

House File 692

1 Amend House File 692, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 PROCEDURES FOR PROPOSED AMENDMENTS TO THE IOWA CONSTITUTION

6 Section 1. Section 49.43, subsection 2, Code 2019, is  
7 amended to read as follows:

8 2. Constitutional amendments and other public measures ~~may~~  
9 shall be summarized by the commissioner as provided in sections  
10 49.44 and 52.25.

11 Sec. 2. Section 49.44, subsection 1, Code 2019, is amended  
12 to read as follows:

13 1. When a proposed constitutional amendment or other public  
14 measure to be decided by the voters of the entire state is to  
15 be voted upon, the state commissioner shall prepare a written  
16 summary of the amendment or measure including the number of  
17 the amendment or statewide public measure assigned by the  
18 state commissioner. The summary shall be printed immediately  
19 preceding the text of the proposed amendment or measure on the  
20 paper ballot or optical scan ballot referred to in section  
21 49.43. If the complete text of the proposed amendment or  
22 public measure will not fit on the ballot it shall be posted  
23 inside the voting booth. A copy of the full text shall be  
24 included with any absentee ballots.

25 Sec. 3. Section 49A.1, Code 2019, is amended to read as  
26 follows:

27 **49A.1 Publication of proposed amendment.**

28 1. Whenever any proposition to amend the Constitution has  
29 passed the general assembly and been referred to the next  
30 succeeding legislature, the state commissioner of elections  
31 shall endeavor to cause the same to be published, once each  
32 month, in two newspapers of general circulation in each  
33 congressional district in the state, for the time required by  
34 the Constitution.

35 2. a. The legislative services agency shall maintain on

1 the internet site of the agency a list of all propositions  
2 to amend the Constitution as they are filed for each general  
3 assembly commencing on or after the effective date of this Act.  
4 Such lists shall include links to the text of the proposed  
5 amendments.

6 b. The legislative services agency shall maintain on the  
7 internet site of the agency separate lists for propositions to  
8 amend the Constitution that have been passed by one general  
9 assembly and by two consecutive general assemblies. Such lists  
10 shall include links to the text of the proposed amendments and  
11 shall be updated no later than one week after the conclusion of  
12 each session of the general assembly. A proposition to amend  
13 the Constitution published consistent with this paragraph shall  
14 be considered published as required by the Constitution.

15 Sec. 4. REPEAL. Sections 49A.10 and 49A.11, Code 2019, are  
16 repealed.

17 DIVISION II

18 ISSUANCE OF BONDS

19 Sec. 5. Section 49.45, Code 2019, is amended to read as  
20 follows:

21 **49.45 General form of ballot.**

22 1. Ballots referred to in section 49.43 shall be  
23 substantially in the following form:

24 Shall the following amendment to the Constitution (or public  
25 measure) be adopted?

26  Yes

27  No

28 (Here insert the summary, if it is for a constitutional  
29 amendment or statewide public measure, and in full the proposed  
30 constitutional amendment or public measure. The number  
31 assigned by the state commissioner or the letter assigned  
32 by the county commissioner shall be included on the ballot  
33 centered above the question, "Shall the following amendment to  
34 the Constitution [or public measure] be adopted?".)

35 2. A public measure to approve the issuance of a bond

1 pursuant to chapter 75 or 296 shall include on the ballot the  
2 current property tax levy, which shall immediately follow  
3 the proposed levy, and the term of the bond. Such a public  
4 measure shall also include on the ballot the average increase  
5 or decrease in the property tax burden of an average home in  
6 each county, as well as the average of such averages, according  
7 to data provided by the United States census bureau.

8 DIVISION III

9 SELF-PROMOTION WITH TAXPAYER FUNDS

10 Sec. 6. Section 68A.405A, subsection 1, paragraph b, Code  
11 2019, is amended by striking the paragraph.

12 Sec. 7. Section 68A.405A, Code 2019, is amended by adding  
13 the following new subsections:

14 NEW SUBSECTION. 3. For the purposes of this section,  
15 "*direct mass mailing*" means a mailing, regardless of whether  
16 the mailing was sent in response to a request or due to the  
17 recipient's enrollment in a program, the purpose of which is to  
18 attract public attention to a person, policy, product, service,  
19 program, initiative, law, legislation, event, or activity  
20 promoted by the statewide elected official that is all of the  
21 following:

22 a. Printed material delivered by the United States mail or  
23 other delivery service.

24 b. Sent to more than two hundred physical addresses.

25 c. Substantially similar or identical as regards each  
26 mailing.

27 d. Sent at the same time or within a thirty-day period.

28 NEW SUBSECTION. 4. For the purposes of this section,  
29 only moneys appropriated to the offices of the governor and  
30 lieutenant governor are considered under the control of the  
31 governor or lieutenant governor.

32 DIVISION IV

33 HOSPITAL BOARD OF TRUSTEES ELECTIONS

34 Sec. 8. Section 347.9, subsection 1, Code 2019, is amended  
35 to read as follows:

1 1. When it has been determined by the voters of a county  
2 to establish a county public hospital, the board shall appoint  
3 five or seven trustees chosen from among the resident citizens  
4 of the county with reference to their fitness for office.  
5 The appointed trustees shall hold office until the following  
6 general election, at which time their successors shall be  
7 elected, three for a term of four years and the remainder  
8 for a term of two years, and they shall determine by lot  
9 their respective terms, and thereafter their successors shall  
10 be elected for regular terms of four years each, except as  
11 provided in subsection 3.

12 Sec. 9. Section 347.9, Code 2019, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 3. Trustees in a county with a population  
15 of at least four hundred thousand shall serve for a term of six  
16 years. A trustee elected to a term of four years in or after  
17 January 2018 shall instead serve a term of six years.

18 Sec. 10. Section 347.10, Code 2019, is amended to read as  
19 follows:

20 **347.10 Vacancies.**

21 Vacancies on the board of trustees may, ~~until the next~~  
22 ~~general election,~~ be filled by appointment by the remaining  
23 members of the board of trustees or, if fewer than a  
24 majority of the trustees remain on the board, by the board of  
25 supervisors for the period until the vacancies are filled by  
26 election. An appointment made under this section shall be for  
27 the unexpired balance of the term of the preceding trustee. If  
28 a board member is absent for four consecutive regular board  
29 meetings, without prior excuse, or fails to comply with more  
30 stringent attendance requirements for regular board meetings  
31 included in the bylaws governing the board, the member's  
32 position shall be declared vacant and filled as set out in this  
33 section.

34 Sec. 11. HOSPITAL BOARD OF TRUSTEES ELECTIONS.

35 Notwithstanding section 347.9, for elections held pursuant to

1 section 347.9 in 2022 in which more than seventy percent of  
2 trustee positions on a board are on the ballot:

3 1. If there are seven trustees on the board:

4 a. If six trustees are to be elected, the four elected who  
5 receive the highest number of votes are elected for four-year  
6 terms. The remainder are elected for two-year terms. In case  
7 of a tie, the county auditor shall determine by lot which of  
8 the trustees with the lowest number of winning votes shall  
9 serve two-year terms and thereafter their successors shall be  
10 elected for regular terms as provided in section 347.9.

11 b. If five trustees are to be elected, the four elected who  
12 receive the highest number of votes are elected for four-year  
13 terms. The remaining trustee is elected for a two-year term.  
14 In case of a tie, the county auditor shall determine by lot  
15 which of the trustees with the lowest number of winning votes  
16 shall serve the two-year term and thereafter their successors  
17 shall be elected for regular terms as provided in section  
18 347.9.

19 2. If there are five trustees on the board, if four trustees  
20 are to be elected, the three elected who receive the highest  
21 number of votes are elected for four-year terms. The remaining  
22 trustee is elected for a two-year term. In case of a tie, the  
23 county auditor shall determine by lot which of the trustees  
24 with the lowest number of winning votes shall serve the  
25 two-year term and thereafter their successors shall be elected  
26 for regular terms as provided in section 347.9.

27 DIVISION V

28 TECHNICAL CHANGES

29 Sec. 12. Section 39A.3, subsection 1, paragraph a, Code  
30 2019, is amended by adding the following new subparagraph:

31 NEW SUBPARAGRAPH. (5) Falsely or fraudulently signs  
32 nomination papers on behalf of another person.

33 Sec. 13. Section 39A.3, subsection 1, Code 2019, is amended  
34 by adding the following new paragraph:

35 NEW PARAGRAPH. *c. Miscellaneous offenses.* Uses voter

1 registration information, including resale or redistribution  
2 of the voter registration list without written permission of  
3 the state registrar, for purposes other than those permitted  
4 by section 48A.39.

5 Sec. 14. Section 39A.4, subsection 1, paragraph c,  
6 subparagraph (5), Code 2019, is amended by striking the  
7 subparagraph.

8 Sec. 15. Section 39A.6, Code 2019, is amended to read as  
9 follows:

10 **39A.6 Technical infractions — notice.**

11 1. If the state commissioner or county commissioner becomes  
12 aware of an apparent technical violation of a provision of  
13 chapters 39 through 53, the state commissioner or county  
14 commissioner may administratively provide a written notice  
15 and letter of instruction to the responsible person regarding  
16 proper compliance procedures.

17 2. If the state commissioner sends a notice of such a  
18 technical infraction to a county commissioner, the state  
19 commissioner may require a written explanation of the  
20 occurrence, and measures that the person took to redress the  
21 issues contained within the notice.

22 3. This notice is not a final determination of facts or law  
23 in the matter, and does not entitle a person to a proceeding  
24 under chapter 17A.

25 Sec. 16. Section 43.14, subsection 1, Code 2019, is amended  
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *g.* The printed name, signature, address,  
28 and phone number of the person responsible for circulating the  
29 petition page. The petition page shall clearly indicate that a  
30 candidate circulating the page shall provide the information  
31 required by this paragraph.

32 Sec. 17. Section 43.14, subsection 2, Code 2019, is amended  
33 to read as follows:

34 2. *a.* Signatures on a petition page shall be counted only  
35 if the information required in subsection 1 is written or

1 printed at the top of the page.

2 b. Nomination papers on behalf of candidates for seats in  
3 the general assembly need only designate the number of the  
4 senatorial or representative district, as appropriate, and  
5 not the county or counties, in which the candidate and the  
6 petitioners reside.

7 c. A signature line shall not be counted if the line  
8 lacks the signature of the eligible elector and the signer's  
9 residential address, with street and number, if any, and city.  
10 A signature line shall not be counted if an eligible elector  
11 supplies only a partial address or a post office box address,  
12 or if the signer's address is obviously outside the boundaries  
13 of the district.

14 d. A signature line shall not be counted if any of the  
15 required information is crossed out or redacted at the time  
16 the nomination papers are filed with the state commissioner or  
17 commissioner.

18 Sec. 18. Section 43.14, subsection 4, Code 2019, is amended  
19 by adding the following new paragraph:

20 NEW PARAGRAPH. f. Any other information required by section  
21 43.18.

22 Sec. 19. Section 43.15, subsection 2, Code 2019, is amended  
23 to read as follows:

24 2. Each signer shall add the signer's ~~residence~~ residential  
25 address, with street and number, if any, and the date of  
26 signing.

27 Sec. 20. Section 43.22, unnumbered paragraph 1, Code 2019,  
28 is amended to read as follows:

29 The state commissioner shall, at least sixty-nine days  
30 before a primary election, or as soon as practicable if an  
31 objection under section 43.24 is pending, furnish to the  
32 commissioner of each county a certificate under the state  
33 commissioner's hand and seal, which certificate shall show:

34 Sec. 21. Section 43.24, subsection 1, paragraph b,  
35 subparagraphs (1) and (2), Code 2019, are amended to read as

1 follows:

2 (1) Those filed with the state commissioner, not less than  
3 seventy-four days before the date of the election, or for  
4 certificates of nomination filed under section 43.23, not less  
5 than sixty-nine days before the date of the election.

6 (2) Those filed with the commissioner, not less than  
7 ~~sixty-four~~ sixty-seven days before the date of the election, or  
8 for certificates of nomination filed under section 43.23, not  
9 less than sixty-two days before the date of the election.

10 Sec. 22. Section 45.5, subsection 1, Code 2019, is amended  
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *f.* The printed name, signature, address,  
13 and phone number of the person responsible for circulating the  
14 petition page.

15 Sec. 23. Section 45.5, subsection 2, Code 2019, is amended  
16 to read as follows:

17 2. *a.* Signatures on a petition page shall be counted only  
18 if the information required in subsection 1 is written or  
19 printed at the top of the page.

20 *b.* Nomination papers on behalf of candidates for seats in  
21 the general assembly need only designate the number of the  
22 senatorial or representative district, as appropriate, and  
23 not the county or counties, in which the candidate and the  
24 petitioners reside.

25 *c.* A signature line in a nomination petition shall not be  
26 counted if the line lacks the signature of the eligible elector  
27 and the signer's residential address, with street and number,  
28 if any, and city. A signature line shall not be counted if  
29 an eligible elector supplies only a partial address or a post  
30 office box address, or if the signer's address is obviously  
31 outside the boundaries of the appropriate ward, city, school  
32 district or school district director district, legislative  
33 district, or other district.

34 *d.* A signature line shall not be counted if any of the  
35 required information is crossed out or redacted at the time



1 the nomination papers are filed with the state commissioner or  
2 commissioner.

3 Sec. 24. Section 45.6, subsection 2, Code 2019, is amended  
4 to read as follows:

5 2. Each signer shall add the signer's ~~residence~~ residential  
6 address, with street and number, if any, and city.

7 Sec. 25. Section 47.1, subsection 6, Code 2019, is amended  
8 to read as follows:

9 6. The state commissioner may, at the state commissioner's  
10 discretion, examine the records of a commissioner to evaluate  
11 complaints and to ensure compliance with the provisions  
12 of chapters 39 through 53. This examination shall include  
13 assessments conducted or authorized by private or government  
14 entities to evaluate a county's security readiness for  
15 elections-related technology or physical facilities. The state  
16 commissioner shall adopt rules pursuant to chapter 17A to  
17 require a commissioner to provide written explanations related  
18 to examinations conducted pursuant to this subsection. Any  
19 information that is requested by or in the possession of the  
20 state commissioner pursuant to this chapter shall not lose its  
21 confidential status pursuant to section 22.7, subsection 50.

22 Sec. 26. Section 47.1, Code 2019, is amended by adding the  
23 following new subsections:

24 NEW SUBSECTION. 7. The state commissioner may share  
25 information a county provides to an appropriate government  
26 agency to safeguard against cybersecurity or physical threats.

27 NEW SUBSECTION. 8. The state commissioner may adopt rules  
28 pursuant to chapter 17A to create minimum security protocols  
29 applicable to county commissioners of elections. If a county  
30 fails to adhere to these protocols, the state commissioner may  
31 limit access to the statewide voter registration system.

32 Sec. 27. Section 47.2, Code 2019, is amended by adding the  
33 following new subsection:

34 NEW SUBSECTION. 7. The county commissioner of elections  
35 shall, to maintain election security, do all of the following:

1 a. When the county commissioner believes that a  
2 cybersecurity incident or data breach has occurred, the county  
3 commissioner shall immediately inform the state commissioner  
4 of elections.

5 b. If the county commissioner has no reason to believe  
6 that a cybersecurity incident or data breach has occurred,  
7 the county commissioner shall certify that fact to the state  
8 commissioner on an annual basis.

9 Sec. 28. Section 47.7, subsection 2, paragraph d, Code 2019,  
10 is amended to read as follows:

11 d. The state registrar shall prescribe by rule the  
12 procedures for access to the state voter registration file,  
13 ~~security requirements, and access protocols for adding,~~  
14 ~~changing, or deleting information from the state voter~~  
15 ~~registration file including all of the following:~~

16 (1) Access protocols for adding, changing, or deleting  
17 information from the state voter registration file.

18 (2) Training requirements for all state voter registration  
19 file users.

20 (3) Technology safeguards, including county information  
21 technology network requirements, necessary to access the state  
22 voter registration file.

23 (4) Breach incident response requirements and protocols on  
24 all matters related to elections.

25 Sec. 29. Section 47.7, subsection 2, Code 2019, is amended  
26 by adding the following new paragraph:

27 NEW PARAGRAPH. e. The state registrar may rescind access to  
28 the statewide voter registration file from a user who is not in  
29 compliance with the prescribed rules.

30 Sec. 30. Section 48A.9, subsection 4, Code 2019, is amended  
31 to read as follows:

32 4. Registration forms submitted to voter registration  
33 agencies, to motor vehicle driver's license stations, and to  
34 county treasurer's offices participating in county issuance of  
35 driver's licenses under chapter 321M shall be considered on

1 time if they are received no later than ~~5:00~~ 11:59 p.m. on the  
2 day registration closes for that election. Offices or agencies  
3 other than the county commissioner's office are not required  
4 to be open for voter registration purposes at times other than  
5 their usual office hours.

6 Sec. 31. Section 48A.26, subsection 1, Code 2019, is amended  
7 to read as follows:

8 1. *a.* Except as otherwise provided in ~~paragraph~~ paragraphs  
9 "b" and "c" of this subsection, or section 48A.26A, within seven  
10 working days of receipt of a voter registration form or change  
11 of information in a voter registration record the commissioner  
12 shall send an acknowledgment to the registrant at the mailing  
13 address shown on the registration form. The acknowledgment  
14 shall be sent by nonforwardable mail.

15 *b.* For a voter registration form or change of information  
16 in a voter registration record submitted at a precinct caucus,  
17 the commissioner shall send an acknowledgment within forty-five  
18 days of receipt of the form or change of information.

19 *c.* For a voter registration form or change of information in  
20 a voter registration record submitted within fourteen days of a  
21 regularly scheduled election, the commissioner shall send an  
22 acknowledgment within forty-eight hours of receipt of the form  
23 or change of information.

24 Sec. 32. Section 49.11, Code 2019, is amended by adding the  
25 following new subsection:

26 NEW SUBSECTION. 4. Notice of changes made pursuant to  
27 subsection 3 shall be reported to the state commissioner at  
28 least twenty-five days before the next election in which the  
29 temporary precinct will be active, or, for elections held  
30 pursuant to section 69.14 while the general assembly is in  
31 session or within forty-five days of the convening of a session  
32 of the general assembly, at least ten days before election day.

33 Sec. 33. Section 49.31, subsection 1, paragraph a, Code  
34 2019, is amended to read as follows:

35 *a.* All ballots shall be arranged with the names of

1 candidates for each office listed below the office title.  
2 For partisan elections the name of the political party or  
3 organization which nominated each candidate shall be listed  
4 after or below each candidate's name. The state commissioner  
5 may prescribe, and a county commissioner may use, uniform  
6 abbreviations for political parties and organizations.

7 Sec. 34. Section 49.57, subsection 2, Code 2019, is amended  
8 to read as follows:

9 2. After the name of each candidate for a partisan office  
10 the name of the candidate's political party shall be printed  
11 in at least six point type. The names of political parties  
12 and nonparty political organizations may be abbreviated on  
13 the remainder of the ballot if both the full name and the  
14 abbreviation appear in the voter instruction area of the  
15 ballot.

16 Sec. 35. Section 50.51, subsection 6, Code 2019, is amended  
17 to read as follows:

18 6. The state commissioner shall adopt rules, pursuant  
19 to chapter 17A, to implement this section, which may include  
20 the establishment of pilot programs related to post-election  
21 audits.

22 Sec. 36. NEW SECTION. 53.1A Rules.

23 The state commissioner shall adopt rules pursuant to chapter  
24 17A for the implementation of this chapter.

25 Sec. 37. Section 53.8, subsection 1, paragraph a,  
26 unnumbered paragraph 1, Code 2019, is amended to read as  
27 follows:

28 Upon receipt of an application for an absentee ballot  
29 and immediately after the absentee ballots are printed,  
30 but not more than twenty-nine days before the election, the  
31 commissioner shall mail an absentee ballot to the applicant  
32 within twenty-four hours, except as otherwise provided in  
33 subsection 3. When the United States post office is closed  
34 in observance of a federal holiday and is not delivering mail  
35 on the twenty-ninth day before the election, the first day to

1 mail absentee ballots is the next business day on which mail  
2 delivery is available. The absentee ballot shall be sent to  
3 the registered voter by one of the following methods:

4 Sec. 38. EFFECTIVE DATE. This division of this Act, being  
5 deemed of immediate importance, takes effect upon enactment.

6 DIVISION VI

7 MISCELLANEOUS PROVISIONS

8 Sec. 39. Section 54.9, Code 2019, is amended to read as  
9 follows:

10 **54.9 Compensation.**

11 The electors shall each receive a compensation of  
12 ~~five dollars~~ one-half of the federal general services  
13 administration's per diem rate for the relevant date and  
14 location for every day's attendance, and the same mileage as  
15 members of the general assembly which shall be paid from funds  
16 not otherwise appropriated from the general fund of the state.

17 Sec. 40. Section 68.9, subsection 1, Code 2019, is amended  
18 to read as follows:

19 1. When an impeachment is presented, the senate shall, ~~after~~  
20 ~~the hour of final adjournment of the legislature~~ as soon as  
21 practicable, be ~~forthwith~~ organized as a court of impeachment  
22 for the trial thereof, at the capitol.

23 Sec. 41. Section 68.14, Code 2019, is amended to read as  
24 follows:

25 **68.14 Compensation — fees — payment.**

26 The presiding officer and members of the senate, while  
27 sitting as a court of impeachment, and the managers elected  
28 by the house of representatives, shall ~~receive the sum of~~  
29 ~~six dollars each per day~~ be compensated the same as for a  
30 special session of the general assembly, but shall receive  
31 no additional compensation during a regular session of the  
32 general assembly, and shall be reimbursed for mileage expense  
33 in going from and returning to their places of residence by the  
34 ordinary traveled routes; the secretary, sergeant at arms, and  
35 all subordinate officers, clerks, and reporters, shall receive

1 such amount as shall be determined upon by a majority vote of  
2 the members of such court. The same fees shall be allowed to  
3 witnesses, to officers, and to other persons serving process or  
4 orders, as are allowed for like services in criminal cases, but  
5 no fees can be demanded in advance. The state treasurer shall,  
6 upon the presentation of certificates signed by the presiding  
7 officer and secretary of the senate, pay all of the foregoing  
8 compensations and the expenses of the senate incurred under the  
9 provisions of this chapter.

10 DIVISION VII

11 NOMINATIONS BY PETITION

12 Sec. 42. Section 43.20, subsection 1, Code 2019, is amended  
13 by striking the subsection and inserting in lieu thereof the  
14 following:

15 1. Nomination papers shall be signed by eligible electors as  
16 provided in section 45.1.

17 Sec. 43. Section 45.1, subsections 1, 2, 3, 4, 5, 6, 8, and  
18 9, Code 2019, are amended to read as follows:

19 1. Nominations for candidates for president and vice  
20 president, governor and lieutenant governor, and ~~for other~~  
21 ~~statewide elected offices~~ United States senator may be made by  
22 nomination petitions signed by not less than ~~one thousand five~~  
23 ~~hundred~~ four thousand eligible electors ~~residing in, including~~  
24 at least two hundred eligible electors from not less than ten  
25 counties of the state.

26 2. Nominations for candidates for a representative in  
27 the United States house of representatives may be made by  
28 nomination petitions signed by not less than ~~the number of~~  
29 ~~eligible electors equal to the number of signatures required in~~  
30 ~~subsection 1 divided by the number of congressional districts.~~  
31 ~~Signers of the petition shall be eligible electors who are~~  
32 ~~residents of the congressional district~~ two thousand eligible  
33 electors who are residents of the congressional district,  
34 including seventy-seven eligible electors from at least  
35 one-half of the counties in the congressional district.

1 3. Nominations for candidates for the state senate may  
2 be made by nomination petitions signed by not less than ~~one~~  
3 two hundred eligible electors who are residents of the senate  
4 district.

5 4. Nominations for candidates for the state house of  
6 representatives may be made by nomination petitions signed  
7 by not less than ~~fifty~~ one hundred eligible electors who are  
8 residents of the representative district.

9 5. Nominations for candidates for offices filled by the  
10 voters of a whole county may be made by nomination petitions  
11 signed by at least two hundred eligible electors who are  
12 residents of the county ~~equal in number to at least one percent~~  
13 ~~of the number of registered voters in the county on July 1 in~~  
14 ~~the year preceding the year in which the office will appear on~~  
15 ~~the ballot, or by at least two hundred fifty eligible electors~~  
16 ~~who are residents of the county, whichever is less.~~

17 6. Nominations for candidates for the office of county  
18 supervisor elected by the voters of a supervisor district may  
19 be made by nomination petitions signed by at least two hundred  
20 eligible electors who are residents of the supervisor district  
21 ~~equal in number to at least one percent of the number of~~  
22 ~~registered voters in the supervisor district on July 1 in the~~  
23 ~~year preceding the year in which the office will appear on the~~  
24 ~~ballot, or by at least one hundred fifty eligible electors who~~  
25 ~~are residents of the supervisor district, whichever is less.~~

26 8. Nominations for candidates for elective offices in  
27 cities where the council has adopted nominations under this  
28 chapter may be submitted as follows:

29 a. Except as otherwise provided in subsection 9, in cities  
30 having a population of ~~three thousand five hundred~~ twenty  
31 thousand or greater according to the most recent federal  
32 decennial census, nominations may be made by nomination papers  
33 signed by not less than ~~twenty-five~~ one hundred eligible  
34 electors who are residents of the city or ward.

35 b. In cities having a population of ~~one hundred~~ five

1 thousand or greater, but less than ~~three thousand five hundred~~  
2 twenty thousand, according to the most recent federal decennial  
3 census, nominations may be made by nomination papers signed by  
4 not less than ~~ten~~ fifty eligible electors who are residents of  
5 the city or ward.

6 c. In cities having a population ~~less than one hundred one~~  
7 thousand or greater, but less than five thousand, according  
8 to the most recent federal decennial census, nominations may  
9 be made by nomination papers signed by not less than five  
10 twenty-five eligible electors who are residents of the city.

11 d. In cities having a population less than one thousand,  
12 according to the most recent federal decennial census,  
13 nominations may be made by nomination papers signed by not less  
14 than ten eligible electors who are residents of the city.

15 9. Nominations for ~~candidates, other than partisan~~  
16 ~~candidates, for elective offices~~ the office of mayor, alderman  
17 at large, and ward alderman in special charter cities subject  
18 to section 43.112 may be ~~submitted as follows:~~ made by  
19 nomination papers signed by not less than one hundred eligible  
20 electors residing in the city.

21 a. ~~For the office of mayor and alderman at large,~~  
22 ~~nominations may be made by nomination papers signed by eligible~~  
23 ~~electors residing in the city equal in number to at least two~~  
24 ~~percent of the total vote received by all candidates for mayor~~  
25 ~~at the last preceding city election.~~

26 b. ~~For the office of ward alderman, nominations may be made~~  
27 ~~by nomination papers signed by eligible electors residing in~~  
28 ~~the ward equal in number to at least two percent of the total~~  
29 ~~vote received by all candidates for ward alderman in that ward~~  
30 ~~at the last preceding city election.~~

31 Sec. 44. Section 45.1, Code 2019, is amended by adding the  
32 following new subsection:

33 NEW SUBSECTION. 02. Nominations for candidates for  
34 statewide offices other than those listed in subsection 1 may  
35 be made by nomination petitions signed by not less than two



1 thousand five hundred eligible electors, including at least one  
2 hundred twenty-five eligible electors from not less than ten  
3 counties of the state.

4 DIVISION VIII

5 CONDUCT OF ELECTIONS

6 Sec. 45. Section 39.2, subsection 4, paragraphs a, b, and c,  
7 Code 2019, are amended to read as follows:

8 a. For a county, ~~on the day of the general election, on~~  
9 ~~the day of the regular city election, on the date of a special~~  
10 ~~election held to fill a vacancy in the same county, or on the~~  
11 ~~first Tuesday in March in an odd-numbered year,~~ the first  
12 Tuesday in May March, ~~or the first~~ second Tuesday in August  
13 ~~of each year~~ September, ~~or the first Tuesday after the first~~  
14 Monday in November. For a county, in an even-numbered year,  
15 the first Tuesday in March or the second Tuesday in September.

16 b. For a city, ~~on the day of the general election, on the~~  
17 ~~day of the regular city election, on the date of a special~~  
18 ~~election held to fill a vacancy in the same city, or on the~~  
19 ~~first Tuesday in March in an odd-numbered year,~~ the first  
20 Tuesday in May March, ~~or the first~~ second Tuesday in August  
21 ~~of each year~~ September, ~~or the first Tuesday after the first~~  
22 Monday in November. For a city, in an even-numbered year, the  
23 first Tuesday in March or the second Tuesday in September.

24 c. For a school district or merged area, in the odd-numbered  
25 year, the first Tuesday in February March, ~~the first Tuesday in~~  
26 ~~April,~~ the last second Tuesday in June September, ~~or the second~~  
27 first Tuesday after the first Monday in September November.  
28 For a school district or merged area, in the even-numbered  
29 year, the first Tuesday in February, ~~the first Tuesday in~~  
30 ~~April~~ March, ~~or the second Tuesday in September,~~ ~~or the second~~  
31 ~~Tuesday in December.~~

32 Sec. 46. Section 39.12, Code 2019, is amended to read as  
33 follows:

34 **39.12 Failure to vacate.**

35 An elected official who has been elected to another elective

1 office to which section 39.11 applies shall choose only one  
2 office in which to serve. The official shall resign from all  
3 but one of the offices to which section 39.11 applies before  
4 the beginning of the term of the office to which the person  
5 was most recently elected. Failure to submit the required  
6 resignation will result in a vacancy in ~~all~~ the first elective  
7 ~~offices~~ office to which the person was elected.

8 Sec. 47. Section 43.11, subsection 1, Code 2019, is amended  
9 to read as follows:

10 1. For an elective county office, in the office of the  
11 county commissioner not earlier than ninety-two days nor later  
12 than 5:00 p.m. on the ~~sixty-ninth~~ seventy-fourth day before the  
13 day fixed for holding the primary election.

14 Sec. 48. Section 43.16, subsection 2, paragraph b, Code  
15 2019, is amended to read as follows:

16 b. A person who has filed nomination papers with the  
17 commissioner may withdraw as a candidate not later than the  
18 ~~sixty-seventh~~ sixty-ninth day before the primary election by  
19 notifying the commissioner in writing.

20 Sec. 49. Section 43.23, Code 2019, is amended to read as  
21 follows:

22 **43.23 Death or withdrawal of primary candidate.**

23 1. If a person who has filed nomination papers with the  
24 state commissioner as a candidate in a primary election dies  
25 or withdraws up to the seventy-sixth day before the primary  
26 election, the appropriate convention or central committee of  
27 that person's political party may designate one ~~additional~~  
28 primary election candidate for the nomination that person  
29 was seeking, if the designation is submitted to the state  
30 commissioner in writing by 5:00 p.m. on the seventy-first day  
31 before the date of the primary election. The name of any  
32 candidate so submitted shall be included in the appropriate  
33 certificate or certificates furnished by the state commissioner  
34 under section 43.22.

35 2. If a person who has filed nomination papers with the

1 commissioner as a candidate in a primary election dies or  
2 withdraws up to the ~~sixty-seventh~~ sixty-ninth day before  
3 the primary election, the appropriate convention or central  
4 committee of that person's political party may designate one  
5 ~~additional~~ primary election candidate for the nomination  
6 that person was seeking, if the designation is submitted to  
7 the commissioner in writing by 5:00 p.m. on the ~~sixty-third~~  
8 sixty-fourth day before the primary election. The name of  
9 any candidate so submitted shall be placed on the appropriate  
10 ballot or ballots by the commissioner.

11 Sec. 50. Section 43.30, subsection 2, Code 2019, is amended  
12 to read as follows:

13 2. The commissioner shall make sample ballots available to  
14 the public upon request. The sample ballots shall be clearly  
15 marked as sample ballots. A reasonable fee may be charged for  
16 printing costs if a person requests multiple copies of sample  
17 ballots. The commissioner shall not distribute sample ballots  
18 except as provided in this subsection.

19 Sec. 51. Section 43.36, Code 2019, is amended to read as  
20 follows:

21 **43.36 Australian ballot.**

22 The Australian ballot system as now used in this state,  
23 except as herein modified, shall be used at said primary  
24 election. The endorsement of the precinct election officials  
25 and the ~~facsimile of the commissioner's signature~~ county  
26 seal shall appear upon the ballots as provided for general  
27 elections.

28 Sec. 52. Section 43.78, subsection 2, Code 2019, is amended  
29 to read as follows:

30 2. The name of any candidate designated to fill a vacancy  
31 on the general election ballot in accordance with subsection  
32 1, paragraph "a", "b", or "c" shall be submitted in writing  
33 to the state commissioner not later than 5:00 p.m. on the  
34 ~~seventy-third~~ seventy-sixth day before the date of the general  
35 election.

1     Sec. 53. Section 43.79, Code 2019, is amended to read as  
2 follows:

3     **43.79 Death of candidate after time for withdrawal.**

4     The death of a candidate nominated as provided by law for any  
5 office to be filled at a general election, during the period  
6 beginning on the ~~eighty-first~~ seventy-fifth day before the  
7 general election, in the case of any candidate whose nomination  
8 papers were filed with the state commissioner, or beginning  
9 on the seventy-third day before the general election, in the  
10 case of any candidate whose nomination papers were filed with  
11 the commissioner, and ending ~~on the last day before~~ at the  
12 time the polls close on the day of the general election shall  
13 not operate to remove the deceased candidate's name from the  
14 general election ballot. If the deceased candidate was seeking  
15 the office of senator or representative in the Congress of  
16 the United States, governor, attorney general, senator or  
17 representative in the general assembly or county supervisor,  
18 section 49.58 shall control. If the deceased candidate was  
19 seeking any other office, and as a result of the candidate's  
20 death a vacancy is subsequently found to exist, the vacancy  
21 shall be filled as provided by chapter 69.

22     Sec. 54. Section 44.1, Code 2019, is amended to read as  
23 follows:

24     **44.1 Political nonparty organizations.**

25     Any convention or caucus of eligible electors representing  
26 a political organization which is not a political party as  
27 defined by law, may, for the state, or for any division or  
28 municipality thereof, or for any county, or for any subdivision  
29 thereof, for which such convention or caucus is held, make one  
30 nomination of a candidate for each office to be filled therein  
31 at the general election. However, in order to qualify for  
32 any nomination made for a statewide elective office by such  
33 a political organization there shall be in attendance at the  
34 convention or caucus where the nomination is made a minimum of  
35 ~~two hundred fifty~~ five hundred eligible electors including at

1 least one eligible elector from each of twenty-five counties.  
2 In order to qualify for any nomination to the office of United  
3 States representative there shall be in attendance at the  
4 convention or caucus where the nomination is made a minimum  
5 of ~~fifty~~ two hundred eligible electors who are residents of  
6 the congressional district including at least one eligible  
7 elector from each of at least one-half of the counties of  
8 the congressional district. In order to qualify for any  
9 nomination to an office to be filled by the voters of a county  
10 or of a city there shall be in attendance at the convention or  
11 caucus where the nomination is made a minimum of ~~ten~~ twenty  
12 eligible electors who are residents of the county or city,  
13 as the case may be, including at least one eligible elector  
14 from at least one-half of the voting precincts in that county  
15 or city. In order to qualify for any nomination made for  
16 the general assembly there shall be in attendance at the  
17 convention or caucus where the nomination is made a minimum  
18 of ~~ten~~ twenty-five eligible electors who are residents of the  
19 representative district or ~~twenty~~ fifty eligible electors who  
20 are residents of the senatorial district, as the case may be,  
21 with at least one eligible elector from one-half of the voting  
22 precincts in the district in each case. The names of all  
23 delegates in attendance at such convention or caucus and such  
24 fact shall be certified to the state commissioner together with  
25 the other certification requirements of this chapter.

26 Sec. 55. Section 44.4, Code 2019, is amended to read as  
27 follows:

28 **44.4 Nominations and objections — time and place of filing.**

29 1. a. Nominations made pursuant to this chapter and  
30 chapter 45 which are required to be filed in the office of the  
31 state commissioner shall be filed in that office not more than  
32 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~  
33 eighty-first day before the ~~date of the general election to be~~  
34 held in November first Tuesday after the first Monday in June  
35 in each even-numbered year. Nominations made for a special

1 election called pursuant to section 69.14 shall be filed by  
2 5:00 p.m. not less than twenty-five days before the date of  
3 an election called upon at least forty days' notice and not  
4 less than fourteen days before the date of an election called  
5 upon at least eighteen days' notice. Nominations made for  
6 a special election called pursuant to section 69.14A shall  
7 be filed by 5:00 p.m. not less than twenty-five days before  
8 the date of the election. Nominations made pursuant to this  
9 chapter and chapter 45 which are required to be filed in the  
10 office of the commissioner shall be filed in that office not  
11 more than ninety-two days nor later than 5:00 p.m. on the  
12 ~~sixty-ninth~~ seventy-fourth day before the ~~date of the general~~  
13 ~~election~~ first Tuesday after the first Monday in June in each  
14 even-numbered year. Nominations made pursuant to this chapter  
15 or chapter 45 for city office shall be filed not more than  
16 seventy-two days nor later than 5:00 p.m. on the forty-seventh  
17 day before the city election with the county commissioner  
18 of elections responsible under section 47.2 for conducting  
19 elections held for the city, who shall process them as provided  
20 by law.

21 b. Notwithstanding paragraph "a", nominations for president  
22 and vice president of the United States shall be filed in the  
23 office of the state commissioner not more than ninety-nine days  
24 nor later than 5:00 p.m. on the eighty-first day before the  
25 date of the general election to be held in November.

26 2. a. Objections to the legal sufficiency of a certificate  
27 of nomination or nomination petition or to the eligibility  
28 of a candidate may be filed by any person who would have the  
29 right to vote for a candidate for the office in question.

30 The objections must be filed with the officer with whom the  
31 certificate or petition is filed and within the following time:

32 (1) Those filed with the state commissioner, not less than  
33 ~~sixty-eight~~ seventy-four days before the date of the election.

34 (2) Those filed with the commissioner, not less than  
35 sixty-four days before the date of the election, except as

1 provided in subparagraph (3).

2 (3) Those filed with the commissioner for an elective city  
3 office, at least forty-two days before the regularly scheduled  
4 or special city election. However, for those cities that may  
5 be required to hold a primary election, at least sixty-three  
6 days before the regularly scheduled or special city election.

7 (4) In the case of nominations to fill vacancies occurring  
8 after the time when an original nomination for an office is  
9 required to be filed, objections shall be filed within three  
10 days after the filing of the certificate.

11 b. Objections shall be filed no later than 5:00 p.m. on the  
12 final date for filing.

13 Sec. 56. Section 44.9, subsections 1 and 2, Code 2019, are  
14 amended to read as follows:

15 1. In the office of the state commissioner, ~~at least~~  
16 ~~sixty-eight days before the date of the election~~ as provided  
17 in section 43.76.

18 2. In the office of the appropriate commissioner, ~~at least~~  
19 ~~sixty-four days before the date of the election, except as~~  
20 ~~otherwise provided in subsection 6~~ as provided in section  
21 43.76.

22 Sec. 57. Section 47.2, Code 2019, is amended by adding the  
23 following new subsection:

24 NEW SUBSECTION. 7. The county commissioner shall not  
25 participate in an absentee ballot drive or collection effort in  
26 cooperation with a candidate, candidate's committee, political  
27 party, or nonparty political organization.

28 Sec. 58. NEW SECTION. 47.12 **Electronic poll books —**  
29 **mandatory.**

30 Each county commissioner of elections shall, by February 26,  
31 2020, ensure that each election precinct uses an electronic  
32 poll book.

33 Sec. 59. Section 48A.9, subsection 1, Code 2019, is amended  
34 to read as follows:

35 1. Registration closes at 5:00 p.m. eleven days before each

1 ~~election except general elections. For general elections,~~  
2 ~~registration closes at 5:00 p.m. ten days before the election.~~  
3 An eligible elector may register during the time registration  
4 is closed in the elector's precinct but the registration shall  
5 not become effective until registration opens again in the  
6 elector's precinct, except as otherwise provided in section  
7 48A.7A.

8       Sec. 60. NEW SECTION. **49.2 Oversight by the state**  
9 **commissioner.**

10       The state commissioner, or a designee of the state  
11 commissioner, may, at the discretion of the state commissioner,  
12 oversee the activities of a county commissioner of elections  
13 during a period beginning sixty days before an election and  
14 ending sixty days after an election. For the purposes of this  
15 section, "oversee" means to observe election-related activity,  
16 correct any activity not in accordance with law, and issue a  
17 written notice and instructions pursuant to section 39A.6 for  
18 any technical infractions that are observed.

19       Sec. 61. Section 49.21, Code 2019, is amended by adding the  
20 following new subsection:

21       NEW SUBSECTION. 4. The commissioner shall remove or obscure  
22 from the view of voters any material displaying the name of a  
23 candidate or elected official other than a ballot or sample  
24 ballot or envelope.

25       Sec. 62. NEW SECTION. **49.42B Form of official ballot —**  
26 **candidates for president and vice president.**

27       When candidates for president and vice president of the  
28 United States appear on the ballot, the following statement  
29 shall appear directly above the section of the ballot listing  
30 such candidates:

31       [A ballot cast for the named candidates for president  
32 and vice president of the United States is considered to be  
33 cast for the slate of presidential electors nominated by  
34 the political party, nonparty political organization, or  
35 independent candidate.]



1     Sec. 63. NEW SECTION.   **49.49 Certain sample ballots**  
2 **prohibited.**

3     The commissioner and state commissioner of elections shall  
4 not distribute or authorize the distribution of sample ballots  
5 to voters other than as provided in sections 49.53 and 52.29.

6     Sec. 64. Section 49.51, Code 2019, is amended to read as  
7 follows:

8     **49.51 Commissioner to control printing.**

9     The commissioner shall have charge of the printing of the  
10 ballots to be used for any election held in the county, unless  
11 the commissioner delegates that authority as permitted by this  
12 section. The commissioner may delegate this authority only  
13 to another commissioner who is responsible under section 47.2  
14 for conducting the elections held for a political subdivision  
15 which lies in more than one county, and only with respect to  
16 printing of ballots containing only public questions or the  
17 names of candidates to be voted upon by the registered voters  
18 of that political subdivision. Only one ~~facsimile signature~~  
19 county seal, that of the county of the commissioner under  
20 whose direction the ballot is printed, shall appear on the  
21 ballot. It is the duty of the commissioner to insure that the  
22 arrangement of any ballots printed under the commissioner's  
23 direction conforms to all applicable requirements of this  
24 chapter.

25     Sec. 65. Section 49.57, subsection 6, Code 2019, is amended  
26 to read as follows:

27     6. A portion of the ballot shall include the words "Official  
28 ballot", the unique identification number or name assigned by  
29 the commissioner to the ballot style, the date of the election,  
30 and a ~~facsimile of the signature~~ the county seal of the county  
31 of the commissioner who has caused the ballot to be printed  
32 pursuant to section 49.51.

33     Sec. 66. Section 49.58, subsection 1, Code 2019, is amended  
34 to read as follows:

35     1. If any candidate nominated by a political party,

1 as defined in section 43.2, for the office of senator or  
2 representative in the Congress of the United States, governor,  
3 attorney general, or senator or representative in the general  
4 assembly dies during the period beginning on the ~~eighty-eighth~~  
5 eighty-first day and ending at the time the polls close on the  
6 ~~last day before~~ of the general election, or if any candidate  
7 so nominated for the office of county supervisor dies during  
8 the period beginning on the ~~seventy-third~~ seventy-fourth day  
9 and ending at the time the polls close on the ~~last day before~~  
10 of the general election, the vote cast at the general election  
11 for that office shall not be canvassed as would otherwise be  
12 required by chapter 50. Instead, a special election shall be  
13 held on the first Tuesday after the second Monday in December,  
14 for the purpose of electing a person to fill that office.

15 Sec. 67. Section 49.73, subsection 2, Code 2019, is amended  
16 to read as follows:

17 2. a. The commissioner shall not shorten voting hours for  
18 any election if there is filed in the commissioner's office, at  
19 least twenty-five days before the election, a petition signed  
20 by at least fifty eligible electors of the school district  
21 or city, as the case may be, requesting that the polls be  
22 opened not later than 7:00 a.m. All polling places where the  
23 candidates of or any public question submitted by any one  
24 political subdivision are being voted upon shall be opened at  
25 the same hour, except that this requirement shall not apply  
26 to merged areas established under chapter 260C. The hours at  
27 which the respective precinct polling places are to open shall  
28 not be changed after publication of the notice required by  
29 section 49.53. The polling places shall be closed at ~~9:00 p.m.~~  
30 ~~for state primary and general elections and other partisan~~  
31 ~~elections, and for any other election held concurrently~~  
32 ~~therewith, and at 8:00 p.m. for all other elections.~~

33 b. The legislative services agency shall place on the  
34 internet site of the agency information regarding the opening  
35 and closing times of polling places until and including

1 November 7, 2023. This paragraph is repealed effective July  
2 1, 2024.

3 Sec. 68. Section 49.82, Code 2019, is amended to read as  
4 follows:

5 **49.82 Voter to receive one ballot — endorsement.**

6 When an empty voting booth is available, one of the precinct  
7 election officials shall endorse the official's initials on  
8 each ballot the voter will receive. The initials shall be  
9 placed so that they may be seen when the ballot is properly  
10 folded or enclosed in a secrecy folder. The name or signature  
11 of the commissioner shall not appear on the ballot except as  
12 part of the list of candidates when the commissioner is a  
13 candidate for election. The official shall give the voter one  
14 and only one of each of the ballots to be voted at that election  
15 in that precinct, except as provided by section 49.100. No  
16 ballot without the required official endorsement shall be  
17 placed in the ballot box.

18 Sec. 69. Section 49A.6, Code 2019, is amended to read as  
19 follows:

20 **49A.6 Certification — sample ballot.**

21 The state commissioner of elections shall, not less than  
22 ~~sixty-nine~~ sixty-three days preceding any election at which a  
23 constitutional amendment or public measure is to be submitted  
24 to a vote of the entire people of the state, transmit to the  
25 county commissioner of elections of each county a certified  
26 copy of the amendment or measure and a sample of the ballot to  
27 be used in such cases, prepared in accordance with law.

28 Sec. 70. Section 50.44, Code 2019, is amended to read as  
29 follows:

30 **50.44 Tie vote.**

31 1. If Except as otherwise provided in this subsection,  
32 if more than the requisite number of persons, including  
33 presidential electors, are found to have an equal and the  
34 highest number of votes, the election of one of them shall be  
35 determined by lot. The name of each of such candidates shall

1 be written on separate pieces of paper, as nearly uniform in  
2 size and material as possible, and placed in a receptacle so  
3 that the names cannot be seen. In the presence of the board of  
4 canvassers, one of them shall publicly draw one of such names,  
5 and such person shall be declared elected. The result of such  
6 drawing shall be entered upon the abstract of votes and duly  
7 recorded, and a certificate of election issued to such person,  
8 as provided in this chapter.

9 2. If more than the requisite number of candidates for  
10 United States senator or representative to the United States  
11 house of representatives are found to have an equal and highest  
12 number of votes, a special election shall be held sixty-six  
13 days after the final canvass or recount, whichever is later,  
14 in which each such candidate shall be the only candidates on  
15 the ballot.

16 3. If more than the requisite number of candidates for  
17 a statewide elected office, member of the general assembly,  
18 member of a board of supervisors, or a partisan office to  
19 be filled by a vote of the residents of a whole county, are  
20 found to have an equal and highest number of votes, a special  
21 election shall be held consistent with section 69.14, in which  
22 each such candidate shall be the only candidates on the ballot.

23 4. If more than the requisite number of presidential  
24 electors are found to have an equal and the highest number of  
25 votes, the presidential electors shall be assigned one-half  
26 to each candidate. If there is an odd number of presidential  
27 electors, the remaining elector shall be assigned by lot.

28 Sec. 71. Section 50.48, subsection 3, Code 2019, is amended  
29 by adding the following new paragraph:

30 NEW PARAGRAPH. c. In addition to the persons listed in  
31 paragraph "a", the candidate requesting the recount and the  
32 apparent winning candidate may each submit a request to a  
33 commissioner from a county other than the county conducting the  
34 recount to be present at the recount. Such a commissioner may  
35 report any irregularities observed by the commissioner at any

1 time after the election to the state commissioner.

2 Sec. 72. Section 50.48, subsection 4, paragraph b, Code  
3 2019, is amended to read as follows:

4 b. Any member of the recount board may at any time during  
5 the recount proceedings for an election for a statewide  
6 elected official as defined in section 68B.2 or a United States  
7 senator extend the recount of votes cast for the office or  
8 nomination in question to any other precinct or precincts in  
9 the same county, or from which the returns were reported to  
10 the commissioner responsible for conducting the election,  
11 without the necessity of posting additional bond. The recount  
12 proceedings for an election for any other office shall include  
13 all precincts in which a ballot for the election was cast.

14 Sec. 73. NEW SECTION. 50.52 Enforcement.

15 Members of local law enforcement agencies and the state  
16 patrol are authorized to take all reasonable actions to prevent  
17 violations of this chapter.

18 Sec. 74. Section 53.2, subsection 4, paragraph b, Code 2019,  
19 is amended to read as follows:

20 b. If insufficient information has been provided, including  
21 the absence of a voter verification number, either on the  
22 prescribed form or on an application created by the applicant,  
23 the commissioner shall, ~~by the best means available, obtain~~  
24 ~~the additional necessary information~~ within twenty-four hours  
25 after the receipt of the absentee ballot request, contact the  
26 applicant by telephone and electronic mail, if such information  
27 has been provided by the applicant. If the commissioner is  
28 unable to contact the applicant by telephone or electronic  
29 mail, the commissioner shall send a notice to the applicant  
30 at the address where the applicant is registered to vote, or  
31 to the applicant's mailing address if it is different from  
32 the residence address. If the applicant has requested the  
33 ballot to be sent to an address that is not the applicant's  
34 residential or mailing address, the commissioner shall send an  
35 additional notice to the address where the applicant requested

1 the ballot to be sent. A commissioner shall not use the voter  
2 registration system to obtain additional necessary information.  
3 A voter requesting or casting a ballot pursuant to section  
4 53.22 shall not be required to provide a voter verification  
5 number. The state commissioner shall adopt rules to implement  
6 this section.

7 Sec. 75. Section 53.2, subsection 4, Code 2019, is amended  
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *d.* If an applicant does not have current  
10 access to the applicant's voter verification number, the  
11 commissioner shall verify the applicant's identity prior to  
12 supplying the voter verification number by asking the applicant  
13 to provide at least two of the following facts about the  
14 applicant:

- 15 (1) Date of birth.
- 16 (2) The last four digits of the applicant's social security  
17 number, if applicable.
- 18 (3) Residential address.
- 19 (4) Mailing address.
- 20 (5) Middle name.
- 21 (6) Voter verification number as defined in paragraph "c".

22 Sec. 76. Section 53.10, subsection 2, paragraph a, Code  
23 2019, is amended to read as follows:

24 *a.* Each person who wishes to vote by absentee ballot at  
25 the commissioner's office shall first sign an application  
26 for a ballot including the following information: name,  
27 current address, voter verification number, and the election  
28 for which the ballot is requested. The person may report a  
29 change of address or other information on the person's voter  
30 registration record at that time. Prior to furnishing a  
31 ballot, the commissioner shall verify the person's identity  
32 as provided in section 49.78. The registered voter shall  
33 immediately mark the ballot; enclose the ballot in a secrecy  
34 envelope, if necessary, and seal it in the envelope marked  
35 with the affidavit; subscribe to the affidavit on the reverse

1 side of the envelope; and return the absentee ballot to the  
2 commissioner. The commissioner shall record the numbers  
3 appearing on the application and affidavit envelope along with  
4 the name of the registered voter.

5 Sec. 77. Section 53.10, subsection 2, Code 2019, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. c. If an unregistered person offering to  
8 vote an absentee ballot pursuant to this section prior to  
9 the deadline in section 48A.9 does not have an Iowa driver's  
10 license, an Iowa nonoperator's identification card, or a voter  
11 identification number assigned to the voter by the state  
12 commissioner pursuant to section 47.7, subsection 2, the person  
13 may satisfy identity and residence requirements as provided in  
14 section 49.78. This section shall also apply to a registered  
15 voter casting a ballot pursuant to this section who has not yet  
16 received a voter verification number.

17 Sec. 78. Section 53.11, subsection 1, paragraph a, Code  
18 2019, is amended to read as follows:

19 a. Not more than twenty-nine days before the date of  
20 an election, satellite absentee voting stations ~~may be~~  
21 ~~established throughout the cities and county at the direction~~  
22 ~~of the commissioner and~~ shall be established upon receipt  
23 of a petition signed by not less than one hundred eligible  
24 electors requesting that a satellite absentee voting station be  
25 established at a location to be described on the petition, and  
26 may be established at the direction of the commissioner in the  
27 case of a special election. However, if a special election is  
28 scheduled in the county on a date that falls between the date  
29 of the regular city election and the date of the city runoff  
30 election, the commissioner is not required to establish a  
31 satellite absentee voting station for the city runoff election.

32 Sec. 79. Section 53.11, subsection 2, paragraph e, Code  
33 2019, is amended to read as follows:

34 e. For a special election, no later than ~~thirty-two~~ eighteen  
35 days before the special election.

1     Sec. 80. Section 53.11, Code 2019, is amended by adding the  
2 following new subsection:

3     NEW SUBSECTION. 6. The commissioner shall remove or obscure  
4 from the view of voters any material displaying the name of a  
5 candidate or elected official other than a ballot or sample  
6 ballot or envelope.

7     Sec. 81. Section 53.18, subsections 2 and 3, Code 2019, are  
8 amended to read as follows:

9     2. a. If the commissioner receives the return envelope  
10 containing the completed absentee ballot by 5:00 p.m. on the  
11 Saturday before the election for general elections and by 5:00  
12 p.m. on the Friday before the election for all other elections,  
13 the commissioner shall review the affidavit marked on the  
14 return envelope, if applicable, for completeness or shall open  
15 the return envelope to review the affidavit for completeness.  
16 ~~If the affidavit is incomplete, the commissioner shall, within~~  
17 ~~twenty-four hours of the time the envelope was received,~~  
18 ~~notify the voter of that fact and that the voter may complete~~  
19 ~~the affidavit in person at the office of the commissioner by~~  
20 ~~5:00 p.m. on the day before the election, vote a replacement~~  
21 ~~ballot in the manner and within the time period provided in~~  
22 ~~subsection 3, or appear at the voter's precinct polling place~~  
23 ~~on election day and cast a ballot in accordance with section~~  
24 ~~53.19, subsection 3.~~

25     (1) If the affidavit lacks the signature of the registered  
26 voter, the commissioner shall, within twenty-four hours of the  
27 receipt of the envelope, notify the voter of the deficiency  
28 and inform the voter that the voter may vote a replacement  
29 ballot as provided in subsection 3, cast a ballot as provided  
30 in section 53.19, subsection 3, or complete the affidavit in  
31 person at the office of the commissioner not later than noon on  
32 the Monday following the election, or if the law authorizing  
33 the election specifies that the votes be canvassed earlier than  
34 the Monday following the election, before the canvass of the  
35 election.



1     (2) If the affidavit appears to have been signed by someone  
2 other than the registered voter, the commissioner shall, within  
3 twenty-four hours of the receipt of the envelope, notify the  
4 voter of the deficiency and inform the voter that the voter may  
5 vote a replacement ballot as provided in subsection 3, cast a  
6 ballot as provided in section 53.19, subsection 3, or complete  
7 the affidavit in person at the office of the commissioner by  
8 providing proof of identity as provided in section 49.78 not  
9 later than noon on the Monday following the election, or if  
10 the law authorizing the election specifies that the votes be  
11 canvassed earlier than the Monday following the election,  
12 before the canvass of the election.

13     b. If the commissioner receives the return envelope  
14 containing the completed absentee ballot after the deadline  
15 in paragraph "a", the commissioner shall submit the affidavit  
16 to the absentee and special voters precinct board for review.  
17 If the absentee and special voters precinct determines that  
18 the affidavit is incomplete, the commissioner shall, within  
19 twenty-four hours of the determination, notify the voter.

20     (1) If the affidavit lacks the signature of the registered  
21 voter, the commissioner shall notify the voter that the voter  
22 may complete the affidavit in person at the office of the  
23 commissioner not later than noon on the Monday following the  
24 election, or if the law authorizing the election specifies that  
25 the votes be canvassed earlier than the Monday following the  
26 election, before the canvass of the election.

27     (2) If the affidavit appears to have been signed by someone  
28 other than the registered voter, the commissioner shall  
29 notify the voter that the voter may complete the affidavit in  
30 person at the office of the commissioner by providing proof of  
31 identity as provided in section 49.78 not later than noon on  
32 the Monday following the election, or if the law authorizing  
33 the election specifies that the votes be canvassed earlier than  
34 the Monday following the election, before the canvass of the  
35 election.

1     3. If the affidavit envelope or the return envelope marked  
2 with the affidavit contains a defect that would cause the  
3 absentee ballot to be rejected by the absentee and special  
4 voters precinct board, the commissioner shall immediately  
5 notify the voter of that fact and that the voter's absentee  
6 ballot shall not be counted unless the voter requests and  
7 returns a replacement ballot in the time permitted under  
8 section 53.17, subsection 2. ~~For the purposes of this section,~~  
9 ~~a return envelope marked with the affidavit shall be considered~~  
10 ~~to contain a defect if it appears to the commissioner that~~  
11 ~~the signature on the envelope has been signed by someone~~  
12 ~~other than the registered voter, in comparing the signature~~  
13 ~~on the envelope to the signature on record of the registered~~  
14 ~~voter named on the envelope. A signature or marking made~~  
15 ~~in accordance with section 39.3, subsection 17, shall not~~  
16 ~~be considered a defect for purposes of this section.~~ The  
17 voter may request a replacement ballot in person, in writing,  
18 or over the telephone. The same serial number that was  
19 assigned to the records of the original absentee ballot  
20 application shall be used on the envelope and records of the  
21 replacement ballot. The envelope marked with the affidavit and  
22 containing the completed replacement ballot shall be marked  
23 "Replacement ballot". The envelope marked with the affidavit  
24 and containing the original ballot shall be marked "Defective"  
25 and the replacement ballot shall be attached to such envelope  
26 containing the original ballot and shall be stored in a secure  
27 place until they are delivered to the absentee and special  
28 voters precinct board, notwithstanding sections 53.26 and  
29 53.27.

30     Sec. 82. Section 53.18, Code 2019, is amended by adding the  
31 following new subsection:

32     NEW SUBSECTION. 04. For the purposes of this section, a  
33 return envelope marked with the affidavit shall be considered  
34 incomplete if it lacks the registered voter's signature or it  
35 appears to the commissioner that the signature on the envelope

1 has been signed by someone other than the registered voter,  
2 in comparing the signature on the envelope to the signature  
3 on record of the registered voter named on the envelope. A  
4 signature or marking made in accordance with section 39.3,  
5 subsection 17, shall not cause an affidavit to be considered  
6 incomplete.

7 Sec. 83. Section 53.22, Code 2019, is amended by adding the  
8 following new subsection:

9 NEW SUBSECTION. 9. A person voting pursuant to this section  
10 shall not be subject to signature verification pursuant to  
11 section 53.18.

12 Sec. 84. Section 58.1, Code 2019, is amended to read as  
13 follows:

14 **58.1 Notice — grounds.**

15 The contestant for the office of governor shall, within  
16 ~~thirty~~ fourteen days after the proclamation of the result of  
17 the election, deliver to the presiding officer of each house  
18 of the general assembly a notice of intent to contest, and a  
19 specification of the grounds of such contest, as provided in  
20 chapter 62.

21 Sec. 85. Section 58.4, subsections 1 and 2, Code 2019, are  
22 amended to read as follows:

23 1. The names of members of each house, except the presiding  
24 officer and the majority and minority leaders, written on  
25 similar paper tickets, shall be placed in a box, the names of  
26 the senators in their presence by their secretary, and the  
27 names of the representatives in their presence by their clerk.

28 2. The secretary of the senate in the presence of the  
29 senate, and the clerk of the house of representatives in  
30 the presence of the house, shall draw from their respective  
31 boxes the names of ~~seven~~ five members each. The majority and  
32 minority leaders of each house shall also serve on the contest  
33 court.

34 Sec. 86. Section 68A.405, subsection 1, paragraph a,  
35 subparagraph (3), Code 2019, is amended to read as follows:

1 (3) "Published material" means any newspaper, magazine,  
2 shopper, outdoor advertising facility, poster, direct mailing,  
3 brochure, internet site, campaign sign, or any other form of  
4 printed or electronic general public political advertising.  
5 "Published material" includes television, video, or motion  
6 picture advertising, automated telephone calls, or text  
7 messages.

8 Sec. 87. NEW SECTION. **68A.507 Deceptive names prohibited.**

9 No person shall place on any published material, as defined  
10 in section 68A.405, a name or abbreviation of a name intended  
11 to cause a voter to believe that the person represents a  
12 political party or nonparty political organization of which the  
13 person is not a candidate.

14 Sec. 88. Section 69.9, Code 2019, is amended to read as  
15 follows:

16 **69.9 Person removed not eligible.**

17 No person can be appointed to fill a vacancy who has been  
18 removed from office ~~within one year next preceding.~~

19 Sec. 89. Section 69.14, Code 2019, is amended to read as  
20 follows:

21 **69.14 Special election to fill vacancies.**

22 1. A special election to fill a vacancy shall be held for a  
23 representative in Congress, when Congress is in session or will  
24 convene prior to the next general election, or for a senator or  
25 representative in the general assembly, when the body in which  
26 such vacancy exists is in session, or the general assembly will  
27 convene prior to the next general election, and the governor  
28 shall order, not later than five days from the date the vacancy  
29 exists, a special election, giving not less than forty days'  
30 notice of such election.

31 2. In the event the special election is to fill a vacancy  
32 in the general assembly while it is in session or within  
33 forty-five days of the convening of any session, ~~the time limit~~  
34 ~~provided in this section shall not apply and~~ the governor  
35 shall order such, not later than five days after the day the

1 vacancy occurs, a special election at the earliest practical  
2 time, giving at least eighteen twenty-one, but no more than  
3 forty-two, days' notice of the special election. Any special  
4 election called under this section must be held on a Tuesday  
5 and shall not be held on the same day as a school election  
6 within the district.

7 Sec. 90. Section 445.5, subsection 1, Code 2019, is amended  
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *i.* Until November 7, 2023, the hours during  
10 which polling places are open on election days. This paragraph  
11 is repealed effective July 1, 2024.

12 Sec. 91. SATELLITE ABSENTEE VOTING LOCATION REPORTS.

13 1. Each county commissioner of elections shall complete  
14 a report to be submitted to the general assembly on each  
15 state-owned building in the county that may be petitioned for a  
16 satellite absentee voting location. The report shall address  
17 all of the following:

18 a. The impact on the safety of the public, including  
19 students where applicable, using the building other than for  
20 satellite voting.

21 b. The impact on the function and public use of the  
22 building and state-owned property caused by hosting a satellite  
23 absentee voting location, including but not limited to hours of  
24 operation, space removed from public use, parking, and building  
25 access.

26 c. The cost of using state-owned public buildings to host  
27 and operate satellite absentee voting locations.

28 d. The impact of electioneering laws on first amendment  
29 rights of the Constitution of the United States in state-owned  
30 buildings.

31 2. Each report shall be submitted to the general assembly by  
32 December 1, 2019.

33 DIVISION IX

34 CONFLICTS OF INTEREST

35 Sec. 92. Section 314.2, Code 2019, is amended by striking

1 the section and inserting in lieu thereof the following:

2 **314.2 Conflicts of interest.**

3 A state or county official who is a voting member of a  
4 governmental entity responsible for awarding a contract  
5 pursuant to section 314.1 and is the apparent low bidder for  
6 the contract shall not participate in a vote to award the  
7 contract and shall include an explanation of the official's  
8 conflict in the resolution entered pursuant to section 26.12.

9 Sec. 93. EFFECTIVE DATE. This division of this Act takes  
10 effect January 1, 2023.

11 DIVISION X

12 VOTER REGISTRATION

13 Sec. 94. Section 47.7, Code 2019, is amended by adding the  
14 following new subsections:

15 NEW SUBSECTION. 3. The state registrar of voters shall  
16 develop a form to be distributed to the governing body of  
17 each institution of higher education under the state board of  
18 regents, community college, and accredited private institution  
19 as defined in section 261.9, subsection 1, indicating whether  
20 a graduating student will reside outside Iowa, reside within  
21 Iowa and optionally, at what address, or move outside Iowa but  
22 vote in Iowa pursuant to chapter 53, subchapter II. The state  
23 registrar of voters shall mark as inactive the record in the  
24 statewide voter registration file of any graduating student  
25 indicating that the student will reside outside Iowa after  
26 graduation, unless the student will vote in Iowa pursuant to  
27 chapter 53, subchapter II, and shall provide information on  
28 how to update voter registration information to any student  
29 indicating a change of address within the state. Each  
30 institution of higher education shall require each graduating  
31 student to complete such a form prior to graduating. The form  
32 may be integrated into current application requirements for  
33 graduation issued by an institution of higher education.

34 NEW SUBSECTION. 4. The state registrar of voters shall use  
35 information from the electronic registration information center

1 to update information in the statewide voter registration  
2 system, including but not limited to the following reports:

- 3 a. In-state duplicates.
- 4 b. In-state updates.
- 5 c. Cross-state matches.
- 6 d. Deceased.
- 7 e. Eligible but unregistered.
- 8 f. National change of address.

9 Sec. 95. Section 48A.10A, subsection 1, Code 2019, is  
10 amended to read as follows:

11 1. The state registrar shall compare lists of persons who  
12 are registered to vote with the department of transportation's  
13 driver's license and nonoperator's identification card files  
14 and shall, on an initial basis, issue a voter identification  
15 card to each active, registered voter whose name does not  
16 appear in the department of transportation's files. The voter  
17 identification card shall include the name of the registered  
18 voter, a signature line above which the registered voter shall  
19 sign the voter identification card, the registered voter's  
20 identification number assigned to the voter pursuant to section  
21 47.7, subsection 2, ~~and~~ an additional four-digit personal  
22 identification number assigned by the state commissioner, and  
23 the times during which polling places will be open on election  
24 days.

25 Sec. 96. Section 48A.26B, Code 2019, is amended to read as  
26 follows:

27 **48A.26B Form of acknowledgment.**

28 The state registrar shall adopt rules pursuant to chapter  
29 17A to prescribe the form of written acknowledgments sent to  
30 a registrant by a commissioner pursuant to section 48A.26 or  
31 48A.26A. An acknowledgment sent after March 1, 2022, shall  
32 include the times during which polling places will be open on  
33 election days.

34 Sec. 97. Section 48A.27, subsection 4, paragraph c,  
35 subparagraph (2), Code 2019, is amended to read as follows:

1 (2) The notice shall contain a statement in substantially  
2 the following form:

3 Information received from the United States postal service  
4 indicates that you are no longer a resident of, and therefore  
5 not eligible to vote in (name of county) County, Iowa. If this  
6 information is not correct, and you still live in (name of  
7 county) County, please complete and mail the attached postage  
8 paid card at least ~~ten days before the primary or general~~  
9 ~~election and at least~~ eleven days before any other election at  
10 which you wish to vote. If the information is correct and you  
11 have moved, please contact a local official in your new area  
12 for assistance in registering there. If you do not mail in  
13 the card, you may be required to show identification before  
14 being allowed to vote in (name of county) County. If you do not  
15 return the card, and you do not vote in an election in (name  
16 of county) County, Iowa, on or before (date of second general  
17 election following the date of the notice) your name will be  
18 removed from the list of voters in that county.

19 Sec. 98. Section 48A.28, subsections 1 and 2, Code 2019, are  
20 amended to read as follows:

21 1. Each commissioner shall conduct a systematic program  
22 that makes a reasonable effort to remove from the official list  
23 of registered voters the names of registered voters who have  
24 changed residence from their registration addresses. ~~Either or~~  
25 ~~both of the methods described in this section may be used.~~

26 2. a. A commissioner ~~may~~ shall participate in the United  
27 States postal service national change of address program, as  
28 provided in section 48A.27. The state voter registration  
29 commission shall adopt rules establishing specific requirements  
30 for participation and use of the national change of address  
31 program.

32 b. A commissioner participating in the national change of  
33 address program, ~~in the first quarter of each calendar year~~  
34 during the January immediately following each presidential  
35 election, shall send a notice and preaddressed, postage paid



1 return card by forwardable mail to each registered voter  
2 whose name was not reported by the national change of address  
3 program and who has not voted in ~~two or more consecutive~~  
4 ~~general elections~~ the previous presidential election and has  
5 not registered again, or who has not reported a change to an  
6 existing registration, ~~or who has not responded to a notice~~  
7 ~~from the commissioner or registrar during the period between~~  
8 ~~and following the previous two general elections.~~ Registered  
9 voters receiving such notice shall be marked inactive. The  
10 form and language of the notice and return card shall be  
11 specified by the state voter registration commission by rule.  
12 A registered voter shall not be sent a notice and return card  
13 under this subsection more frequently than once in a four-year  
14 period.

15 Sec. 99. Section 48A.28, subsection 3, Code 2019, is amended  
16 by striking the subsection.

17 Sec. 100. Section 48A.29, subsection 1, paragraph b, Code  
18 2019, is amended to read as follows:

19 *b.* The notice shall contain a statement in substantially the  
20 following form:

21 Information received from the United States postal service  
22 indicates that you are no longer a resident of (residence  
23 address) in (name of county) County, Iowa. If this information  
24 is not correct, and you still live in (name of county) County,  
25 please complete and mail the attached postage paid card at  
26 ~~least ten days before the primary or general election and at~~  
27 least eleven days before any ~~other~~ election at which you wish  
28 to vote. If the information is correct, and you have moved,  
29 please contact a local official in your new area for assistance  
30 in registering there. If you do not mail in the card, you may  
31 be required to show identification before being allowed to vote  
32 in (name of county) County. If you do not return the card, and  
33 you do not vote in some election in (name of county) County,  
34 Iowa, on or before (date of second general election following  
35 the date of the notice) your name will be removed from the list

1 of voters in that county.

2 Sec. 101. Section 48A.29, subsection 3, paragraph b, Code  
3 2019, is amended to read as follows:

4 *b.* The notice shall contain a statement in substantially the  
5 following form:

6 Information received by this office indicates that you are no  
7 longer a resident of (residence address) in (name of county)  
8 County, Iowa. If the information is not correct, and you still  
9 live at that address, please complete and mail the attached  
10 postage paid card ~~at least ten days before the primary or~~  
11 ~~general election and~~ at least eleven days before any other  
12 election at which you wish to vote. If the information is  
13 correct, and you have moved within the county, you may update  
14 your registration by listing your new address on the card and  
15 mailing it back. If you have moved outside the county, please  
16 contact a local official in your new area for assistance in  
17 registering there. If you do not mail in the card, you may be  
18 required to show identification before being allowed to vote in  
19 (name of county) County. If you do not return the card, and you  
20 do not vote in some election in (name of county) County, Iowa,  
21 on or before (date of second general election following the  
22 date of the notice) your name will be removed from the list of  
23 registered voters in that county.

24 Sec. 102. Section 48A.30, subsection 1, Code 2019, is  
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. *h.* The registered voter has not responded to  
27 a notice sent pursuant to section 48A.28 after two consecutive  
28 general elections after the notice was sent.

29 Sec. 103. Section 48A.37, subsection 2, Code 2019, is  
30 amended to read as follows:

31 2. Electronic records shall include a status code  
32 designating whether the records are active, inactive,  
33 incomplete, pending, or canceled. Inactive records are records  
34 of registered voters to whom notices have been sent pursuant  
35 to section 48A.28, ~~subsection 3,~~ and who have not returned

1 the card or otherwise responded to the notice, and those  
2 records have been designated inactive pursuant to section  
3 48A.29. Inactive records are also records of registered  
4 voters to whom notices have been sent pursuant to section  
5 48A.26A and who have not responded to the notice. Incomplete  
6 records are records missing required information pursuant to  
7 section 48A.11, subsection 8. Pending records are records of  
8 applicants whose applications have not been verified pursuant  
9 to section 48A.25A. Canceled records are records that have  
10 been canceled pursuant to section 48A.30. All other records  
11 are active records. An inactive record shall be made active  
12 when the registered voter requests an absentee ballot, votes  
13 at an election, registers again, or reports a change of name,  
14 address, telephone number, or political party or organization  
15 affiliation. An incomplete record shall be made active when  
16 a completed application is received from the applicant and  
17 verified pursuant to section 48A.25A. A pending record shall  
18 be made active upon verification or upon the voter providing  
19 identification pursuant to section 48A.8.

20 Sec. 104. NEW SECTION. **48A.39A Voter list maintenance**  
21 **reports.**

22 1. The commissioner of registration shall annually  
23 submit to the state registrar of voters a report regarding  
24 the number of voter registration records marked inactive or  
25 canceled pursuant to sections 48A.28 through 48A.30. The state  
26 registrar of voters shall publish such reports on the internet  
27 site of the state registrar of voters.

28 2. The state registrar of voters shall determine by rule the  
29 form and submission deadline of reports submitted pursuant to  
30 subsection 1.

31 Sec. 105. Section 260C.14, Code 2019, is amended by adding  
32 the following new subsection:

33 NEW SUBSECTION. 25. Require each graduating student to  
34 complete a form created by the state registrar of voters  
35 pursuant to section 47.7, subsection 3, prior to graduating.

1 The board shall direct the community college to promptly return  
2 the completed forms to the state registrar of voters.

3 Sec. 106. Section 261.2, Code 2019, is amended by adding the  
4 following new subsection:

5 NEW SUBSECTION. 13. Require any postsecondary institution  
6 whose students are eligible for or who receive financial  
7 assistance under programs administered by the commission to  
8 require each graduating student to complete a form created  
9 by the state registrar of voters pursuant to section 47.7,  
10 subsection 3, prior to graduating. The commission shall  
11 require each such postsecondary institution to promptly return  
12 the completed forms to the state registrar of voters.

13 Sec. 107. Section 262.9, Code 2019, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 39. Direct the institutions of higher  
16 education under its control to require each graduating student  
17 to complete a form created by the state registrar of voters  
18 pursuant to section 47.7, subsection 3, prior to graduating.  
19 The board shall direct each institution to promptly return the  
20 completed forms to the state registrar of voters.

21 DIVISION XI

22 BALLOT ORDER

23 Sec. 108. Section 49.31, subsection 1, paragraph b, Code  
24 2019, is amended to read as follows:

25 b. (1) The commissioner shall determine the order of  
26 ~~political parties and nonparty political organizations~~  
27 candidates on the ballot as provided in this paragraph. The  
28 sequence order shall be the same for each office on the ballot  
29 and for each precinct in the county voting in the election.

30 (2) The state commissioner shall compile a list of each  
31 county in the state in alphabetical order and assign a number  
32 to each county such that the first county listed is number  
33 one, the second county listed is number two, and continuing  
34 in descending order in the same manner. The commissioner  
35 shall put in alphabetical order the top two political parties

1 receiving the highest votes from the most recent election.

2 (3) The commissioner of each county assigned an even number  
3 pursuant to subparagraph (2) shall arrange the ballot as  
4 follows:

5 (a) The candidates of the first political party by  
6 alphabetical order pursuant to subparagraph (2) shall appear  
7 first on the ballot for the first general election at which the  
8 president of the United States is to be elected following the  
9 effective date of this Act and second on the ballot for the  
10 first general election at which the governor will be elected  
11 following the effective date of this Act and second on the  
12 ballot for the second general election at which the president  
13 of the United States is to be elected following the effective  
14 date of this Act and first on the ballot for the second general  
15 election at which the governor will be elected following the  
16 effective date of this Act, and thereafter alternating with the  
17 candidates of the second political party by alphabetical order  
18 pursuant to subparagraph (2).

19 (b) The candidates of the second political party by  
20 alphabetical order pursuant to subparagraph (2) shall appear  
21 second on the ballot for the first general election at which  
22 the president of the United States is to be elected following  
23 the effective date of this Act and first on the ballot for  
24 the first general election at which the governor will be  
25 elected following the effective date of this Act and first  
26 on the ballot for the second general election at which the  
27 president of the United States is to be elected following the  
28 effective date of this Act and second on the ballot for the  
29 second general election at which the governor will be elected  
30 following the effective date of this Act, and thereafter  
31 alternating with the candidates of the first political party by  
32 alphabetical order pursuant to subparagraph (2).

33 (4) The commissioner of each county assigned an odd number  
34 pursuant to subparagraph (2) shall arrange the ballot as  
35 follows:

1       (a) The candidates of the second political party by  
2 alphabetical order pursuant to subparagraph (2) shall appear  
3 first on the ballot for the first general election at which the  
4 president of the United States is to be elected following the  
5 effective date of this Act and second on the ballot for the  
6 first general election at which the governor will be elected  
7 following the effective date of this Act and second on the  
8 ballot for the second general election at which the president  
9 of the United States is to be elected following the effective  
10 date of this Act and first on the ballot for the second general  
11 election at which the governor will be elected following the  
12 effective date of this Act, and thereafter alternating with the  
13 candidates of the first political party by alphabetical order  
14 pursuant to subparagraph (2).

15       (b) The candidates of the first political party by  
16 alphabetical order pursuant to subparagraph (2) shall appear  
17 second on the ballot for the first general election at which  
18 the president of the United States is to be elected following  
19 the effective date of this Act and first on the ballot for  
20 the first general election at which the governor will be  
21 elected following the effective date of this Act and first  
22 on the ballot for the second general election at which the  
23 president of the United States is to be elected following the  
24 effective date of this Act and second on the ballot for the  
25 second general election at which the governor will be elected  
26 following the effective date of this Act, and thereafter  
27 alternating with the candidates of the second political party  
28 by alphabetical order pursuant to subparagraph (2).

29       (c) The commissioner shall determine the order of  
30 candidates of nonparty political organizations on the ballot.  
31 The order shall be the same for each office on the ballot and  
32 for each precinct in the county voting in the election.

33       Sec. 109. Section 49.31, subsection 2, paragraph b, Code  
34 2019, is amended to read as follows:

35       b. The Notwithstanding any provision of subsection 1,

1 paragraph "b", to the contrary, the commissioner shall then  
2 arrange the surnames of each political party's candidates for  
3 each office to which two or more persons are to be elected at  
4 large alphabetically for the respective offices for the first  
5 precinct on the list; thereafter, for each political party and  
6 for each succeeding precinct, the names appearing first for  
7 the respective offices in the last preceding precinct shall  
8 be placed last, so that the names that were second before the  
9 change shall be first after the change. The commissioner may  
10 also rotate the names of candidates of a political party in the  
11 reverse order of that provided in this subsection or alternate  
12 the rotation so that the candidates of different parties shall  
13 not be paired as they proceed through the rotation. The  
14 procedure for arrangement of names on ballots provided in this  
15 section shall likewise be substantially followed in elections  
16 in political subdivisions of less than a county.

17 DIVISION XII

18 MUNICIPAL ELECTIONS

19 Sec. 110. Section 44.9, subsection 3, Code 2019, is amended  
20 to read as follows:

21 3. In the office of the proper school board secretary, at  
22 least ~~thirty-five~~ forty-two days before the day of a regularly  
23 scheduled school election.

24 Sec. 111. Section 50.48, subsection 7, Code 2019, is amended  
25 to read as follows:

26 7. If the election is ~~an election held by a city which~~  
27 ~~is not the final election for the office in question~~ a city  
28 primary election held pursuant to section 376.7, the recount  
29 shall progress according to the times provided by this  
30 subsection. If this subsection applies the canvass shall be  
31 held by the second day after the election, the request for  
32 a recount must be made by the third day after the election,  
33 the board shall convene to conduct the recount by the sixth  
34 day after the election, and the report shall be filed by the  
35 ~~eleventh~~ eighth day after the election.

1     Sec. 112. Section 50.48, Code 2019, is amended by adding the  
2 following new subsection:

3     NEW SUBSECTION. 8. When a city council has chosen a runoff  
4 election pursuant to section 376.9, the recount shall progress  
5 according to the times provided by this subsection. If this  
6 subsection applies, the canvass shall be conducted pursuant  
7 to section 50.24. The request for a recount must be made  
8 by the day after the canvass, and the board shall convene  
9 for the first time not later than the first Friday following  
10 the canvass. The report shall be filed not later than the  
11 fourteenth day after the election.

12     Sec. 113. Section 260C.12, subsection 1, as amended by  
13 2017 Iowa Acts, chapter 155, section 2, is amended to read as  
14 follows:

15     1. The board of directors of the merged area shall organize  
16 at the first regular meeting following the regular school  
17 election or at a special meeting called by the secretary of the  
18 board to organize the board in advance of the first regular  
19 meeting ~~following the regular school election~~ after the canvass  
20 for the regular school election. Organization of the board  
21 shall be effected by the election of a president and other  
22 officers from the board membership as board members determine.  
23 The board of directors shall appoint a secretary and a  
24 treasurer who shall each give bond as prescribed in section  
25 291.2 and who shall each receive the salary determined by the  
26 board. The secretary and treasurer shall perform duties under  
27 chapter 291 and additional duties the board of directors deems  
28 necessary. However, the board may appoint one person to serve  
29 as the secretary and treasurer. If one person serves as the  
30 secretary and treasurer, only one bond is necessary for that  
31 person. The frequency of meetings other than organizational  
32 meetings shall be as determined by the board of directors but  
33 the president or a majority of the members may call a special  
34 meeting at any time.

35     Sec. 114. Section 260C.15, subsection 5, as amended by



1 2017 Iowa Acts, chapter 155, section 4, is amended to read as  
2 follows:

3 5. The votes cast in the election shall be canvassed and  
4 abstracts of the votes cast shall be certified as required by  
5 section 277.20. In each county whose commissioner of elections  
6 is responsible under section 47.2 for conducting elections  
7 held for a merged area, the county board of supervisors shall  
8 convene ~~on the last Monday in November or at the last regular~~  
9 ~~board meeting in November,~~ on the second Monday or Tuesday  
10 after the day of the election to canvass the abstracts of votes  
11 cast and declare the results of the voting. The commissioner  
12 shall at once issue certificates of election to each person  
13 declared elected, and shall certify to the merged area board in  
14 substantially the manner prescribed by section 50.27 the result  
15 of the voting on any public question submitted to the voters  
16 of the merged area. Members elected to the board of directors  
17 of a merged area shall qualify by taking the oath of office  
18 prescribed in section 277.28.

19 Sec. 115. Section 277.4, subsection 3, Code 2019, is amended  
20 to read as follows:

21 3. The secretary of the school board shall accept the  
22 petition for filing if on its face it appears to have the  
23 requisite number of signatures and if it is timely filed. The  
24 secretary of the school board shall note upon each petition  
25 and affidavit accepted for filing the date and time that the  
26 petition was filed. The secretary of the school board shall  
27 deliver all nomination petitions, together with the complete  
28 text of any public measure being submitted by the board to the  
29 electorate, to the county commissioner of elections on the day  
30 following the last day on which nomination petitions can be  
31 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

32 Sec. 116. Section 279.1, subsection 1, Code 2019, is amended  
33 to read as follows:

34 1. The board of directors of each school corporation shall  
35 meet and organize at the first regular meeting or at a special

1 meeting called by the secretary of the board to organize the  
2 board in advance of the first regular meeting after the canvass  
3 for the regular school election at some suitable place to be  
4 designated by the secretary. Notice of the place and hour of  
5 the meeting shall be given by the secretary to each member and  
6 member-elect of the board.

7 Sec. 117. Section 279.7, subsection 3, Code 2019, is amended  
8 to read as follows:

9 3. In the case of a special election as provided in this  
10 section to fill a vacancy occurring among the elective officers  
11 or members of a school board before the expiration of a full  
12 term, the person so elected shall qualify within ten days  
13 ~~thereafter~~ from the final canvass of the election by the county  
14 board in the manner required by section 277.28 and shall hold  
15 office for the residue of the unexpired term and until a  
16 successor is elected, or appointed, and qualified.

17 Sec. 118. Section 376.5, Code 2019, is amended to read as  
18 follows:

19 **376.5 Publication of ballot.**

20 Notice containing a copy of the ballot for each regular,  
21 special, primary, or runoff city election must be published by  
22 the county commissioner of elections as provided in section  
23 362.3, except that notice of a regular, primary, or runoff  
24 election may be published not less than four days before the  
25 date of the election. The published ~~ballot~~ notice must contain  
26 the names of all candidates, and may not contain any party  
27 designations. The published ~~ballot~~ notice must contain any  
28 question to be submitted to the voters.

29 Sec. 119. Section 376.7, Code 2019, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 3. If the city holding a primary  
32 election is located in more than one county, the controlling  
33 commissioner for that city under section 47.2, subsection  
34 2, shall conduct a second canvass on the first Monday or  
35 Tuesday after the day of the election. However, if a recount

1 is requested pursuant to section 50.48, the controlling  
2 commissioner shall conduct the second canvass within two  
3 business days after the conclusion of the recount proceeding.  
4 Each commissioner conducting a canvass for the city pursuant  
5 to section 50.24, subsection 1, shall transmit abstracts for  
6 the offices of that city to the controlling commissioner for  
7 that city, along with individual tallies for each write-in  
8 candidate. At the second canvass, the county board of  
9 supervisors of the county of the controlling commissioner shall  
10 canvass the abstracts received pursuant to this subsection and  
11 shall prepare a combined city abstract stating the number of  
12 votes cast in the city for each office. The combined city  
13 abstract shall further indicate the name of each person who  
14 received votes for each office on the ballot, and the number of  
15 votes each person received for that office. The votes of all  
16 write-in candidates who each received less than five percent  
17 of the total votes cast in the city for an office shall be  
18 reported collectively under the heading "scattering".

19 Sec. 120. Section 376.9, subsection 1, Code 2019, is amended  
20 to read as follows:

21 1. A runoff election may be held only for positions unfilled  
22 because of failure of a sufficient number of candidates to  
23 receive a majority vote in the regular city election. When a  
24 council has chosen a runoff election in lieu of a primary, the  
25 county board of supervisors shall publicly canvass the tally  
26 lists of the vote cast in the regular city election, following  
27 the procedures prescribed in section 50.24, ~~at a meeting to be~~  
28 ~~held on the second day following the regular city election, and~~  
29 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates  
30 who do not receive a majority of the votes cast for an office,  
31 but who receive the highest number of votes cast for that  
32 office in the regular city election, to the extent of twice  
33 the number of unfilled positions, are candidates in the runoff  
34 election.

35 Sec. 121. 2017 Iowa Acts, chapter 155, section 45, is

1 amended to read as follows:

2 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

3 1. Notwithstanding the provisions of section 260C.11  
4 designating a term of four years for members of a board of  
5 directors of a merged area, the term of office for a seat on a  
6 board of directors filled at the regular school election held  
7 on:

8 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon  
9 the board's organizational meeting held pursuant to section  
10 260C.12, subsection 1.

11 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon  
12 the board's organizational meeting held pursuant to section  
13 260C.12, subsection 1.

14 2. Notwithstanding the provisions of section 273.8,  
15 subsection 1, designating a term of four years for members of  
16 a board of directors of an area education agency, the term of  
17 office for a seat on a board of directors filled by election  
18 in:

19 a. September 2015 shall expire November 30, 2019.

20 b. September 2017 shall expire November 30, 2021.

21 3. Notwithstanding the provisions of section 274.7  
22 designating a term of four years for members of a board of  
23 directors of a school district, the term of office for a seat  
24 on a board of directors filled at the regular school election  
25 held on:

26 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the  
27 board's organizational meeting held pursuant to section 279.1.

28 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon  
29 the board's organizational meeting held pursuant to section  
30 279.1.

31 DIVISION XIII

32 ABSENTEE BALLOT COUNTING

33 Sec. 122. Section 49.128, subsection 3, Code 2019, is  
34 amended to read as follows:

35 3. The commissioner shall file a copy of ~~the~~ a certification

1 or report under this section with the state commissioner.

2 Sec. 123. Section 49.128, Code 2019, is amended by adding  
3 the following new subsection:

4 NEW SUBSECTION. 6. The commissioner shall place on  
5 file in the commissioner's office a report, and shall file  
6 a copy of the report with the state commissioner, regarding  
7 absentee ballot tracking and counting no later than December 1  
8 following each general election. The report shall be in a form  
9 prescribed by the state commissioner.

10 Sec. 124. Section 53.17, subsection 1, paragraph b, Code  
11 2019, is amended to read as follows:

12 *b.* The sealed return envelope may be mailed to the  
13 commissioner by the registered voter or by the voter's  
14 designee. If mailed by the voter's designee, the envelope  
15 must be mailed within seventy-two hours of retrieving it from  
16 the voter or within time to be postmarked or, if applicable,  
17 to have the ~~intelligent mail~~ postal service barcode traced to  
18 a date of entry into the federal mail system not later than  
19 the day before the election, as provided in section 53.17A,  
20 whichever is earlier.

21 Sec. 125. Section 53.17, subsection 2, Code 2019, is amended  
22 to read as follows:

23 2. In order for the ballot to be counted, the return  
24 envelope must be received in the commissioner's office before  
25 the polls close on election day or be clearly postmarked by an  
26 officially authorized postal service or bear an ~~intelligent~~  
27 ~~mail~~ a postal service barcode traceable to a date of entry  
28 into the federal mail system not later than the day before the  
29 election, as provided in section 53.17A, and received by the  
30 commissioner not later than noon on the Monday following the  
31 election.

32 Sec. 126. Section 53.17, subsection 4, paragraph f, Code  
33 2019, is amended to read as follows:

34 *f.* A statement that the completed absentee ballot will  
35 be delivered to the commissioner's office within seventy-two

1 hours of retrieving it from the voter or before the closing of  
2 the polls on election day, whichever is earlier, or that the  
3 completed absentee ballot will be mailed to the commissioner  
4 within seventy-two hours of retrieving it from the voter or  
5 within time to be postmarked or, if applicable, to have the  
6 ~~intelligent-mail~~ postal service barcode traced to a date of  
7 entry into the federal mail system not later than the day  
8 before the election, as provided in section 53.17A, whichever  
9 is earlier.

10 Sec. 127. NEW SECTION. **53.17A Absentee ballot tracking.**

11 1. For the purposes of this chapter:

12 *a. "Postal service barcode"* means a barcode purchased by the  
13 sender and supplied by the United States postal service that is  
14 used to sort and track letters and flat packages and is printed  
15 on an absentee ballot return envelope at the direction of the  
16 commissioner before the envelope is sent to the voter.

17 *b. "Tracking information database"* means a database  
18 administered by the United States postal service that is  
19 accessible to the commissioner and contains information  
20 regarding letters or flat packages.

21 2. *a.* Prior to implementing for the first time,  
22 discontinuing the usage of, or reimplementing the usage  
23 of a postal service barcode and tracking information, the  
24 commissioner shall send notice to the state commissioner prior  
25 to October 1, 2020, for an election taking place in 2020 after  
26 that date, and by October 1 of each year thereafter.

27 *b.* The commissioner shall not implement or discontinue  
28 the use of a postal service barcode or tracking information  
29 database during an election after an absentee ballot has been  
30 mailed for that election pursuant to section 53.8.

31 *c.* The state commissioner shall adopt rules regarding  
32 the statewide implementation of a postal service barcode and  
33 tracking information database, including procedures to be  
34 followed when usage of a postal service barcode or the tracking  
35 information database is negatively impacted. Each commissioner

1 shall use a postal service barcode and tracking information  
2 database consistent with rules of the state commissioner.  
3 Every commissioner shall send notice to the state commissioner  
4 and implement the use of a postal service barcode and tracking  
5 information database prior to October 1, 2020.

6 3. a. An absentee ballot received after the polls close  
7 on election day but prior to the official canvass shall be  
8 counted if the commissioner determines that the ballot entered  
9 the federal mail system by the deadline specified in section  
10 53.17 or 53.22. The date of entry of such an absentee ballot  
11 into the federal mail system shall only be verified as provided  
12 in paragraph "b".

13 b. (1) If the postmark indicates that the absentee ballot  
14 entered the federal mail system by the deadline specified  
15 in section 53.17 or 53.22, the ballot shall be included for  
16 canvass by the absentee and special voters precinct board.

17 (2) If the postmark is illegible, missing, or dated on or  
18 after election day, the commissioner shall attempt to verify  
19 the ballot's date of entry into the federal mail system by  
20 querying the postal service barcode in the tracking information  
21 database. If the tracking information database indicates that  
22 the absentee ballot entered the federal mail system by the  
23 deadline specified in section 53.17 or 53.22, the ballot shall  
24 be included for canvass by the absentee and special voters  
25 precinct board. The commissioner shall provide a report to  
26 the absentee and special voters precinct board regarding the  
27 information available in the tracking information database.

28 (3) If there is a discrepancy between the date indicated by  
29 the postmark and the postal service barcode, the earlier of the  
30 two shall determine the date of entry of the absentee ballot  
31 into the federal mail system.

32 (4) (a) If neither the postmark nor the postal service  
33 barcode indicates that the absentee ballot entered the federal  
34 mail system by the deadline specified in section 53.17 or  
35 53.22, the absentee ballot shall be sent to the absentee

1 and special voters precinct board pursuant to subparagraph  
2 division (b) with the numeric value assigned to the postal  
3 service barcode and a full report from the tracking information  
4 database.

5 (b) Up to five absentee and special voters precinct board  
6 members from each political party for partisan elections,  
7 or any two members of the board for nonpartisan elections,  
8 shall review the postal service barcode and tracking database  
9 information report of each absentee ballot submitted pursuant  
10 to subparagraph division (a) and certify that the tracking  
11 information database report corresponds to the absentee ballot  
12 by initialing the report and the absentee ballot envelope.  
13 If the board concludes that the postal service barcode and  
14 tracking information database report verify that the absentee  
15 ballot entered the federal mail system by the deadline  
16 specified in section 53.17 or 53.22, the ballot shall be  
17 counted. Otherwise, the ballot shall not be counted.

18 Sec. 128. Section 53.22, subsection 6, paragraph b, Code  
19 2019, is amended to read as follows:

20 b. Absentee ballots voted under this subsection shall be  
21 delivered to the commissioner no later than the time the polls  
22 are closed on election day. If the ballot is returned by mail  
23 the return envelope must be received by the time the polls  
24 close, or be clearly postmarked by an officially authorized  
25 postal service or bear ~~an intelligent mail~~ a postal service  
26 barcode traceable to a date of entry into the federal mail  
27 system not later than the day before the election, as provided  
28 in section 53.17A, and received by the commissioner no later  
29 than the time established for the canvass by the board of  
30 supervisors for that election.

31 DIVISION XIV

32 FUTURE CHANGES TO ABSENTEE BALLOT COUNTING

33 Sec. 129. Section 53.17, subsection 1, paragraph b, Code  
34 2019, as amended by this Act, is amended by striking the  
35 paragraph and inserting in lieu thereof the following:



1     *b.* The sealed return envelope may be mailed to the  
2 commissioner by the registered voter or by the voter's  
3 designee. If mailed by the voter's designee, the envelope must  
4 be mailed within seventy-two hours of retrieving it from the  
5 voter.

6     Sec. 130. Section 53.17, subsection 2, Code 2019, as  
7 amended by this Act, is amended by striking the subsection and  
8 inserting in lieu thereof the following:

9     2. In order for the ballot to be counted, the return  
10 envelope must be received in the commissioner's office before  
11 the polls close on election day.

12     Sec. 131. Section 53.17, subsection 4, paragraph *f*, Code  
13 2019, as amended by this Act, is amended by striking the  
14 paragraph and inserting in lieu thereof the following:

15     *f.* A statement that the completed absentee ballot will  
16 be delivered to the commissioner's office within seventy-two  
17 hours of retrieving it from the voter or before the closing of  
18 the polls on election day, whichever is earlier, or that the  
19 completed absentee ballot will be mailed to the commissioner  
20 within seventy-two hours of retrieving it from the voter.

21     Sec. 132. Section 53.22, subsection 6, paragraph *b*, Code  
22 2019, as amended by this Act, is amended by striking the  
23 paragraph and inserting in lieu thereof the following:

24     *b.* Absentee ballots voted under this subsection shall be  
25 delivered to the commissioner no later than the time the polls  
26 are closed on election day. If the ballot is returned by mail  
27 the return envelope must be received by the time the polls  
28 close.

29     Sec. 133. REPEAL. Section 53.17A, as enacted by this Act,  
30 is repealed.

31     Sec. 134. EFFECTIVE DATE. This division of this Act takes  
32 effect May 1, 2023.>

33     2. Title page, by striking lines 1 and 2 and inserting  
34 <An Act relating to the conduct of state and local elections,  
35 providing penalties, and including effective date elections

1 provisions.>

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PROPOSED COMMITTEE AMENDMENT