

CHAPTER 165

ELECTIONS — PRIMARY ELECTIONS, POLITICAL PARTY CAUCUSES, THE STATEWIDE VOTER REGISTRATION SYSTEM, AND VOTER LISTS

H.F. 716

AN ACT relating to elections, including primary elections, political party caucuses, updates to the statewide voter registration system, and costs of preparing lists of voters.

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

Section 1. [Section 43.75](#), Code 2023, is amended to read as follows:

43.75 Tie vote.

1. In case of a tie vote resulting in no nomination for any office, except for senator or representative in the general assembly, the tie shall forthwith be determined by lot by the board of canvassers.

2. In case of a tie vote resulting in no nomination for a senator or representative in the general assembly, the party precinct committee members whose precincts lie within the senatorial or representative district involved shall select the winning candidate from among the candidates having received the equal and highest number of votes. The state party chairperson shall convene or reconvene such party precinct committee members as appropriate. The party's state constitution or bylaws may allow the voting strength of each precinct represented at such a convention to be made proportionate to the vote cast for the party's candidate for the office in question in the respective precincts at the last general election for that office.

Sec. 2. [Section 43.4, subsection 3](#), Code 2023, is amended to read as follows:

3. When the rules of a political party require the selection and reporting of delegates selected as part of the presidential nominating process, or the rules of a political party require the tabulation and reporting of the number of persons attending the caucus favoring each presidential candidate, it is the duty of a person designated as provided by the rules of that political party to report the results of the precinct caucus as directed by the state central committee of that political party. When the person designated to report the results of the precinct caucus reports the results, representatives of each candidate, if they so choose, may accompany the person as the results are being reported to assure that an accurate report of the proceedings is reported. If ballots are used at the precinct caucus, representatives of each candidate or other persons attending the precinct caucus may observe the tabulation of the results of the balloting. If the state central committee of a political party chooses to select its delegates as a part of the presidential nominating process at political party precinct caucuses on the date provided in [subsection 1](#), the precinct caucuses shall take place in person among the participants physically present at the location of each precinct caucus.

Sec. 3. [Section 43.91](#), Code 2023, is amended to read as follows:

43.91 Voter at caucus — qualifications.

1. Any person voting at a precinct caucus must be a person who is or will by the date of the next general election become an eligible elector, who has not already participated in the caucus of any political party within the same year, and who is a resident of the precinct. A list of the names and addresses of each person to whom a ballot was delivered or who was allowed to vote in each precinct caucus shall be prepared by the caucus chairperson and secretary who shall certify such list to the commissioner at the same time as the names of those elected as delegates and party committee members are so certified.

2. Notwithstanding [subsection 1](#), the state central committee of each political party may set rules for participation in or voting at a precinct caucus, including but not limited to voter registration requirements.

Sec. 4. [Section 47.7, subsection 3](#), Code 2023, is amended by striking the subsection.

Sec. 5. [Section 48A.38](#), Code 2023, is amended by adding the following new subsection:
NEW SUBSECTION. 4. The registrar may adjust the cost of preparation imposed pursuant to [subsection 1](#) to reflect the costs of processing a credit card payment by an amount not to exceed the cost of processing the credit card payment.

Approved June 1, 2023