

CHAPTER 176
POLITICAL ELECTIONS AND CAMPAIGN FINANCING

S.F. 545

AN ACT relating to registration, elections and the Iowa election campaign fund.

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

Section 1. Section 47.7, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. 4. Not later than July 1, 1984, information listed in section 48.6 contained in a county's manual records but not on the county's computer readable records shall be provided to the registrar in a form specified by the registrar. The registrar shall require that any information supplied under section 48.6, except subsections 9 and 11, be provided to the registrar in a form specified by the registrar.

Sec. 2. Chapter 48, Code 1983, is amended by adding the following new section:

NEW SECTION. The state board of regents shall provide access to the designated public portions of its university residence halls and lounges for a registrar, deputy registrar, mobile deputy registrar, person delivering voter registration forms provided in section 48.3 to register eligible electors, or a candidate. The state board of regents may establish reasonable restrictions on the time, manner and place of access by those registrars, persons and candidates.

Sec. 3. Section 48.6, subsection 12, Code 1983, is amended to read as follows:

12. Residential telephone number at the option of the applicant if available.

Sec. 4. Section 48.7, subsection 1, paragraph a, Code 1983, is amended to read as follows:

a. The qualified elector may submit to the commissioner a written notice of the change of name, telephone number, or address, bearing a form of the type provided for electors registering under section 48.3 providing for the elector's current name, telephone number, social security number and address and the elector's signature. Upon receipt of the notice form, the commissioner shall change the registration records accordingly and the change shall be reflected in the election registers prepared for the next election held ten or more days after receipt of the qualified elector's notice. If the notice form received by the commissioner does not contain the information regarding name and address necessary to properly update the registration records, the commissioner shall immediately send notice to the elector, by forwardable mail directed to the elector's last known address, that the elector's registration is defective. The commissioner's notice shall advise the elector of the corrections necessary.

Sec. 5. Section 49.77, subsection 2, Code 1983, is amended to read as follows:

2. One of the precinct election officials shall announce the elector's name aloud for the benefit of any persons present pursuant to section 49.104, subsections 2, 3 or 5. Any of those persons may upon request view the signed declarations of eligibility and may review the signed declarations on file so long as the person does not interfere with the functions of the precinct election officials.

Sec. 6. Section 53.2, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the application is for a primary election ballot and the request is for a ballot of a party different from that recorded on the qualified elector's voter registration record, the requested ballot shall be mailed or given to the applicant together with a "Change or Declaration of Party Affiliation" form as prescribed in section 43.42, to be completed by the qualified elector at the time of voting. Upon receipt of the properly completed form, the commissioner shall approve the change or declaration and enter a notation of the change on the registration records.

Sec. 7. Section 53.8, subsection 2, Code 1983, is amended to read as follows:

2. If an application is received so late that it is unlikely that the absentee ballot can be returned in time to be counted on election day, the commissioner shall enclose with the absentee ballot a statement to that effect. The statement shall also point out that it is possible for the applicant or the applicant's designee to personally deliver his the completed absentee ballot to the office of the commissioner at any time before the closing of the polls on election day.

Sec. 8. Section 56.18, Code 1983, is amended to read as follows:

56.18 CHECKOFF—INCOME TAX.

1. Any person whose state income tax liability for any taxable year is one dollar or more may direct that one dollar of such liability be paid over to the Iowa election campaign fund when submitting his or her state income tax return to the department of revenue. In the case of a joint return of husband and wife having a state income tax liability of two dollars or more, each spouse may direct that one dollar be paid to the fund. The director of revenue shall revise the income tax form to provide a space spaces on the face of the tax return and immediately above the signature lines which the taxpayer may use to designate that contributions made under this section be credited to a specified political party as defined by section 43.2, or to the Iowa election campaign fund as a contribution to be shared by all such political parties in the manner prescribed by section 56.19. The form shall inform the taxpayer ~~that when an individual chooses the latter alternative his or her one dollar contribution is shared by all eligible political parties of the consequences of the choices provided under this section,~~ but this information may be contained in a footnote or other suitable form if the director of revenue finds it is not feasible to place the information immediately above the signature line.

2. A person who directs that funds be paid over under subsection 1 to a specified political party or to be shared by political parties may direct that an additional two dollars be paid over to the choice made by that person in subsection 1. The additional two dollars shall not be paid over from the person's tax liability but shall first be subtracted from any refund due on the return. If no refund or an insufficient refund is due on the return, the tax liability of the person shall be increased by the balance of the additional two dollars. In the case of a joint return of husband and wife, each spouse may direct that an additional two dollars be paid over to the choice made by that person in subsection 1.

3. If the refund due on the return or the payment remitted with the return is insufficient to pay the additional two dollars designated by each taxpayer, the amount designated shall be reduced to the amount of refund or the amount remitted with the return that is greater than the taxes due under division II of chapter 422.

The action taken by a person for the checkoff is irrevocable.

However, before a checkoff pursuant to subsection 2 of the section shall be permitted, all liabilities on the books of the department of revenue, accounts identified as owing under section 421.17 and the checkoff permitted under section 107.16 shall be satisfied.

Sec. 9. Section 56.19, Code 1983, is amended to read as follows:

56.19 FUND CREATED. The "Iowa election campaign fund" is created within the office of the treasurer of state. The fund shall consist of funds paid by persons having an Iowa income tax liability as provided in section 56.18. The treasurer of state shall maintain within the fund a separate account for each political party as defined in section 43.2. The director of revenue shall remit funds collected as provided in section 56.18 to the treasurer of state who shall deposit such funds in the appropriate account within the Iowa election campaign fund. All contributions directed to the Iowa election campaign fund by taxpayers who do not designate any one political party to receive their contributions shall be divided by the director of revenue equally among each account currently maintained in the fund. However, at any time when more than two accounts are being maintained within the fund contributions to the fund by taxpayers who do not designate any one political party to receive their contributions shall be divided among the accounts in the same proportion as the number of qualified electors declaring affiliation with each political party for which an account is maintained bears to the total number of qualified electors who have declared an affiliation with a political party. Any interest income received by the treasurer of state from investment of moneys deposited in the fund shall be deposited in the Iowa election campaign fund. Such funds shall be subject to payment to the chairperson of the specified political party by the state comptroller in the manner provided by section 56.22.

Sec. 10.

1. Until January 1, 1984, the county commissioner of registration for each county shall accept lists of residential telephone numbers of qualified electors provided by the state central committees of political parties as defined in section 43.2. The county commissioner of registration shall enter those residential telephone numbers into its system of registration records for those qualified electors who do not have a residential telephone number listed in the registration records. If the political parties submit differing residential telephone numbers for a qualified elector having none listed, the commissioner may decline to enter any telephone number. The residential telephone numbers entered into the registration records shall be in a computer readable form specified by the registrar and provided to the registrar.

2. A county may file a claim by July 1, 1984 with the state registrar for its costs of entering and submitting telephone numbers under subsection 1, not exceeding fifteen cents per telephone number, for the residential telephone numbers submitted to the registrar. The voter registration commission shall adjust the charges made under section 47.8 by increasing them sufficiently to pay the filed claims by July 1, 1989. The claims shall be paid in the order received from the funds received from the increased charges as those funds become available.

3. The declaration of eligibility forms provided under section 49.77 and used in the primary and general elections in the years 1984 and 1986 shall contain a line, below the line for the elector's address, for the elector's residential telephone number. After the election the commissioner of registration shall review the declarations of eligibility and the registration records and correct or amend the records so that they contain the residential telephone number provided by the elector on the declaration of eligibility.* The telephone numbers, if added or changed, shall be provided to the state registrar in the same manner as if submitted under section 48.6.

Sec. 11. The provisions of section 8 of this Act shall be effective for tax years beginning on or after January 1, 1983 and to this extent, the provisions of this section are retroactive to January 1, 1983.

Approved June 3, 1983

*According to enrolled Act