tax year  
28 ends prior to December 31, ~~2017~~ 2019, the retail  
29 dealer may continue to claim the tax credit in the  
30 retail dealer's following tax year. In that case, the  
31 tax credit shall be calculated in the same manner as  
32 provided in section 422.11P or 422.33, subsection 11C,  
33 as amended in this Act and amended in subsequent Acts,  
34 for the remaining period beginning on the first day of  
35 the retail dealer's new tax year until December 31,  
36 ~~2017~~ 2019. For that remaining period, the tax credit  
37 shall be calculated in the same manner as a retail  
38 dealer whose tax year began on the previous January 1  
39 and who is calculating the tax credit on December 31,  
40 ~~2017~~ 2019.

41

3. Title page, line 4, after <provisions for> by  
42 inserting <renewable fuel tax credits and>

43

4. By renumbering as necessary.

By JAKE CHAPMAN

HOUSE FILE 2192

S-5110

1 Amend House File 2192, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 3, line 20, after <demand> by inserting <, <  
4 as provided under section 455B.174>

**By** DENNIS H. BLACK

S-5110 FILED MARCH 31, 2014  
ADOPTED

HOUSE FILE 2366

S-5107

1 Amend the amendment, S-5072, to House File 2366,  
2 as amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking line 4 and inserting:

5 <DIVISION I  
6 ELECTIONS AND VOTER REGISTRATION

7 Section 1. Section 44.4, subsection 1, Code 2014,>

8 2. Page 5, after line 35 by inserting:

9 <DIVISION \_\_\_\_  
10 MISCELLANEOUS PROVISIONS

11 Sec. \_\_\_\_\_. Section 48A.9, subsection 1, Code 2014,  
12 is amended to read as follows:

13 1. Registration closes at 5:00 p.m. eleven days  
14 before each election except ~~primary and~~ general  
15 elections. For ~~primary and~~ general elections,  
16 registration closes at 5:00 p.m. ten days before the  
17 election. An eligible elector may register during the  
18 time registration is closed in the elector's precinct  
19 but the registration shall not become effective until  
20 registration opens again in the elector's precinct,  
21 except as otherwise provided in section 48A.7A.

22 Sec. \_\_\_\_\_. Section 48A.26, subsection 3, Code 2014,  
23 is amended to read as follows:

24 3. If the registration form is missing required  
25 information pursuant to section 48A.11, subsection 8,  
26 the acknowledgment shall advise the applicant what  
27 additional information is required. The commissioner  
28 shall enclose a new registration form for the applicant  
29 to use. If the registration form has no address,  
30 the commissioner shall make a reasonable effort to  
31 determine where the acknowledgment should be sent. If  
32 the incomplete registration form is received during  
33 the period in which registration is closed pursuant to  
34 section 48A.9 but by 5:00 p.m. on the Saturday before  
35 the election for general ~~and primary~~ elections or by  
36 5:00 p.m. on the Friday before the election for all  
37 other elections, the commissioner shall send a notice  
38 advising the applicant of election day and in-person  
39 absentee registration procedures under section 48A.7A.

40 Sec. \_\_\_\_\_. Section 50.20, Code 2014, is amended to  
41 read as follows:

42 50.20 Notice of number of provisional ballots.  
43 The commissioner shall compile a list of the number  
44 of provisional ballots cast under section 49.81 in each  
45 precinct. The list shall be made available to the  
46 public as soon as possible, but in no case later than  
47 9:00 a.m. on the second day following the election.  
48 Any elector may examine the list during normal office  
49 hours, and may also examine the ~~affidavit~~ affidavits  
50 on the envelopes bearing containing the ballots of

1 challenged electors until the reconvening of the  
2 special precinct board as required by this chapter.  
3 Only those persons so permitted by section 53.23,  
4 subsection 4, shall have access to the affidavits  
5 while that board is in session. Any elector may  
6 present written statements or documents, supporting or  
7 opposing the counting of any provisional ballot, at  
8 the commissioner's office until the reconvening of the  
9 special precinct board.

10 Sec. \_\_\_\_\_. Section 53.2, subsection 6, Code 2014, is  
11 amended to read as follows:

12 6. If an application for an absentee ballot  
13 is received from an eligible elector who is not a  
14 registered voter the commissioner shall send the  
15 eligible elector a voter registration form and another  
16 absentee ballot application form. If the application  
17 is received after the time registration closes pursuant  
18 to section 48A.9 but by 5:00 p.m. on the Saturday  
19 before the election for general ~~and primary~~ elections  
20 or by 5:00 p.m. on the Friday before the election for  
21 all other elections, the commissioner shall notify the  
22 applicant by mail of the election day and in-person  
23 absentee registration provisions of section 48A.7A.  
24 In addition to notification by mail, the commissioner  
25 shall also attempt to contact the applicant by any  
26 other method available to the commissioner.

27 Sec. \_\_\_\_\_. Section 53.8, subsection 1, Code 2014, is  
28 amended to read as follows:

29 1. a. Upon receipt of an application for an  
30 absentee ballot and immediately after the absentee  
31 ballots are printed, the commissioner shall mail an  
32 absentee ballot to the applicant within twenty-four  
33 hours, except as otherwise provided in subsection 3.  
34 The absentee ballot shall be sent to the registered  
35 voter by one of the following methods:

36 (1) The absentee ballot shall be enclosed in an  
37 unsealed envelope bearing marked with a serial number  
38 and affidavit. The absentee ballot and unsealed  
39 affidavit envelope shall be enclosed in or with a an  
40 unsealed return envelope marked postage paid which  
41 bears the same serial number as the unsealed affidavit  
42 envelope. The absentee ballot, unsealed affidavit  
43 envelope, and return envelope shall be enclosed in a  
44 third envelope to be sent to the registered voter. If  
45 the ballot cannot be folded so that all of the votes  
46 cast on the ballot will be hidden, the commissioner  
47 shall also enclose a secrecy envelope with the absentee  
48 ballot.

49 (2) The absentee ballot shall be enclosed in an  
50 unsealed return envelope marked with a serial number

1 and affidavit and marked postage paid. The absentee  
2 ballot and return envelope shall be enclosed in a  
3 second envelope to be sent to the registered voter. If  
4 the ballot cannot be folded so that all of the votes  
5 cast on the ballot will be hidden, the commissioner  
6 shall also enclose a secrecy envelope with the absentee  
7 ballot.

8 b. The affidavit shall be marked on the appropriate  
9 envelope in a form prescribed by the state commissioner  
10 of elections.

11 Sec. \_\_\_\_. Section 53.10, subsection 2, Code 2014,  
12 is amended to read as follows:

13 2. Each person who wishes to vote by absentee  
14 ballot at the commissioner's office shall first sign  
15 an application for a ballot including the following  
16 information: name, current address, and the election  
17 for which the ballot is requested. The person may  
18 report a change of address or other information on  
19 the person's voter registration record at that time.  
20 The registered voter shall immediately mark the  
21 ballot; enclose the ballot in a secrecy envelope, if  
22 necessary, and seal it in an affidavit the envelope  
23 marked with the affidavit; subscribe to the affidavit  
24 on the reverse side of the envelope; and return the  
25 absentee ballot to the commissioner. The commissioner  
26 shall record the numbers appearing on the application  
27 and affidavit envelope along with the name of the  
28 registered voter.

29 Sec. \_\_\_\_. Section 53.16, Code 2014, is amended to  
30 read as follows:

31 53.16 Subscribing to affidavit.

32 After marking the ballot, the voter shall make and  
33 subscribe to the affidavit on the ~~reverse side of the~~  
34 affidavit envelope or on the return envelope marked  
35 with the affidavit, and fold the ballot or ballots,  
36 separately, so as to conceal the markings on them, and  
37 deposit them in the envelope, and securely seal the  
38 envelope.

39 Sec. \_\_\_\_. Section 53.17, subsection 1, unnumbered  
40 paragraph 1, Code 2014, is amended to read as follows:

41 ~~The~~ If the commissioner mailed the ballot pursuant  
42 to section 53.8, subsection 1, paragraph "a",  
43 subparagraph (1), the sealed envelope bearing the  
44 voter's affidavit and containing the absentee ballot  
45 shall be enclosed in a return envelope which shall be  
46 securely sealed. If the commissioner mailed the ballot  
47 pursuant to section 53.8, subsection 1, paragraph "a",  
48 subparagraph (2), the absentee ballot shall be enclosed  
49 in the return envelope which shall be securely sealed.

50 The sealed return envelope shall be returned to the

1 commissioner by one of the following methods:

2 Sec. \_\_\_\_\_. Section 53.18, subsections 2 and 3, Code  
3 2014, are amended to read as follows:

4 2. If the commissioner receives the return envelope  
5 containing the completed absentee ballot by 5:00  
6 p.m. on the Saturday before the election for general  
7 ~~and primary~~ elections and by 5:00 p.m. on the Friday  
8 before the election for all other elections, the  
9 commissioner shall review the affidavit marked on the  
10 return envelope, if applicable, for completeness or  
11 shall open the return envelope to review the affidavit  
12 for completeness. If the affidavit is incomplete, the  
13 commissioner shall, within twenty-four hours of the  
14 time the envelope was received, notify the voter of  
15 that fact and that the voter may complete the affidavit  
16 in person at the office of the commissioner by 5:00  
17 p.m. on the day before the election, vote a replacement  
18 ballot in the manner and within the time period  
19 provided in subsection 3, or appear at the voter's  
20 precinct polling place on election day and cast a  
21 ballot in accordance with section 53.19, subsection 3.

22 3. If the affidavit envelope or the return  
23 envelope marked with the affidavit contains a defect  
24 that would cause the absentee ballot to be rejected  
25 by the absentee and special voters precinct board,  
26 the commissioner shall immediately notify the voter  
27 of that fact and that the voter's absentee ballot  
28 shall not be counted unless the voter requests and  
29 returns a replacement ballot in the time permitted  
30 under section 53.17, subsection 2. The voter may  
31 request a replacement ballot in person, in writing, or  
32 over the telephone. The same serial number that was  
33 assigned to the records of the original absentee ballot  
34 application shall be used on the envelope and records  
35 of the replacement ballot. The ~~affidavit~~ envelope  
36 marked with the affidavit and containing the completed  
37 replacement ballot shall be marked "Replacement  
38 ballot". The ~~affidavit~~ envelope marked with the  
39 affidavit and containing the original ballot shall be  
40 marked "Defective" and the replacement ballot shall be  
41 attached to ~~the affidavit~~ such envelope containing the  
42 original ballot and shall be stored in a secure place  
43 until they are delivered to the absentee and special  
44 voters precinct board, notwithstanding sections 53.26  
45 and 53.27.

46 Sec. \_\_\_\_\_. Section 53.21, subsection 2, paragraph b,  
47 Code 2014, is amended to read as follows:

48 b. The voter shall enclose one copy of the above  
49 statement in the return envelope along with the  
50 affidavit envelope, if the voter was mailed a separate

1 affidavit envelope, and shall retain a copy for the  
2 voter's records.

3 Sec. \_\_\_\_\_. Section 53.23, subsection 3, paragraph  
4 b, subparagraph (1), Code 2014, is amended to read as  
5 follows:

6 (1) The commissioner may direct the board to meet  
7 on the day before the election for the purpose of  
8 reviewing the absentee voters' affidavits appearing  
9 on the sealed affidavit envelopes. If in the  
10 commissioner's judgment this procedure is necessary  
11 due to the number of absentee ballots received, the  
12 members of the board may open the sealed affidavit  
13 envelopes and remove the secrecy envelope containing  
14 the ballot, but under no circumstances shall a secrecy  
15 envelope or a return envelope marked with an affidavit  
16 be opened before the board convenes on election day,  
17 except as provided in paragraph "c". If the affidavit  
18 envelopes are opened before election day pursuant  
19 to this paragraph "b", two observers, one appointed  
20 by each of the two political parties referred to  
21 in section 49.13, subsection 2, shall witness the  
22 proceedings. The observers shall be appointed by the  
23 county chairperson or, if the county chairperson fails  
24 to make an appointment, by the state chairperson.  
25 However, if either or both political parties fail to  
26 appoint an observer, the commissioner may continue with  
27 the proceedings.

28 Sec. \_\_\_\_\_. Section 53.23, subsection 5, Code 2014,  
29 is amended to read as follows:

30 5. The special precinct election board shall  
31 preserve the secrecy of all absentee and provisional  
32 ballots. After the affidavits on the envelopes have  
33 been reviewed and the qualifications of the persons  
34 casting the ballots have been determined, those that  
35 have been accepted for counting shall be opened. The  
36 ballots shall be removed from the affidavit envelopes  
37 or return envelopes marked with the affidavit, as  
38 applicable, without being unfolded or examined, and  
39 then shall be thoroughly intermingled, after which they  
40 shall be unfolded and tabulated. If secrecy folders or  
41 envelopes are used with provisional paper ballots, the  
42 ballots shall be removed from the secrecy folders after  
43 the ballots have been intermingled.

44 Sec. \_\_\_\_\_. Section 53.25, Code 2014, is amended to  
45 read as follows:

46 53.25 Rejecting ballot.

47 1. If the absentee voter's affidavit lacks the  
48 voter's signature, if the applicant is not a duly  
49 registered voter on election day in the precinct  
50 where the absentee ballot was cast, if the ~~affidavit~~

1 envelope marked with the affidavit contains more than  
2 one ballot of any one kind, or if the voter has voted  
3 in person, such vote shall be rejected by the absentee  
4 and special voters precinct board. If the affidavit  
5 envelope or return envelope marked with the affidavit  
6 is open, or has been opened and resealed, or if the  
7 ballot is not enclosed in the affidavit such envelope,  
8 and an affidavit envelope or return envelope marked  
9 with the affidavit with the same serial number and  
10 marked "Replacement ballot" is not attached as provided  
11 in section 53.18, the vote shall be rejected by the  
12 absentee and special voters precinct board.

13 2. If the absentee ballot is rejected prior to the  
14 opening of the affidavit envelope or return envelope  
15 marked with the affidavit, the voter casting the ballot  
16 shall be notified by a precinct election official  
17 by the time the canvass is completed of the reason  
18 for the rejection on a form prescribed by the state  
19 commissioner of elections.

20 Sec. \_\_\_\_\_. Section 53.27, Code 2014, is amended to  
21 read as follows:

22 53.27 Rejection of ballot - return of envelope.  
23 If the ballot is rejected, the ~~affidavit envelope,~~  
24 marked with the affidavit of, with the voter endorsed  
25 voter's endorsement thereon, shall be returned with the  
26 rejected ballot in the envelope endorsed "Defective  
27 ballots".

28 Sec. \_\_\_\_\_. Section 53.30, Code 2014, is amended to  
29 read as follows:

30 53.30 Ballots, ballot envelopes, and other  
31 information preserved.

32 At the conclusion of each meeting of the absentee  
33 and special voter's precinct board, the board shall  
34 securely seal all ballots counted by them in the manner  
35 prescribed in section 50.12. The ballot envelopes,  
36 including the affidavit envelope having the registered  
37 voter's affidavit on it if an affidavit envelope was  
38 provided, the return envelope, and secrecy envelope  
39 bearing the signatures of precinct election officials,  
40 as required by section 53.23, shall be preserved. All  
41 applications for absentee ballots, ballots rejected  
42 without being opened, absentee ballot logs, and any  
43 other documents pertaining to the absentee ballot  
44 process shall be preserved until such time as the  
45 documents may be destroyed pursuant to section 50.19.

46 Sec. \_\_\_\_\_. Section 53.32, Code 2014, is amended to  
47 read as follows:

48 53.32 Ballot of deceased voter.

49 When it shall be made to appear by due proof to  
50 the precinct election officials that any elector, who

1 has so marked and forwarded a ballot, has died before  
2 the ~~affidavit~~ envelope marked with the affidavit is  
3 opened, then the ballot of such deceased voter shall  
4 be endorsed, "Rejected because voter is dead", and be  
5 returned to the commissioner; ~~but the~~. The casting of  
6 the ballot of a deceased voter shall not invalidate the  
7 election.

8 Sec. \_\_\_\_\_. Section 53.38, Code 2014, is amended to  
9 read as follows:

10 53.38 What constitutes registration.

11 Whenever a ballot is requested pursuant to section  
12 53.39 or 53.45 on behalf of a voter in the armed  
13 forces of the United States, the affidavit upon the  
14 ~~affidavit~~ envelope marked with the affidavit of such  
15 voter, if the voter is found to be an eligible elector  
16 of the county to which the ballot is submitted, shall  
17 constitute a sufficient registration under chapter  
18 48A. A completed federal postcard registration and  
19 federal absentee ballot request form submitted by such  
20 eligible elector shall also constitute a sufficient  
21 registration under chapter 48A. The commissioner shall  
22 place the voter's name on the registration record as a  
23 registered voter if it does not already appear there.  
24 The identification requirements of section 48A.8 and  
25 the verification requirements of section 48A.25A do  
26 not apply to persons who register to vote under this  
27 division.

28 Sec. \_\_\_\_\_. Section 53.40, subsection 3, Code 2014,  
29 is amended to read as follows:

30 3. If the affidavit on the ~~affidavit~~ envelope  
31 marked with the affidavit shows that the affiant is not  
32 a qualified voter on the day of the election at which  
33 the ballot is offered for voting, the envelope shall  
34 not be opened, but the envelope and ballot contained  
35 in the envelope shall be preserved and returned by the  
36 precinct election officials to the commissioner, who  
37 shall preserve them for the period of time and under  
38 the conditions provided for in sections 50.12, 50.13,  
39 50.15, and 50.19.

40 Sec. \_\_\_\_\_. Section 53.44, Code 2014, is amended to  
41 read as follows:

42 53.44 Affidavit to be signed and returned.

43 1. The affidavit on the ~~affidavit~~ envelope marked  
44 with the affidavit used in connection with voting by  
45 absentee ballot under this division by members of the  
46 armed forces of the United States need not be notarized  
47 or witnessed, but the affidavit on such envelope shall  
48 be completed and signed by the voter.

49 2. Absentee ballots issued under this division  
50 shall be returned in the same manner and within the

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1 same time limits specified in section 53.17.

2 Sec. \_\_\_\_\_. REPEAL. Sections 53.13 and 53.14, Code  
3 2014, are repealed.

4 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
5 of this Act, being deemed of immediate importance,  
6 takes effect upon enactment.>

7 3. Title page, by striking lines 1 through 4 and  
8 inserting <An Act related to the policy administration  
9 of elections and voter registration and including  
10 effective date provisions.>

11 4. By renumbering, redesignating, and correcting  
12 internal references as necessary.

**By** JEFF DANIELSON

S-5107 FILED MARCH 31, 2014

ADOPTED

HOUSE FILE 2444

S-5109

1 Amend House File 2444, as passed by the House, as  
2 follows:

3 1. Page 1, line 6, by striking <receive and>  
COMMITTEE ON WAYS AND MEANS  
JOE BOLKCOM, CHAIRPERSON

S-5109 FILED MARCH 31, 2014