

53.33 Unlawful return of ballot.

1. For the purposes of [this section](#):

a. “*Delivery agent*” means an individual registered to vote in this state who has been designated to return a completed absentee ballot to the commissioner by another registered voter who is unable to return the registered voter’s own absentee ballot due to reason of blindness or other disability. “*Delivery agent*” does not include the registered voter’s employer, an agent of the registered voter’s employer, an officer or agent of the registered voter’s union, or a person acting as an actual or implied agent for a political party as defined in [section 43.2](#), or a candidate or committee, as defined in [section 68A.102](#).

b. “*Immediate family member*” means an individual related to a registered voter within the fourth degree of consanguinity or affinity.

2. No person other than the registered voter, an individual who lives in the same household as the registered voter, an immediate family member of the registered voter, an individual acting in accordance with [section 53.22](#), or a delivery agent acting on behalf of a registered voter who is unable to return the registered voter’s own ballot due to reason of blindness or other disability, shall collect and return a completed absentee ballot.

3. A registered voter who is unable to return the registered voter’s own completed absentee ballot due to reason of blindness or any physical disability other than intoxication may designate a delivery agent to return the registered voter’s completed absentee ballot. The registered voter shall complete and sign a designation of delivery agent form prescribed by the state commissioner prior to surrendering a ballot to a delivery agent.

4. A delivery agent shall return no more than two completed absentee ballots per election. This limit shall apply to all elections occurring on the same calendar date.

5. A delivery agent shall fill out a receipt pursuant to [section 53.17, subsection 4](#), when retrieving a completed absentee ballot from a registered voter.

6. A delivery agent shall collect the registered voter’s designation of delivery agent form at the time the delivery agent collects the registered voter’s completed absentee ballot. The delivery agent shall deliver the registered voter’s designation of delivery agent form to the commissioner at the same time as the registered voter’s completed absentee ballot.

7. Notwithstanding any provision of law to the contrary, a delivery agent shall do all of the following when delivering a completed absentee ballot to the commissioner:

a. Deliver the completed absentee ballot in person to the commissioner’s office. The delivery agent shall not deliver the completed absentee ballot by mail or to a ballot drop box.

b. Present identification sufficient to establish identity pursuant to [section 49.78](#).

c. On a form prescribed by the state commissioner, the delivery agent shall provide the delivery agent’s full legal name, residential address, phone number, and electronic mail address, if applicable. The delivery agent shall also sign under penalty of perjury a statement in substantially the following form:

Under penalty of perjury, I hereby certify that I am a registered voter in the State of Iowa and not the employer, agent of the employer, or officer or agent of the union of the registered voter whose completed absentee ballot I am returning, or a person acting as an actual or implied agent for a political party as defined in [section 43.2](#), or a candidate or committee, as defined in [section 68A.102](#). I also certify that I am acting as the delivery agent of the registered voter whose completed absentee ballot I am returning, that I am returning the registered voter’s completed absentee ballot to the commissioner who issued the ballot, and that I have not altered or tampered with the ballot. I acknowledge that Iowa law prohibits delivery agents from returning more than two completed absentee ballots for all elections occurring on the same date. I have complied with Iowa law. I understand that if I provide false information on this form, I may be guilty of perjury, a class “D”

felony, and subject to a maximum prison term not to exceed five years and a fine of at least \$1,025 but not more than \$10,245.

[2021 Acts, ch 12, §65](#); [2021 Acts, ch 147, §43, 54](#)

Referred to in [§39A.4](#), [53.8](#), [53.17](#), [53.22](#), [53.49](#)