

DIVISION I
ADMINISTRATION
CHAPTER 1
DESCRIPTION OF ORGANIZATION
[Prior to 7/13/88, see Secretary of State[750], Ch 6]

721—1.1(17A) Central organization.

1.1(1) The secretary of state is the head of the agency. The secretary is an elected official elected for a term of four years. The secretary's office is on the first floor of the Statehouse, Des Moines, Iowa 50319, telephone number (515)281-6230. The secretary is assisted by the following appointed officials who are responsible to the secretary.

1.1(2) The deputy secretary of state is appointed by the secretary and performs such duties as the secretary may prescribe, including general supervision of all matters and personnel pertaining to the office. During the absence or disability of the secretary, or as directed by the secretary, the deputy possesses most of the powers and performs the duties of the secretary.

1.1(3) The secretary of state's office is an administrative and ministerial office performing the duties in the following rules.

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.2(17A) Corporations.

1.2(1) All matters involving corporations, profit and nonprofit, organized in Iowa or authorized to do business in Iowa, are handled by the business services division. The office issues all certificates of incorporation for new domestic corporations and issues certificates for authority and certificates of registration to do business in Iowa for foreign corporations. Also, certificates of good standing, amendments, mergers, certified copies of articles and other corporate papers are issued by the office.

1.2(2) The biennial report forms required of all corporations are sent from the office and upon return by the corporations are processed for accuracy and proper fee and kept for public record.

1.2(3) Any questions on corporations or procedures should be directed to the business services division located in the Lucas State Office Building, Des Moines, Iowa 50319. The telephone number is (515)281-5204.

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.3(17A) Uniform Commercial Code.

1.3(1) All matters pertaining to the secretary of state's responsibilities under the Uniform Commercial Code are processed by the business services division of the office. See 721—Chapter 30.

1.3(2) The business services division office is located in the Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319, and the telephone number is (515)281-5204.

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.4(17A) Elections.

1.4(1) The secretary of state is the state commissioner of elections and the deputy is the deputy state commissioner of elections.

1.4(2) There is an election department in the office under the supervision of a director of elections. The director is under the supervision of the state commissioner or the deputy.

1.4(3) The department is in contact with every county commissioner of elections and helps them with their questions, prescribes various uniform forms used in elections and makes rules and procedures as directed by the election laws.

1.4(4) All nomination papers for federal, statewide and legislative office are furnished by the department and the candidates file their nomination papers here. A certification of candidates is sent to the commissioner before the primary election.

1.4(5) All forms for the certifications of the election results are sent to the commissioners. The results are returned to the office to await the state canvass. The same procedure is used on constitutional amendments.

1.4(6) The election division is located in the main office on the first floor of the Statehouse and the telephone number is (515)281-5865.

721—1.5(17A) Land office.

1.5(1) The state land office is a part of the general office and is under the supervision of a land records officer. A record of all lands owned by the state of Iowa, the original land surveys and plats are part of the records.

1.5(2) Patents issued by the state of Iowa are prepared by the land office.

1.5(3) The land office is located in the general office on the first floor of the Statehouse, and the telephone number is (515)281-5864.

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.6(17A) Notaries public.

1.6(1) The business services division processes all applications for notary public commissions and on expiration of commissions sends out applications for renewal and processes their return. The commission is signed by the secretary of state.

1.6(2) The division also issues certificates of good standing upon the payment of the proper fee. Notaries public have statewide jurisdiction.

1.6(3) Notary public services are part of the business services division located in the Lucas State Office Building, Des Moines, Iowa 50319. The telephone number is (515)281-5204.

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.7(17A) Legislative division—enrolled bills. The secretary of state's office is the depository for all bills introduced in the legislature as well as all bills enacted into law and signed by the governor. Any bill that calls for publication is sent to the designated newspapers. The Constitution of Iowa and all amendments are kept in this office. For location see 1.1(1).

721—1.8(17A) Process agent. The secretary of state, by various chapters in the Iowa Code, is made the process agent upon whom the service of original notices in law suits may be made. The filing of the original notices is handled by the business services division. For location see 1.2(3).

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.9(17A) Oaths and bonds. Oaths of office, and bonds where required, for elected officials, appointed officials, and appointees to various boards and commissions are filed in the general office. The records officer is in charge of this function. For location and telephone number see 1.5(3).

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.10(17A) Joint governmental agreements. Joint governmental agreements under Iowa Code chapter 28E are filed, without charge, electronically through the secretary of state website.

[ARC 7059C, IAB 8/23/23, effective 9/27/23]

721—1.11 Reserved.

721—1.12(17A) Judiciary.

1.12(1) Under Iowa Code chapter 46 the justices of the supreme court, the judges of the district court and associate district court judges must notify the state commissioner of elections of their intention to stand for retention at the general election preceding the expiration of their term of office.

1.12(2) The state commissioner certifies to the commission the names of the justices, judges and associated district judge to be placed on the ballot in their county. The certification of election and the canvass of the vote are handled as described in 1.4(5).

1.12(3) When a vacancy occurs, or will occur, by resignation, the judge of supreme court or district court shall notify the state commissioner as well as the governor, and if the vacancy occurs because of death, the clerk of court of the county of the judge's residence shall notify the state commissioner as

well as the governor, and the state commissioner within 60 days shall notify the chairman of the proper nominating committee.

1.12(4) The governor shall notify the state commissioner of the appointive members of the state and district nominating committees and the clerk of the supreme court shall notify the state commissioner of the elective members of the state and district nominating committees. The deputy is in charge of this function. For location see subrule 1.1(1).

These rules are intended to implement Iowa Code chapter 17A.

[Filed 10/8/75, Notice 8/25/75—published 10/20/75, effective 11/24/75]

[Filed 11/30/83, Notice 10/12/83—published 12/21/83, effective 1/25/84]

[Filed 6/23/88, Notice 5/18/88—published 7/13/88, effective 8/17/88]

[Filed emergency 6/8/01—published 6/27/01, effective 7/1/01]

[Filed 12/30/05, Notice 11/23/05—published 1/18/06, effective 2/22/06]

[Filed ARC 7059C (Notice ARC 6886C, IAB 2/8/23), IAB 8/23/23, effective 9/27/23]