

**Senate File 413 - Reprinted**

SENATE FILE 413  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 1199)

(COMPANION TO 2298HV BY  
COMMITTEE ON STATE GOVERNMENT)

(As Amended and Passed by the Senate February 23, 2021)

**A BILL FOR**

1 An Act relating to the conduct of elections, including absentee  
2 ballots and voter list maintenance activities, making  
3 penalties applicable, and including effective date and  
4 applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 9E.6, subsection 2, paragraph b, Code  
2 2021, is amended to read as follows:

3 b. The program participant shall complete the ballot and  
4 return it to the state commissioner of elections, who shall  
5 review the ballot in the manner provided by sections 53.18  
6 and 53.19 if the return envelope is received in the state  
7 commissioner's office before the polls close on election day  
8 or is clearly postmarked by an officially authorized postal  
9 service or bears a postal service barcode traceable to a date  
10 of entry into the federal mail system not later than the day  
11 before the election, as provided in section 53.17A. If the  
12 materials comply with the requirements of section 53.18, the  
13 materials shall be certified by the state commissioner of  
14 elections as the ballot of a program participant, and shall be  
15 forwarded to the appropriate county commissioner of elections  
16 for tabulation by the special voters precinct election board  
17 appointed pursuant to section 53.23.

18 Sec. 2. NEW SECTION. 39.13 Conference boards — appointment  
19 — limitations.

20 1. Notwithstanding section 441.2, for the purposes of  
21 conducting the business of a conference board established  
22 pursuant to section 441.2, a person shall not serve in a  
23 voting unit of a conference board if such service would be  
24 incompatible with another office held by that person.

25 2. If a person is a member of more than one body whose  
26 members make up a voting unit on the conference board, that  
27 person shall waive the person's position on the conference  
28 board for all but one of the bodies the person represents. A  
29 waiver pursuant to this subsection does not cause the person  
30 to vacate any elective office.

31 Sec. 3. Section 39A.2, subsection 1, Code 2021, is amended  
32 by adding the following new paragraph:

33 NEW PARAGRAPH. g. *Failure to perform duties.* As an  
34 election official, fails to perform duties prescribed by  
35 chapters 39 through 53, except for section 48A.41, or fails to

1 follow or implement guidance issued pursuant to section 47.1,  
2 or performs those duties and responsibilities in such a way as  
3 to hinder or disregard the object of the law.

4 Sec. 4. Section 39A.3, subsection 1, paragraph b, Code 2021,  
5 is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (9) Fails to perform voter list  
7 maintenance in violation of section 48A.41.

8 Sec. 5. Section 39A.4, subsection 1, paragraph b,  
9 subparagraph (1), Code 2021, is amended to read as follows:

10 (1) Serving as a member of a challenging committee or  
11 observer under section 49.104, subsection 2, 5, or 6, 1,  
12 paragraph "b", "e", or "f", while serving as a precinct election  
13 official at the polls.

14 Sec. 6. Section 39A.4, subsection 1, paragraph b,  
15 subparagraph (2), Code 2021, is amended by striking the  
16 subparagraph.

17 Sec. 7. Section 39A.4, subsection 1, paragraph b, Code 2021,  
18 is amended by adding the following new subparagraph:

19 NEW SUBPARAGRAPH. (14) Interferes with a person permitted  
20 at a polling place pursuant to section 49.104.

21 Sec. 8. Section 39A.4, subsection 1, paragraph c,  
22 subparagraphs (10) and (11), Code 2021, are amended to read as  
23 follows:

24 (10) Returning a voted absentee ballot, by mail, to a ballot  
25 drop box, or in person, to the commissioner's office and the  
26 person returning the ballot is ~~not the voter, the voter's~~  
27 ~~designee, or a special precinct election official designated~~  
28 ~~pursuant to section 53.22, subsection 2~~ a person prohibited  
29 to collect and deliver a completed ballot pursuant to section  
30 53.33.

31 (11) Making a false or untrue statement reporting that  
32 a voted absentee ballot was returned to the commissioner's  
33 office, by mail or in person, or to a ballot drop box, by  
34 a person ~~other than the voter, the voter's designee, or a~~  
35 ~~special precinct election official designated pursuant to~~

1 ~~section 53.22, subsection 2~~ prohibited to collect and deliver a  
2 completed ballot pursuant to section 53.33.

3 Sec. 9. Section 39A.6, subsection 3, Code 2021, is amended  
4 to read as follows:

5 3. a. This notice is not a final determination of facts  
6 or law in the matter, and does not entitle a person to a  
7 proceeding under chapter 17A. Upon issuance of a technical  
8 infraction to a county commissioner, the state commissioner  
9 shall also impose a fine not to exceed ten thousand dollars to  
10 be deposited in the general fund.

11 b. A county commissioner shall pay a fine issued pursuant to  
12 this section or file an appeal pursuant to chapter 17A within  
13 sixty days. A county commissioner who fails to pay a fine that  
14 was not dismissed pursuant to chapter 17A shall be suspended  
15 from office for a period not to exceed two years pursuant to  
16 sections 66.7 and 66.8.

17 c. If a county commissioner is suspended pursuant to  
18 paragraph "b", the state commissioner shall direct the deputy of  
19 the county commissioner to oversee the functions of the office  
20 until the suspension is revoked or the office is vacated and a  
21 successor is elected. The state commissioner may direct the  
22 state commissioner's staff to assist in the performance of the  
23 duties of the county commissioner.

24 Sec. 10. Section 39A.6, Code 2021, is amended by adding the  
25 following new subsection:

26 NEW SUBSECTION. 4. Upon issuing a technical infraction,  
27 the state commissioner shall immediately inform the attorney  
28 general and relevant county attorney if the apparent violation  
29 constitutes or may constitute election misconduct under this  
30 chapter.

31 Sec. 11. NEW SECTION. 39A.7 Election misconduct —  
32 investigation.

33 1. The attorney general or county attorney shall  
34 investigate allegations of election misconduct reported to the  
35 attorney general or county attorney. Election misconduct by an

1 election official shall also be investigated for prosecution  
2 under chapter 721.

3 2. Upon the completion of an investigation required by this  
4 section, the attorney general or county attorney shall submit  
5 the results of the investigation to the state commissioner and  
6 explain whether the attorney general or county attorney will  
7 pursue charges.

8 Sec. 12. NEW SECTION. **43.17 Preclusion of partisan**  
9 **nomination.**

10 A person shall not file nomination papers under this chapter  
11 on behalf of a candidate if nomination papers have been filed  
12 pursuant to section 44.4 on behalf of the candidate for the  
13 same office and election year.

14 Sec. 13. Section 43.20, subsection 1, Code 2021, is amended  
15 by striking the subsection and inserting in lieu thereof the  
16 following:

17 1. *a.* Except as provided in paragraph "b", nomination  
18 papers shall be signed by eligible electors as provided in  
19 section 45.1.

20 *b.* Nomination papers for an office to be filled by the  
21 voters of the county or for the office of county supervisor  
22 elected from a district within the county, shall be signed  
23 by at least two percent of the party vote in the county or  
24 supervisor district, as shown by the last general election, or  
25 by at least one hundred persons, whichever is less.

26 Sec. 14. Section 43.20, subsection 2, Code 2021, is amended  
27 by striking the subsection.

28 Sec. 15. Section 44.1, Code 2021, is amended to read as  
29 follows:

30 **44.1 ~~Political nonparty~~ Nonparty political organizations.**

31 1. Any convention or caucus of eligible electors  
32 representing a political organization which is not a political  
33 party as defined by law, may, for the state, or for any  
34 division or municipality thereof, or for any county, or for  
35 any subdivision thereof, for which such convention or caucus

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

32 2. A candidate who has been nominated under a political  
 33 party under chapter 43 shall not be eligible for nomination  
 34 under this chapter for the same office in the same election  
 35 year.

1     Sec. 16. Section 45.1, subsections 1 and 2, Code 2021, are  
2 amended to read as follows:

3     1. Nominations for candidates for president and vice  
4 president, governor and lieutenant governor, and for ~~other~~  
5 ~~statewide elected offices~~ United States senator may be made  
6 by nomination petitions signed by not less than ~~one thousand~~  
7 ~~five hundred eligible electors residing in not less than ten~~  
8 ~~counties of the state~~ three thousand five hundred eligible  
9 electors, including at least one hundred eligible electors each  
10 from at least nineteen counties of the state.

11     2. Nominations for candidates for a representative in  
12 the United States house of representatives may be made by  
13 nomination petitions signed by not less than ~~the number of~~  
14 ~~eligible electors equal to the number of signatures required in~~  
15 ~~subsection 1~~ divided by the number of congressional districts.  
16 ~~Signers of the petition shall be eligible electors who are~~  
17 ~~residents of the congressional district~~ one thousand seven  
18 hundred twenty-six eligible electors who are residents of the  
19 congressional district, including at least forty-seven eligible  
20 electors each from at least one-half of the counties in the  
21 congressional district.

22     Sec. 17. Section 45.1, Code 2021, is amended by adding the  
23 following new subsection:

24     NEW SUBSECTION. 1A. Nominations for candidates for  
25 statewide offices other than those listed in subsection 1 may  
26 be made by nomination petitions signed by not less than two  
27 thousand five hundred eligible electors, including at least  
28 seventy-seven eligible electors from not less than eighteen  
29 counties of the state.

30     Sec. 18. Section 47.1, subsection 1, Code 2021, is amended  
31 to read as follows:

32     1. The secretary of state is designated as the state  
33 commissioner of elections and shall supervise the activities of  
34 the county commissioners of elections. There is established  
35 within the office of the secretary of state a division of

1 elections which shall be under the direction of the state  
2 commissioner of elections. The state commissioner of  
3 elections may appoint a person to be in charge of the division  
4 of elections who shall perform the duties assigned by the  
5 state commissioner of elections. The state commissioner of  
6 elections shall prescribe uniform election practices and  
7 procedures, shall prescribe the necessary forms required  
8 for the conduct of elections, shall assign a number to each  
9 proposed constitutional amendment and statewide public measure  
10 for identification purposes, and shall adopt rules, pursuant to  
11 chapter 17A, to carry out this section. The state commissioner  
12 of elections may issue guidance that is not subject to the  
13 rulemaking process to clarify election laws and rules.

14 Sec. 19. Section 47.2, subsection 1, Code 2021, is amended  
15 to read as follows:

16 1. The county auditor of each county is designated as the  
17 county commissioner of elections in each county. The county  
18 commissioner of elections shall conduct voter registration  
19 pursuant to chapter 48A and conduct all elections within the  
20 county. The county commissioner of elections does not possess  
21 home rule powers with respect to the exercise of powers or  
22 duties related to the conduct of elections prescribed by  
23 statute or rule, or guidance issued pursuant to section 47.1.

24 Sec. 20. Section 47.7, subsection 2, Code 2021, is amended  
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *f.* (1) The state registrar shall, in the  
27 first quarter of each calendar year, conduct a verification  
28 of all voters in the statewide voter registration file, which  
29 shall include cross-referencing the records in the statewide  
30 voter registration file with similar records maintained by  
31 other states. The state registrar of voters shall cancel the  
32 registration of a voter found to be ineligible pursuant to  
33 section 48A.30. The state registrar shall submit a report  
34 to the general assembly by April 30 of each year regarding  
35 the number of voter registrations canceled pursuant to this



1 paragraph. The state registrar shall also publish this report  
2 on the internet site of the state registrar.

3 (2) The state registrar may contract with a third-party  
4 vendor to develop or provide a program to allow the state  
5 registrar to verify the status of records in the statewide  
6 voter registration file and identify ineligible voters on an  
7 ongoing basis.

8 Sec. 21. Section 47.7, Code 2021, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 3. The state registrar of voters shall use  
11 information from the electronic registration information center  
12 to update information in the statewide voter registration  
13 system, including but not limited to the following reports:

- 14 a. In-state duplicates.
- 15 b. In-state updates.
- 16 c. Cross-state matches.
- 17 d. Deceased.
- 18 e. Eligible but unregistered.
- 19 f. National change of address.

20 Sec. 22. Section 48A.9, subsection 1, Code 2021, is amended  
21 to read as follows:

22 1. Registration closes at 5:00 p.m. ~~eleven~~ fifteen days  
23 before each election ~~except general elections. For general~~  
24 ~~elections, registration closes at 5:00 p.m. ten days before~~  
25 ~~the election.~~ An eligible elector may register during the  
26 time registration is closed in the elector's precinct but the  
27 registration shall not become effective until registration  
28 opens again in the elector's precinct, except as otherwise  
29 provided in [section 48A.7A](#).

30 Sec. 23. Section 48A.10A, subsection 1, Code 2021, is  
31 amended to read as follows:

32 1. The state registrar shall compare lists of persons who  
33 are registered to vote with the department of transportation's  
34 driver's license and nonoperator's identification card files  
35 and shall, on an initial basis, issue a voter identification

1 card to each active, registered voter whose name does not  
2 appear in the department of transportation's files. The voter  
3 identification card shall include the name of the registered  
4 voter, a signature line above which the registered voter shall  
5 sign the voter identification card, the registered voter's  
6 identification number assigned to the voter pursuant to section  
7 47.7, subsection 2, ~~and~~ an additional four-digit personal  
8 identification number assigned by the state commissioner, and  
9 the times during which polling places will be open on election  
10 days.

11 Sec. 24. Section 48A.27, subsection 4, paragraph c,  
12 subparagraph (2), Code 2021, is amended to read as follows:

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

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

32 Sec. 25. Section 48A.28, subsections 1 and 2, Code 2021, are  
33 amended to read as follows:

34 1. Each commissioner shall conduct a systematic program  
35 that makes a reasonable effort to remove from the official list

1 of registered voters the names of registered voters who have  
2 changed residence from their registration addresses. ~~Either or~~  
3 ~~both of the methods described in this section may be used.~~

4 2. a. A commissioner ~~may~~ shall participate in the United  
5 States postal service national change of address program, as  
6 provided in [section 48A.27](#). The state voter registration  
7 commission shall adopt rules establishing specific requirements  
8 for participation and use of the national change of address  
9 program.

10 b. A commissioner participating in the national change of  
11 address program, in the first quarter of each calendar year,  
12 shall send a notice and preaddressed, postage paid return card  
13 by forwardable mail to each registered voter whose name was  
14 not reported by the national change of address program and who  
15 has not voted in ~~two or more consecutive general elections~~ the  
16 most recent general election and has not registered again, or  
17 who has not reported a change to an existing registration, ~~or~~  
18 ~~who has not responded to a notice from the commissioner or~~  
19 ~~registrar during the period between and following the previous~~  
20 ~~two general elections.~~ Registered voters receiving such  
21 notice shall be marked inactive. The form and language of the  
22 notice and return card shall be specified by the state voter  
23 registration commission by rule. A registered voter shall not  
24 be sent a notice and return card under [this subsection](#) more  
25 frequently than once in a four-year period.

26 Sec. 26. Section 48A.28, subsection 3, Code 2021, is amended  
27 by striking the subsection.

28 Sec. 27. Section 48A.29, subsection 1, paragraph b, Code  
29 2021, is amended to read as follows:

30 b. The notice shall contain a statement in substantially the  
31 following form:

32 Information received from the United States postal service  
33 indicates that you are no longer a resident of (residence  
34 address) in (name of county) County, Iowa. If this information  
35 is not correct, and you still live in (name of county) County,

1 please complete and mail the attached postage paid card at  
2 ~~least ten days before the primary or general election and at~~  
3 ~~least eleven~~ fifteen days before any ~~other~~ election at which  
4 you wish to vote. If the information is correct, and you have  
5 moved, please contact a local official in your new area for  
6 assistance in registering there. If you do not mail in the  
7 card, you may be required to show identification before being  
8 allowed to vote in (name of county) County. If you do not  
9 return the card, and you do not vote in some election in (name  
10 of county) County, Iowa, on or before (date of second general  
11 election following the date of the notice) your name will be  
12 removed from the list of voters in that county.

13 Sec. 28. Section 48A.29, subsection 3, paragraph b, Code  
14 2021, is amended to read as follows:

15 b. The notice shall contain a statement in substantially the  
16 following form:

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

35 Sec. 29. Section 48A.30, subsection 1, paragraph g, Code

1 2021, is amended to read as follows:

2 *g.* The registered voter's registration record has been  
3 inactive pursuant to section 48A.28 or 48A.29 for two  
4 successive general elections.

5 Sec. 30. Section 48A.37, subsection 2, Code 2021, is amended  
6 to read as follows:

7 2. Electronic records shall include a status code  
8 designating whether the records are active, inactive,  
9 incomplete, pending, or canceled. Inactive records are records  
10 of registered voters to whom notices have been sent pursuant  
11 to section 48A.28, ~~subsection 3,~~ and who have not returned  
12 the card or otherwise responded to the notice, and those  
13 records have been designated inactive pursuant to section  
14 48A.29. Inactive records are also records of registered  
15 voters to whom notices have been sent pursuant to section  
16 48A.26A and who have not responded to the notice. Incomplete  
17 records are records missing required information pursuant to  
18 section 48A.11, subsection 8. Pending records are records of  
19 applicants whose applications have not been verified pursuant  
20 to [section 48A.25A](#). Canceled records are records that have  
21 been canceled pursuant to [section 48A.30](#). All other records  
22 are active records. An inactive record shall be made active  
23 when the registered voter requests an absentee ballot, votes  
24 at an election, registers again, or reports a change of name,  
25 address, telephone number, or political party or organization  
26 affiliation. An incomplete record shall be made active when  
27 a completed application is received from the applicant and  
28 verified pursuant to [section 48A.25A](#). A pending record shall  
29 be made active upon verification or upon the voter providing  
30 identification pursuant to [section 48A.8](#).

31 Sec. 31. NEW SECTION. **48A.40 Voter list maintenance**  
32 **reports.**

33 1. The commissioner of registration shall annually  
34 submit to the state registrar of voters a report regarding  
35 the number of voter registration records marked inactive or

1 canceled pursuant to sections 48A.28 through 48A.30. The state  
2 registrar of voters shall publish such reports on the internet  
3 site of the state registrar of voters.

4 2. The state registrar of voters shall determine by rule the  
5 form and submission deadline of reports submitted pursuant to  
6 subsection 1.

7 Sec. 32. NEW SECTION. **48A.41 Voter registration maintenance**  
8 **audits — investigations.**

9 1. The state registrar of voters shall conduct an audit  
10 of voter registration maintenance by each commissioner of  
11 registration in April of each odd-numbered year, on a schedule  
12 determined by the commissioner.

13 2. If in the course of an audit under this section the state  
14 registrar of voters finds that a commissioner of registration  
15 has failed to perform required voter list maintenance,  
16 the state registrar of voters shall submit the audit to  
17 the relevant county attorney and attorney general within  
18 twenty-four hours for investigation of a violation of section  
19 39A.3, subsection 1, paragraph "b", subparagraph (9), or other  
20 provision of law.

21 Sec. 33. NEW SECTION. **49.2 Oversight by the state**  
22 **commissioner.**

23 The state commissioner, or a designee of the state  
24 commissioner, may, at the discretion of the state commissioner,  
25 oversee the activities of a county commissioner of elections  
26 during a period beginning sixty days before an election and  
27 ending sixty days after an election. For the purposes of this  
28 section, "oversee" means to observe election-related activity,  
29 correct any activity not in accordance with law, and issue a  
30 written notice and instructions pursuant to section 39A.6 for  
31 any technical infractions that are observed.

32 Sec. 34. Section 49.13, Code 2021, is amended by adding the  
33 following new subsection:

34 NEW SUBSECTION. 7. A person serving on a precinct election  
35 board pursuant to subsection 2 or 3 who changes the political

1 party of which the person is a member within thirty days before  
2 an election shall be immediately removed from the board and a  
3 substitute shall be appointed pursuant to section 49.14.

4 Sec. 35. Section 49.23, Code 2021, is amended to read as  
5 follows:

6 **49.23 Notice of change.**

7 When a change is made from the usual polling place for the  
8 precinct or when the precinct polling place for any primary or  
9 general election is different from that used for the precinct  
10 at the last preceding primary or general election, notice of  
11 such change shall be ~~given by publication in a newspaper of~~  
12 general circulation in the precinct mailed to all registered  
13 voters in the precinct and posted prominently in the county  
14 commissioner's office and on the county commissioner's internet  
15 site not more than twenty nor less than ~~four~~ seven days before  
16 the day on which the election is to be held. In addition a  
17 notice of the present polling place for the precinct shall be  
18 posted, not later than the hour at which the polls open on  
19 the day of the election, on each door to the usual or former  
20 polling place in the precinct and shall remain there until the  
21 polls have closed.

22 Sec. 36. Section 49.73, subsection 2, Code 2021, is amended  
23 to read as follows:

24 2. a. All polling places where the candidates of or any  
25 public question submitted by any one political subdivision are  
26 being voted upon shall be opened at the same hour. 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, 2024. This paragraph is repealed effective July  
2 1, 2025.

3 Sec. 37. Section 49.77, subsection 2, Code 2021, is amended  
4 to read as follows:

5 2. If the declaration of eligibility is not printed on  
6 each page of the election register, any of those persons  
7 present pursuant to section 49.104, subsection 2, 3, 5, or 6,  
8 1, paragraph "b", "c", "e", or "f", may upon request view the  
9 signed declarations of eligibility and may review the signed  
10 declarations on file so long as the person does not interfere  
11 with the functions of the precinct election officials. If the  
12 declaration of eligibility is printed on the election register,  
13 voters shall also sign a voter roster which the precinct  
14 election official shall make available for viewing. Any of  
15 those persons present pursuant to section 49.104, subsection ~~2,~~  
16 ~~3, 5, or 6,~~ 1, paragraph "b", "c", "e", or "f", may upon request  
17 view the roster of those voters who have signed declarations of  
18 eligibility, so long as the person does not interfere with the  
19 functions of the precinct election officials.

20 Sec. 38. Section 49.88, Code 2021, is amended by adding the  
21 following new subsection:

22 NEW SUBSECTION. 3. A person standing for election on the  
23 ballot before a voter shall not occupy the voting booth with  
24 the voter, including to assist the voter.

25 Sec. 39. Section 49.90, Code 2021, is amended to read as  
26 follows:

27 **49.90 Assisting voter.**

28 Any voter who may declare upon oath that the voter is blind,  
29 cannot read the English language, or is, by reason of any  
30 physical disability other than intoxication, unable to cast a  
31 vote without assistance, shall, upon request, be assisted by  
32 the two officers as provided in section 49.89, or alternatively  
33 by any other person the voter may select in casting the vote,  
34 except that the voter shall not select a person standing for  
35 election on the ballot. The officers, or the person selected



1 by the voter, shall cast the vote of the voter requiring  
2 assistance, and shall thereafter give no information regarding  
3 the vote cast. If any elector because of a disability cannot  
4 enter the building where the polling place for the elector's  
5 precinct of residence is located, the two officers shall take  
6 a paper ballot to the vehicle occupied by the elector with  
7 a disability and allow the elector to cast the ballot in  
8 the vehicle. Ballots cast by voters with disabilities shall  
9 be deposited in the regular ballot box, or inserted in the  
10 tabulating device, and counted in the usual manner.

11 Sec. 40. Section 49.104, Code 2021, is amended to read as  
12 follows:

13 **49.104 Persons permitted at polling places.**

14 1. The following persons shall be permitted to be present at  
15 and in the immediate vicinity of the polling places, provided  
16 they do not solicit votes:

17 ~~1.~~ a. Any person who is by law authorized to perform or  
18 is charged with the performance of official duties at the  
19 election.

20 ~~2.~~ b. Any number of persons, not exceeding three at a time  
21 from each political party having candidates to be voted for  
22 at such election, to act as challenging committees, who are  
23 appointed and accredited by the executive or central committee  
24 of such political party or organization.

25 ~~3.~~ c. Any number of persons not exceeding three at a time  
26 from each of such political parties, appointed and accredited  
27 in the same manner as prescribed in subsection 2 paragraph  
28 "b" for challenging committees, and any number of persons  
29 not exceeding three at a time appointed as observers under  
30 subsection 5 paragraph "e", to witness the counting of ballots.

31 ~~4.~~ d. Any peace officer assigned or called upon to keep  
32 order or maintain compliance with the provisions of this  
33 chapter, upon request of the commissioner or of the chairperson  
34 of the precinct election board.

35 ~~5.~~ e. One observer at a time representing any nonparty

1 political organization, any candidate nominated by petition  
2 pursuant to [chapter 45](#), or any other nonpartisan candidate  
3 in a city or school election, appearing on the ballot of the  
4 election in progress. Candidates who send observers to the  
5 polls shall provide each observer with a letter of appointment  
6 in the form prescribed by the state commissioner.

7 ~~6.~~ f. Any persons expressing an interest in a ballot issue  
8 to be voted upon at an election except a general or primary  
9 election. Any such person shall file a notice of intent to  
10 serve as an observer with the commissioner before election  
11 day. If more than three persons file a notice of intent to  
12 serve at the same time with respect to ballot issues at an  
13 election, the commissioner shall appoint from those submitting  
14 a notice of intent the three persons who may serve at that time  
15 as observers, and shall provide a schedule to all persons who  
16 filed notices of intent. The appointees, whenever possible,  
17 shall include both opponents and proponents of the ballot  
18 issues.

19 ~~7.~~ g. Any person authorized by the commissioner, in  
20 consultation with the secretary of state, for the purposes of  
21 conducting and attending educational voting programs.

22 ~~8.~~ h. Reporters, photographers, and other staff  
23 representing the news media. However, representatives of the  
24 news media, while present at or in the immediate vicinity of  
25 the polling places, shall not interfere with the election  
26 process in any way.

27 2. A precinct election official or county commissioner  
28 shall not obstruct or interfere with a person fulfilling that  
29 person's role or performing that person's duty under subsection  
30 1. A person who violates this subsection is guilty of election  
31 misconduct in the third degree.

32 Sec. 41. Section 49.109, Code 2021, is amended to read as  
33 follows:

34 **49.109 Employees entitled to time to vote.**

35 Any person entitled to vote at an election in this state who

1 does not have ~~three~~ two consecutive hours in the period between  
2 the time of the opening and the time of the closing of the polls  
3 during which the person is not required to be present at work  
4 for an employer, is entitled to such time off from work time to  
5 vote as will in addition to the person's nonworking time total  
6 ~~three~~ two consecutive hours during the time the polls are open.  
7 Application by any employee for such absence shall be made  
8 individually and in writing prior to the date of the election,  
9 and the employer shall designate the period of time to be  
10 taken. The employee is not liable to any penalty nor shall any  
11 deduction be made from the person's regular salary or wages on  
12 account of such absence.

13 Sec. 42. NEW SECTION. 50.52 Enforcement.

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

17 Sec. 43. Section 53.2, subsection 1, Code 2021, is amended  
18 to read as follows:

19 1. a. Any registered voter, under the circumstances  
20 specified in [section 53.1](#), may on any day, except election day,  
21 and not more than ~~one hundred twenty~~ seventy days prior to the  
22 date of the election, apply in person for an absentee ballot  
23 at the commissioner's office or at any location designated by  
24 the commissioner. However, for those elections in which the  
25 commissioner directs the polls be opened at noon pursuant to  
26 section 49.73, a voter may apply in person for an absentee  
27 ballot at the commissioner's office from 8:00 a.m. until 11:00  
28 a.m. on election day.

29 b. A registered voter may make written application to the  
30 commissioner for an absentee ballot. A written application  
31 for an absentee ballot must be received by the commissioner no  
32 later than 5:00 p.m. on the same day as the voter registration  
33 deadline provided in [section 48A.9](#) for the election for which  
34 the ballot is requested, except when the absentee ballot is  
35 requested and voted at the commissioner's office pursuant to

1 section 53.10. A written application for an absentee ballot  
2 delivered to the commissioner and received by the commissioner  
3 more than ~~one hundred twenty~~ seventy days prior to the date of  
4 the election shall be returned to the voter with a notification  
5 of the date when the applications will be accepted.

6 c. The commissioner may send an absentee ballot application  
7 to a registered voter at the request of the registered voter.  
8 The commissioner shall not send an absentee ballot application  
9 to a person who has not submitted such a request.

10 d. In the event of a public health disaster declared by the  
11 governor pursuant to section 29C.6, the general assembly may by  
12 resolution direct the state commissioner to send an absentee  
13 ballot application to each registered voter prior to a primary  
14 or general election held in an even-numbered year. If the  
15 general assembly is not in session, the legislative council may  
16 so direct the state commissioner by a majority vote.

17 Sec. 44. Section 53.2, subsection 2, Code 2021, is amended  
18 by adding the following new paragraph:

19 NEW PARAGRAPH. d. No absentee ballot application shall be  
20 provided to a registered voter with any field prefilled, except  
21 that the absentee ballot application may have the fields for  
22 the type and date of the election prefilled.

23 Sec. 45. Section 53.2, Code 2021, is amended by adding the  
24 following new subsection:

25 NEW SUBSECTION. 11. If an application for an absentee  
26 ballot is received between 5:00 p.m. on the fifteenth day  
27 before an election and 5:00 p.m. on the seventh day before  
28 an election, the commissioner shall notify the registered  
29 voter within twenty-four hours that the absentee ballot  
30 request cannot be processed and notify the registered voter  
31 of ways the registered voter may participate in the election.  
32 A notification sent pursuant to this subsection shall be  
33 transmitted in the same manner as a notification transmitted  
34 pursuant to subsection 4, paragraph "b".

35 Sec. 46. NEW SECTION. 53.4 Absentee ballots — reports.

1 1. Beginning on the first day that absentee ballots are  
2 mailed in each primary and general election and each special  
3 election pursuant to section 69.14, and through election  
4 day, the state commissioner shall publish a report regarding  
5 absentee ballots on a daily basis. The report shall include,  
6 at a minimum, all of the following information:

7 a. The number of absentee ballot request forms received by  
8 a county commissioner.

9 b. The number of absentee ballots sent by a county  
10 commissioner.

11 c. The total number of absentee ballots received by a county  
12 commissioner, and the total delivered by each of the following  
13 methods:

14 (1) Mail.

15 (2) Delivery to a drop box.

16 (3) Delivery by hand.

17 (4) Voted in person at a satellite location.

18 2. Each county commissioner shall provide all information  
19 necessary under this section to the state commissioner in a  
20 manner prescribed by the state commissioner.

21 Sec. 47. Section 53.8, subsection 1, paragraph a,  
22 unnumbered paragraph 1, Code 2021, is amended to read as  
23 follows:

24 Upon receipt of an application for an absentee ballot and  
25 immediately after the absentee ballots are printed, but not  
26 more than ~~twenty-nine~~ twenty days before the election, the  
27 commissioner shall mail an absentee ballot to the applicant  
28 within twenty-four hours, except as otherwise provided in  
29 subsection 3. ~~When the United States post office is closed~~  
30 ~~in observance of a federal holiday and is not delivering mail~~  
31 ~~on the twenty-ninth day before the election, the first day to~~  
32 ~~mail absentee ballots is the next business day on which mail~~  
33 ~~delivery is available.~~ The absentee ballot shall be sent to  
34 the registered voter by one of the following methods:

35 Sec. 48. Section 53.8, subsection 2, paragraph a, Code 2021,

1 is amended to read as follows:

2     a. The commissioner shall enclose with the absentee ballot  
3 a statement informing the applicant that the sealed return  
4 envelope may be mailed to the commissioner by the registered  
5 voter or ~~the voter's designee~~ a person not prohibited to  
6 collect and deliver a completed ballot pursuant to section  
7 53.33, may be returned to a drop box established by the  
8 commissioner pursuant to section 53.17, subsection 1, by  
9 the registered voter or a person not prohibited to collect  
10 and deliver a completed ballot pursuant to section 53.33,  
11 only if the commissioner has established such a drop box, or  
12 may be personally delivered to the commissioner's office by  
13 the registered voter or ~~the voter's designee~~ a person not  
14 prohibited to collect and deliver a completed ballot pursuant  
15 to section 53.33. The statement shall also inform the voter  
16 that the voter may request that the ~~voter's designee~~ person not  
17 prohibited to collect and deliver a completed ballot pursuant  
18 to section 53.33 complete a receipt when retrieving the ballot  
19 from the voter. A blank receipt shall be enclosed with the  
20 absentee ballot.

21     Sec. 49. Section 53.8, Code 2021, is amended by adding the  
22 following new subsection:

23     NEW SUBSECTION. 4. The commissioner and the state  
24 commissioner shall not mail an absentee ballot to a person who  
25 has not submitted an application for an absentee ballot.

26     Sec. 50. Section 53.10, subsection 1, Code 2021, is amended  
27 to read as follows:

28     1. Not more than ~~twenty-nine~~ twenty days before the date of  
29 the primary election or the general election, the commissioner  
30 shall provide facilities for absentee voting in person at the  
31 commissioner's office. This service shall also be provided  
32 for other elections as soon as the ballots are ready, but in  
33 no case shall absentee ballots be available under **this section**  
34 more than ~~twenty-nine~~ twenty days before an election.

35     Sec. 51. Section 53.11, subsection 1, Code 2021, is amended

1 to read as follows:

2 1. *a.* Not more than ~~twenty-nine~~ twenty days before the  
3 date of an election, satellite absentee voting stations ~~may be~~  
4 ~~established throughout the cities and county at the direction~~  
5 ~~of the commissioner and~~ shall be established upon receipt  
6 of a petition signed by not less than one hundred eligible  
7 electors requesting that a satellite absentee voting station  
8 be established at a location to be described on the petition.  
9 However, if a special election is scheduled in the county on a  
10 date that falls between the date of the regular city election  
11 and the date of the city runoff election, the commissioner is  
12 not required to establish a satellite absentee voting station  
13 for the city runoff election.

14 *b.* A satellite absentee voting station established by  
15 petition must be open at least one day for a minimum of six  
16 hours. ~~A satellite absentee voting station established at the~~  
17 ~~direction of the commissioner or by petition and~~ may remain  
18 open until 5:00 p.m. on the day before the election.

19 Sec. 52. Section 53.17, subsection 1, paragraph b, Code  
20 2021, is amended to read as follows:

21 *b.* The sealed return envelope may be mailed to the  
22 commissioner by the registered voter or by the voter's  
23 designee. If mailed by the voter's designee, the envelope  
24 must be mailed within seventy-two hours of retrieving it from  
25 the voter ~~or within time to be postmarked or, if applicable,~~  
26 ~~to have the postal service barcode traced to a date of entry~~  
27 ~~into the federal mail system not later than the day before the~~  
28 ~~election, as provided in [section 53.17A](#), whichever is earlier.~~

29 Sec. 53. Section 53.17, subsection 1, Code 2021, is amended  
30 by adding the following new paragraph:

31 NEW PARAGRAPH. *c.* The sealed return envelope may be  
32 delivered by a person not prohibited to collect and deliver a  
33 completed ballot pursuant to section 53.33 to a ballot drop  
34 box established by the commissioner no later than the time the  
35 polls are closed on election day. However, if delivered by

1 the voter's designee, the envelope shall be delivered within  
2 seventy-two hours of retrieving it from the voter or before the  
3 closing of the polls on election day, whichever is earlier. A  
4 commissioner is not required to establish a ballot drop box. A  
5 ballot drop box must meet all of the following requirements:

6 (1) A commissioner shall not establish more than one  
7 ballot drop box, which shall be located at the office of  
8 the commissioner, or on property owned and maintained by the  
9 county that directly surrounds the building where the office  
10 is located. For the purposes of this subparagraph, "*office of*  
11 *the commissioner*" means a location where a voter may receive  
12 services pursuant to section 48A.17, 50.20, 53.10, or 53.18.

13 (2) The ballot drop box shall not be used for any purpose  
14 other than the collection of absentee ballots.

15 (3) The commissioner shall implement all reasonable  
16 and necessary measures to ensure that the ballot drop box  
17 is accessible and secure. Security measures may include  
18 placing the ballot drop box in a place regularly viewed by the  
19 commissioner or the commissioner's staff.

20 (4) A video surveillance system shall be used to monitor all  
21 activity at the ballot drop box at all times while the ballot  
22 drop box is in place. The system shall create a recording,  
23 which shall be reviewed by the state commissioner, county  
24 attorney, and law enforcement in the event that misconduct  
25 occurs.

26 (5) A ballot drop box shall be available no sooner than the  
27 time that absentee ballots are allowed to be mailed pursuant  
28 to section 53.8. The ballot drop box shall be removed or  
29 restricted from accepting deliveries immediately upon the  
30 closure of polls on election day.

31 (6) While available, a ballot drop box shall be securely  
32 fastened to a stationary surface or an immovable object.

33 (7) The ballot drop box shall be secured by a lock and shall  
34 include a tamper-evident seal. Only the commissioner or an  
35 employee of the commissioner shall have access to the means to



1 unfasten the lock.

2 (8) Materials delivered to the ballot drop box shall be  
3 retrieved in an expeditious manner, but no less often than four  
4 times per day.

5 (9) The commissioner shall maintain a log of each time  
6 materials are retrieved from the ballot drop box, including the  
7 date and time materials were retrieved, and the name of the  
8 person who retrieved the materials. The commissioner or the  
9 commissioner's employee shall record on the ballot, near the  
10 portion of the envelope including the affidavit signed by the  
11 voter, that the materials were retrieved from a drop box, the  
12 date and time of the retrieval, and the initials of the person  
13 who retrieved the materials.

14 (10) A ballot retrieved from a ballot drop box shall be  
15 processed in the same manner as a ballot returned pursuant to  
16 paragraph "a".

17 Sec. 54. Section 53.17, subsection 2, Code 2021, is amended  
18 to read as follows:

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

27 Sec. 55. Section 53.17, subsection 4, paragraph f, Code  
28 2021, is amended to read as follows:

29 f. A statement that the completed absentee ballot will  
30 be delivered to the commissioner's office within seventy-two  
31 hours of retrieving it from the voter or before the closing of  
32 the polls on election day, whichever is earlier, or that the  
33 completed absentee ballot will be mailed to the commissioner  
34 within seventy-two hours of retrieving it from the voter ~~or~~  
35 ~~within time to be postmarked or, if applicable, to have the~~

1 ~~postal service barcode traced to a date of entry into the~~  
2 ~~federal mail system not later than the day before the election,~~  
3 ~~as provided in section 53.17A, whichever is earlier.~~

4 Sec. 56. Section 53.17, Code 2021, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 5. For the purposes of this section,  
7 "*voter's designee*" means a person not prohibited to collect and  
8 deliver a completed ballot pursuant to section 53.33.

9 Sec. 57. Section 53.17A, subsection 2, paragraphs a and b,  
10 Code 2021, are amended by striking the paragraphs.

11 Sec. 58. Section 53.18, subsection 2, Code 2021, is amended  
12 to read as follows:

13 2. If the commissioner receives the return envelope  
14 containing the completed absentee ballot by 5:00 p.m. on the  
15 Saturday before the election for general elections and by 5:00  
16 p.m. on the Friday before the election for all other elections,  
17 the commissioner shall review the affidavit marked on the  
18 return envelope, if applicable, for completeness or shall open  
19 the return envelope to review the affidavit for completeness.  
20 ~~If the affidavit is incomplete, the commissioner shall, within~~  
21 ~~twenty-four hours of the time the envelope was received, notify~~  
22 ~~the voter of that fact and that the voter may complete the~~  
23 ~~affidavit in person at the office of the commissioner by 5:00~~  
24 ~~p.m. on the day before the election, vote a replacement ballot~~  
25 ~~in the manner and within the time period provided in subsection~~  
26 ~~3, or appear at the voter's precinct polling place on election~~  
27 ~~day and cast a ballot in accordance with section 53.19,~~  
28 subsection 3. If the affidavit lacks the signature of the  
29 registered voter, the commissioner shall, within twenty-four  
30 hours of the receipt of the envelope, notify the voter of the  
31 deficiency and inform the voter that the voter may vote a  
32 replacement ballot as provided in subsection 3, cast a ballot  
33 as provided in section 53.19, subsection 3, or complete the  
34 affidavit in person at the office of the commissioner not later  
35 than the time polls close on election day.

1     Sec. 59. Section 53.18, Code 2021, is amended by adding the  
2 following new subsection:

3     NEW SUBSECTION. 04. For the purposes of this section, a  
4 return envelope marked with the affidavit shall be considered  
5 incomplete if the affidavit lacks the registered voter's  
6 signature. A signature or marking made in accordance with  
7 section 39.3, subsection 17, shall not cause an affidavit to be  
8 considered incomplete.

9     Sec. 60. Section 53.19, subsection 1, Code 2021, is amended  
10 to read as follows:

11     1. The commissioner shall maintain a list of the absentee  
12 ballots provided to registered voters, the serial number  
13 appearing on the unsealed envelope, the date the application  
14 for the absentee ballot was received, ~~and~~ the date the absentee  
15 ballot was sent to the registered voter requesting the absentee  
16 ballot, the date the absentee ballot was received by the  
17 commissioner, the date the absentee ballot outer envelope  
18 was opened, and whether the ballot was delivered by mail, in  
19 person, to a ballot drop box, or cast in person at a satellite  
20 location. The information under this subsection shall be  
21 reported separately at the same time as the information  
22 reported under section 53.30, subsection 3.

23     Sec. 61. Section 53.22, subsection 3, Code 2021, is amended  
24 to read as follows:

25     3. Any registered voter who becomes a patient, tenant, or  
26 resident of a hospital, assisted living program, or health care  
27 facility in the county where the voter is registered to vote  
28 ~~within three days prior to the date of any election~~ after the  
29 deadline to make a written application for an absentee ballot  
30 as provided in section 53.2 or on election day may request an  
31 absentee ballot during that period or on election day. As an  
32 alternative to the application procedure prescribed by section  
33 53.2, the registered voter may make the request directly to  
34 the officers who are delivering and returning absentee ballots  
35 under [this section](#). Alternatively, the request may be made by

1 telephone to the office of the commissioner not later than four  
2 hours before the close of the polls. If the requester is found  
3 to be a registered voter of that county, these officers shall  
4 deliver the appropriate absentee ballot to the registered voter  
5 in the manner prescribed by [this section](#).

6 Sec. 62. Section 53.22, subsection 6, paragraph a, Code  
7 2021, is amended to read as follows:

8 a. If the registered voter becomes a patient, tenant, or  
9 resident of a hospital, assisted living program, or health care  
10 facility outside the county where the voter is registered to  
11 ~~vote within three days before the date of any election after~~  
12 the deadline to make a written application for an absentee  
13 ballot as provided in section 53.2 or on election day, the  
14 voter may designate a person to deliver and return the absentee  
15 ballot. ~~The designee may be any person the voter chooses~~  
16 ~~except that no candidate for any office to be voted upon for~~  
17 ~~the election for which the ballot is requested may deliver a~~  
18 ~~ballot under [this subsection](#) shall be a person not prohibited~~  
19 to collect and deliver a completed ballot pursuant to section  
20 53.33. The request for an absentee ballot may be made by  
21 telephone to the office of the commissioner not later than four  
22 hours before the close of the polls. If the requester is found  
23 to be a registered voter of that county, the ballot shall be  
24 delivered by mail or by the person designated by the voter. An  
25 application form shall be included with the absentee ballot and  
26 shall be signed by the voter and returned with the ballot.

27 Sec. 63. Section 53.23, subsection 3, paragraph c, Code  
28 2021, is amended to read as follows:

29 c. ~~For the general election, the~~ The commissioner may  
30 convene the special precinct election board on the day before  
31 the election to begin counting absentee ballots. However, if  
32 in the preceding general election the counting of absentee  
33 ballots was not completed by 10:00 p.m. on election day, the  
34 commissioner shall convene the special precinct election board  
35 on the day before the next general election to begin counting

1 absentee ballots. The board shall not release the results of  
2 its tabulation pursuant to this paragraph until the count is  
3 completed on election day.

4 Sec. 64. Section 53.30, Code 2021, is amended to read as  
5 follows:

6 **53.30 Ballots, ballot envelopes, and other information**  
7 **preserved.**

8 1. At the conclusion of each meeting of the absentee and  
9 special voter precinct board, the board shall reconcile the  
10 number of signed affidavits provided to the board by the  
11 commissioner and the number of ballots that were counted and  
12 tabulated. The board shall record the number of ballots that  
13 were rejected prior to opening the affidavit envelope, the  
14 number of absentee ballots that have been challenged and are  
15 currently unopened, and the number of absentee ballots that  
16 were accepted for counting and tabulation. The board shall  
17 also reconcile the number of provisional ballots provided  
18 to the board by the commissioner, the number of provisional  
19 ballots that were accepted for counting and tabulation, and the  
20 number of provisional ballots that were rejected.

21 2. At the conclusion of each meeting of the absentee and  
22 special voters precinct board, the board shall securely seal  
23 all ballots counted by them in the manner prescribed in section  
24 50.12. The ballot envelopes, including the affidavit envelope  
25 if an affidavit envelope was provided, the return envelope, and  
26 secrecy envelope bearing the signatures of precinct election  
27 officials, as required by section 53.23, shall be preserved.  
28 All applications for absentee ballots, ballots rejected without  
29 being opened, absentee ballot logs, and any other documents  
30 pertaining to the absentee ballot process shall be preserved  
31 until such time as the documents may be destroyed pursuant to  
32 section 50.19.

33 3. Following each primary and general election,  
34 commissioners shall report to the state commissioner the  
35 number of voted absentee ballots received by the commissioner,

1 the total number of absentee ballots counted and tabulated  
2 by the board, and the number of absentee ballots rejected by  
3 the board. The commissioner shall also provide the number of  
4 provisional ballots cast, the number of provisional ballots  
5 rejected, and the number of provisional ballots that were  
6 counted and tabulated by the board.

7 Sec. 65. NEW SECTION. 53.33 **Unlawful return of ballot.**

8 Notwithstanding any provision of law to the contrary, no  
9 person other than the registered voter or an individual who  
10 lives in the same household as the registered voter, the  
11 registered voter's immediate family member, an individual  
12 serving as a caretaker for the registered voter, or an  
13 individual pursuant to section 53.22 shall collect a completed  
14 ballot and return the ballot by mail or in person to the county  
15 auditor's office or other election location. A violation of  
16 this section constitutes election misconduct in the third  
17 degree under section 39A.4.

18 Sec. 66. Section 53.44, subsection 2, Code 2021, is amended  
19 by striking the subsection and inserting in lieu thereof the  
20 following:

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

29 Sec. 67. Section 53.53, subsection 4, paragraphs b and c,  
30 Code 2021, are amended to read as follows:

31 b. The voter's completed regular or special Iowa absentee  
32 ballot was received by the deadline for return of absentee  
33 ballots established in [section 53.17](#) [53.44](#).

34 c. The voter's federal write-in ballot was received after  
35 the deadline for return of absentee ballots established in

1 section ~~53.17~~ 53.44.

2 Sec. 68. Section 66.1A, Code 2021, is amended by adding the  
3 following new subsection:

4 NEW SUBSECTION. 8. For failure to pay a fine imposed  
5 pursuant to section 39A.6 and not dismissed pursuant to chapter  
6 17A.

7 Sec. 69. Section 69.14A, subsection 2, paragraph a,  
8 subparagraphs (1) and (2), Code 2021, are amended to read as  
9 follows:

10 (1) The appointment shall be for the period until the  
11 next ~~pending election as defined in~~ section 69.12 general  
12 election, and shall be made within forty days after the vacancy  
13 occurs. If the board of supervisors chooses to proceed under  
14 this paragraph, the board shall publish notice in the manner  
15 prescribed by section 331.305 stating that the board intends  
16 to fill the vacancy by appointment but that the electors of  
17 the county have the right to file a petition requiring that  
18 the vacancy be filled by special election. The board may  
19 publish notice in advance if an elected official submits a  
20 resignation to take effect at a future date. The board may  
21 make an appointment to fill the vacancy after the notice is  
22 published or after the vacancy occurs, whichever is later. A  
23 person appointed to an office under this subsection, except for  
24 a county attorney, shall have actually resided in the county  
25 which the appointee represents sixty days prior to appointment.  
26 A person appointed to the office of county attorney shall be a  
27 resident of the county at the time of appointment.

28 (2) However, if ~~within fourteen days after publication~~  
29 ~~of the notice or~~ within fourteen days after the appointment  
30 is made, a petition is circulated and filed with the county  
31 auditor requesting a special election to fill the vacancy,  
32 the appointment is temporary and a special election shall be  
33 called as provided in paragraph "b". The petition shall meet  
34 the requirements of section 331.306. A signature shall not be  
35 considered valid if the signature is dated prior to the date on

1 which the appointment was made.

2 Sec. 70. Section 69.14A, subsection 2, paragraph b,  
3 subparagraph (1), Code 2021, is amended to read as follows:

4 (1) The board of supervisors may, on its own motion, or  
5 shall, upon receipt of a petition as provided in paragraph  
6 "a", call for a special election to fill the vacancy in lieu  
7 of appointment. The supervisors shall order the special  
8 election at the earliest practicable date, but giving at least  
9 thirty-two days' notice of the election. A special election  
10 called under **this section** shall be held on a Tuesday ~~and shall~~  
11 ~~not be held on the same day as a school election within the~~  
12 ~~county.~~

13 Sec. 71. Section 331.756, Code 2021, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 75. Bring actions under chapter 66 for  
16 failure to pay fines imposed pursuant to section 39A.6 and not  
17 dismissed pursuant to chapter 17A.

18 Sec. 72. Section 445.5, subsection 1, Code 2021, is amended  
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *i.* Until November 7, 2024, the hours during  
21 which polling places are open on election days. This paragraph  
22 is repealed effective July 1, 2025.

23 Sec. 73. EFFECTIVE DATE. This Act, being deemed of  
24 immediate importance, takes effect upon enactment.

25 Sec. 74. APPLICABILITY. The following apply to all  
26 candidates seeking election to an office that will appear on a  
27 ballot in or after 2022:

28 1. The sections of this Act amending section 43.20.

29 2. The section of this Act amending section 44.1.

30 3. The section of this Act amending section 45.1.