

9 available from the most recent federal decennial census. Every pre-
 10 cinct shall be contained wholly within an existing legislative district.
 11 No election precinct shall have a total population in excess of three
 12 thousand *five hundred*, as shown by the most recent federal decennial
 13 census, except that:

14 1. If in any area of the city it is not possible to devise a con-
 15 tiguous precinct having a population of less than three thousand *five*
 16 *hundred* by the most recent federal decennial census, because one or
 17 more of the smallest population units for which census data are avail-
 18 able are composed of noncontiguous territory, the city council may
 19 utilize other reliable and documented indicators of population dis-
 20 tribution in establishing precincts within that area.

1 SEC. 23. Section forty-nine point six (49.6), Code 1971, as
 2 amended by House File one hundred nineteen (119),* section three
 3 (3), of the Sixty-fourth General Assembly, First Session, is amended
 4 as follows:

5 **49.6 Power to combine township and city precincts.** The board of
 6 supervisors and the council of any town or city of less than thirty-five
 7 hundred inhabitants, not including the inmates of any state institu-
 8 tion, may combine any part of the township outside of such city with
 9 any or all the wards or precincts thereof as one election precinct, or
 10 change or abolish such precinct. No precinct so created shall have a
 11 total population in excess of three thousand *five hundred*, as shown by
 12 the most recent federal decennial census.

Approved June 30, 1971.

*Ch. 99, §§1-3.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes. However, see Editor's note, page iii.

CHAPTER 99†

ELECTION PRECINCTS

H. F. 119

AN ACT relating to election precincts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section forty-nine point four (49.4), Code 1971, is
 2 amended as follows:

3 **49.4 Change in precincts by supervisors — size limitation.** The
 4 board of supervisors may divide a township, or part thereof, into two
 5 or more precincts, or change or abolish such division. The board of
 6 supervisors may also combine two or more contiguous townships into
 7 one election precinct, subject to the provisions of this section. An
 8 order establishing precincts shall define their boundaries.

9 No election precinct shall have a total population in excess of three
 10 thousand,* as shown by the most recent federal decennial census.
 11 Where a civil township, or the portion of a civil township outside the
 12 corporate limits of any or all cities and towns located wholly or par-
 13 tially within the boundaries of such township, is divided into two or
 14 more election precincts, the populations of each such precinct shall be
 15 as nearly equal as possible within the limitations of availability of
 16 suitable polling places and of reliable data on the populations of vari-
 17 ous parts of such township, and the boundaries of each precinct so

*Amended by ch. 98, §21.

†See Editor's note, page iii.

18 established shall follow the boundaries of areas for which official
 19 population figures are available from the most recent federal decen-
 20 nial census. Every precinct shall be contained wholly within an ex-
 21 isting legislative district as established by law, and where an unavoid-
 22 able conflict arises between this requirement and the requirement that
 23 the populations of any two precincts shall be as nearly equal as pos-
 24 sible, the requirement that each precinct shall be contained wholly
 25 within an existing legislative district shall take precedence. The
 26 board of supervisors shall make any changes necessary to comply
 27 with this section no earlier than July first and not later than Decem-
 28 ber thirty-first of each year immediately following a year in which
 29 the federal decennial census is taken, unless the general assembly
 30 by joint resolution establishes different dates for such compliance.
 31 Any or all of the publications required by section 49.11 may be made
 32 after December thirty-first if necessary.

33 Nothing in this section shall prohibit a board of supervisors which
 34 has complied with the applicable requirements of this section by
 35 December thirty-first of any year following a year in which the fed-
 36 eral decennial census is taken, from thereafter changing the bound-
 37 aries of any precinct in the manner and within the limitations pro-
 38 vided by this section at any time prior to or during the year in which
 39 the next federal decennial census is taken, if the board concludes that
 40 the changes in precinct boundaries are necessary to best serve the
 41 voters affected.

42 The secretary of state shall be notified when precinct boundary
 43 lines are changed and a map delineating the new boundary lines sup-
 44 plied.

1 SEC. 2. Section forty-nine point five (49.5), Code 1971, is
 2 amended as follows:

3 **49.5 City precincts.** The council of a city may, from time to time,
 4 by ordinance definitely fixing the boundaries, divide the city into such
 5 number of election precincts as will best serve the convenience of the
 6 voters.

7 Election precincts shall be of as nearly equal population as possible
 8 within the limitations of reliable data on the populations of various
 9 parts of such city, and the boundaries of each precinct shall follow the
 10 boundaries of areas for which official population figures are available
 11 from the most recent federal decennial census. Every precinct shall be
 12 contained wholly within an existing legislative district. No election
 13 precinct shall have a total population in excess of three thousand,* as
 14 shown by the most recent federal decennial census, except that:

15 1. If in any area of the city it is not possible to devise a contiguous
 16 precinct having a population of less than three thousand by the
 17 most recent federal decennial census, because one or more of the
 18 smallest population units for which census data are available are
 19 composed of noncontiguous territory, the city council may utilize
 20 other reliable and documented indicators of population distribution
 21 in establishing precincts within that area.

22 2. Where an unavoidable conflict arises between the requirements
 23 of this section relating to population of precincts and the requirement
 24 that each precinct be contained wholly within an existing legislative

*Amended by ch. 98, §§22 and 28.

25 district, the latter requirement shall take precedence.

26 The council shall make any changes necessary to comply with this
27 section no earlier than July first and not later than December thirty-
28 first of each year immediately following a year in which the federal
29 decennial census is taken, unless the general assembly by joint reso-
30 lution establishes different dates for such compliance. Any or all of
31 the publications required by section 49.11 may be made after Decem-
32 ber thirty-first if necessary.

33 Nothing in this section shall prohibit a city council which has com-
34 plied with the applicable requirements of this section by December
35 thirty-first of any year following a year in which the federal decennial
36 census is taken, from thereafter changing the boundaries of any pre-
37 cinct in the manner and within the limitations provided by this sec-
38 tion, at any time prior to or during the year in which the next fed-
39 eral decennial census is taken, if the council concludes that the
40 changes in precinct boundaries are necessary to best serve the voters
41 affected.

42 The secretary of state shall be notified when precinct boundary
43 lines are changed and a map delineating the new boundary lines sup-
44 plied.

1 SEC. 3. Section forty-nine point six (49.6), Code 1971, is
2 amended as follows:

3 **49.6 Power to combine township and city precincts.** The board of
4 supervisors and the council of any town or city of less than thirty-five
5 hundred inhabitants, not including the inmates of any state institu-
6 tion, may combine any part of the township outside of such city with
7 any or all the wards or precincts thereof as one election precinct, or
8 change or abolish such precinct. No precinct so created shall have a
9 total population in excess of three thousand,* as shown by the most
10 recent federal decennial census.

1 SEC. 4. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in The Mus-
3 catine Journal, a newspaper published in Muscatine, Iowa, and in the
4 Times-Democrat, a newspaper published in Davenport, Iowa.

Approved April 5, 1971.

I hereby certify that the foregoing Act, House File 119, was published in The Musca-
tine Journal, Muscatine, Iowa, April 9, 1971, and in the Times-Democrat, Davenport,
Iowa, April 9, 1971.

MELVIN D. SYNHORST, *Secretary of State.*

*Amended by ch. 98, §23.

CHAPTER 100

ELECTION PRECINCTS

H. F. 230

AN ACT relating to election precincts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section forty-nine point seven (49.7), Code 1971, is
2 amended as follows:

3 **49.7 Portions of townships combined.** No precinct shall contain
4 different townships or parts thereof, except where *the board of super-*