

Senate Study Bill 3161 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SCHULTZ)

A BILL FOR

1 An Act relating to the duties of the secretary of state,
2 including the address confidentiality program and the
3 conduct of elections.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

ADDRESS CONFIDENTIALITY PROGRAM

Section 1. Section 9E.3, subsection 1, paragraphs e and f, Code 2024, are amended to read as follows:

e. The residential address of the eligible person, disclosure of which could lead to an increased risk of domestic abuse, domestic abuse assault, sexual abuse, assault, stalking, or human trafficking. If the eligible person's residential address is a shelter known to the program, the applicant may provide the shelter's name and other contact information in lieu of the shelter's physical address.

f. If mail cannot be delivered to the residential address of the eligible person, the address to which mail can be sent to the eligible person. If the eligible person's mailing address is a shelter known to the program, the applicant may provide the shelter's name and other contact information in lieu of the shelter's physical address.

Sec. 2. Section 9E.4, subsection 2, Code 2024, is amended to read as follows:

2. The secretary shall cancel a program participant's certification ~~if the~~ for any of the following reasons:

a. The program participant's application contains false information.

b. The secretary receives information from a reliable source that the program participant has died.

Sec. 3. Section 9E.5, subsection 3, Code 2024, is amended to read as follows:

3. The secretary shall forward all mail sent to the designated address to the program participant. At the request of the program participant, the secretary may hold the program participant's mail for up to thirty days.

DIVISION II

CANDIDATE ELIGIBILITY OBJECTIONS

Sec. 4. Section 43.18, subsection 9, Code 2024, is amended to read as follows:

1 9. A For a candidate for an office other than a federal
2 office, a statement that the candidate is aware that the
3 candidate is disqualified from holding office if the candidate
4 has been convicted of a felony or other infamous crime and the
5 candidate's rights have not been restored by the governor or by
6 the president of the United States.

7 Sec. 5. Section 43.24, subsection 1, Code 2024, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *c.* Objections to the eligibility of a
10 candidate for a federal office shall not be sustained unless
11 the objection is limited to the legal sufficiency of the
12 nomination petition or certificate of nomination, or to the
13 residency, age, or citizenship requirements as described in the
14 Constitution of the United States.

15 Sec. 6. Section 44.3, subsection 2, paragraph i, Code 2024,
16 is amended to read as follows:

17 *i.* A For a candidate for an office other than a federal
18 office, a statement that the candidate is aware that the
19 candidate is disqualified from holding office if the candidate
20 has been convicted of a felony or other infamous crime and the
21 candidate's rights have not been restored by the governor or by
22 the president of the United States.

23 Sec. 7. Section 44.6, Code 2024, is amended to read as
24 follows:

25 **44.6 Hearing before state commissioner.**

26 Objections filed with the state commissioner shall be
27 considered by the secretary of state and auditor of state and
28 attorney general, and a majority decision shall be final.
29 However, if the objection is to the certificate of nomination
30 of one or more of the above named officers, the officer or
31 officers objected to shall not pass upon the objection, but
32 their places shall be filled, respectively, by the treasurer
33 of state, the governor, and the secretary of agriculture.
34 Objections relating to incorrect or incomplete information
35 for information that is required under [section 44.3](#) shall be

1 sustained. Objections to the eligibility of a candidate for
2 a federal office shall not be sustained unless the objection
3 is limited to the legal sufficiency of the nomination petition
4 or certificate of nomination, or to the residency, age, or
5 citizenship requirements as described in the Constitution of
6 the United States.

7 Sec. 8. Section 45.3, subsection 9, Code 2024, is amended
8 to read as follows:

9 9. A For a candidate for an office other than a federal
10 office, a statement that the candidate is aware that the
11 candidate is disqualified from holding office if the candidate
12 has been convicted of a felony or other infamous crime and the
13 candidate's rights have not been restored by the governor or by
14 the president of the United States.

15 Sec. 9. Section 54.5, Code 2024, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 5. An objection to a nomination made under
18 this section on any grounds other than the legal sufficiency
19 of the certificate of nomination shall not be sustained. The
20 certificate of nomination shall be presumed valid.

21 DIVISION III

22 RANKED CHOICE VOTING

23 Sec. 10. Section 49.93, Code 2024, is amended to read as
24 follows:

25 **49.93 Number of votes for each office.**

26 1. For an office to which one person is to be elected, a
27 voter shall not vote for more than one candidate. If two or
28 more persons are to be elected to an office, the voter shall
29 vote for no more than the number of persons to be elected. If a
30 person votes for more than the permitted number of candidates,
31 the vote for that office shall not count. Valid votes cast on
32 the rest of the ballot shall be counted.

33 2. a. An election in this state shall not be conducted
34 using ranked choice voting or instant runoff voting.

35 b. For the purposes of this section, "ranked choice voting"

1 or "instant runoff voting" means a method of casting and
2 tabulating votes in which a voter ranks candidates in order of
3 preference, tabulation of ballots proceeds in rounds such that
4 in each round either a candidate is elected or the candidate
5 receiving the fewest votes is defeated, votes are transferred
6 from elected or defeated candidates to a voter's next-ranked
7 candidate in order of preference, and tabulation ends when a
8 candidate receives the majority of votes cast or the number of
9 candidates elected equals the number of offices to be filled,
10 as applicable.

11 DIVISION IV

12 ABSENT VOTERS

13 Sec. 11. Section 39A.4, subsection 1, paragraph c,
14 subparagraphs (10) and (11), Code 2024, are amended to read as
15 follows:

16 (10) Returning a voted absentee ballot by mail, ~~to a ballot~~
17 ~~drop box~~, or in person, to the commissioner's office and the
18 person returning the ballot is a person prohibited to collect
19 and deliver a completed ballot pursuant to [section 53.33](#).

20 (11) Making a false or untrue statement reporting that
21 a voted absentee ballot was returned to the commissioner's
22 office, by mail or in person, ~~or to a ballot drop box~~, by a
23 person prohibited to collect and deliver a completed ballot
24 pursuant to [section 53.33](#).

25 Sec. 12. NEW SECTION. 53.1B Definitions.

26 For purposes of this subchapter, unless the context
27 otherwise requires:

28 1. "*Affidavit envelope*" means an envelope that includes
29 a serial number and bears on the back an affidavit for a
30 registered voter to mark the registered voter's signature and
31 voter verification number in a form prescribed by the state
32 commissioner.

33 2. "*Delivery envelope*" means an envelope that bears on its
34 face the name and address of the registered voter requesting an
35 absentee ballot, the words "county commissioner of elections",

1 the address of the commissioner's office, and the same serial
2 number that appears on the affidavit envelope and return
3 envelope.

4 3. "Return envelope" means an envelope that is addressed
5 to the commissioner's office, bears appropriate return postage
6 or a postal permit guaranteeing that the commissioner will pay
7 the return postage, and includes the same serial number as the
8 affidavit envelope and delivery envelope.

9 4. "Secrecy envelope" means an envelope, folder, or sleeve
10 that hides all voting ovals on a ballot when folded.

11 Sec. 13. Section 53.4, subsection 1, paragraph c,
12 subparagraph (2), Code 2024, is amended by striking the
13 subparagraph.

14 Sec. 14. Section 53.8, subsection 1, Code 2024, is amended
15 to read as follows:

16 1. a. Upon receipt of an application for an absentee ballot
17 and immediately after the absentee ballots are printed, but
18 not more than ~~twenty~~ twenty-two days before the election, the
19 commissioner shall mail an absentee ballot to the applicant
20 within twenty-four hours, except as otherwise provided in
21 subsection 3. The absentee ballot shall be ~~sent to the~~
22 ~~registered voter by one of the following methods:~~ enclosed
23 in an unsealed affidavit envelope. The absentee ballot and
24 affidavit envelope shall be enclosed in or with an unsealed
25 return envelope. The absentee ballot, affidavit envelope, and
26 return envelope shall be enclosed in the delivery envelope. If
27 the ballot cannot be folded so that all the voting ovals on the
28 ballot will be hidden, the commissioner shall also enclose a
29 secrecy envelope with the absentee ballot.

30 ~~(1) The absentee ballot shall be enclosed in an unsealed~~
31 ~~envelope marked with a serial number and affidavit. The~~
32 ~~absentee ballot and affidavit envelope shall be enclosed in~~
33 ~~or with an unsealed return envelope marked postage paid which~~
34 ~~bears the same serial number as the affidavit envelope. The~~
35 ~~absentee ballot, affidavit envelope, and return envelope shall~~

1 ~~be enclosed in a third envelope to be sent to the registered~~
2 ~~voter. If the ballot cannot be folded so that all of the votes~~
3 ~~cast on the ballot will be hidden, the commissioner shall also~~
4 ~~enclose a secrecy envelope with the absentee ballot.~~

5 ~~(2) The absentee ballot shall be enclosed in an unsealed~~
6 ~~return envelope marked with a serial number and affidavit~~
7 ~~and marked postage paid. The absentee ballot and return~~
8 ~~envelope shall be enclosed in a second envelope to be sent~~
9 ~~to the registered voter. If the ballot cannot be folded so~~
10 ~~that all of the votes cast on the ballot will be hidden, the~~
11 ~~commissioner shall also enclose a secrecy envelope with the~~
12 ~~absentee ballot.~~

13 ~~b. The affidavit shall be marked on the appropriate envelope~~
14 ~~in a form prescribed by the state commissioner of elections~~
15 registered voter requesting and receiving an absentee ballot
16 shall subscribe to the affidavit by signing and marking the
17 registered voter's voter verification number on the affidavit
18 envelope.

19 c. All domestic return envelope flaps or backs shall also
20 be printed or stamped with a notice of the deadline to return a
21 completed absentee ballot and the manner to track the status of
22 the ballot in a form prescribed by the state commissioner.

23 ~~e. d.~~ For envelopes mailed at any election other than the
24 primary election, the commissioner shall not mark any envelope
25 with any information related to the party affiliation of the
26 applicant.

27 Sec. 15. Section 53.8, subsection 2, paragraph a, Code 2024,
28 is amended to read as follows:

29 a. The commissioner shall enclose with the absentee ballot
30 a statement informing the applicant that the sealed return
31 envelope may be mailed to the commissioner by the registered
32 voter or a person not prohibited to collect and deliver a
33 completed ballot pursuant to [section 53.33](#), ~~may be returned to~~
34 ~~a drop box established by the commissioner pursuant to section~~
35 ~~53.17, subsection 1, by the registered voter or a person not~~

1 ~~prohibited to collect and deliver a completed ballot pursuant~~
2 ~~to [section 53.33](#), only if the commissioner has established~~
3 ~~such a drop box, or may be personally delivered to the~~
4 commissioner's office by the registered voter or a person not
5 prohibited to collect and deliver a completed ballot pursuant
6 to [section 53.33](#). The statement shall also inform the voter
7 that the voter may request that the person not prohibited to
8 collect and deliver a completed ballot pursuant to section
9 53.33 complete a receipt when retrieving the ballot from the
10 voter. A blank receipt shall be enclosed with the absentee
11 ballot.

12 Sec. 16. Section 53.10, subsection 1, Code 2024, is amended
13 to read as follows:

14 1. Not more than ~~twenty~~ twenty-two days before the date of
15 the primary election or the general election, the commissioner
16 shall provide facilities for absentee voting in person at the
17 commissioner's office. This service shall also be provided
18 for other elections as soon as the ballots are ready, but in
19 no case shall absentee ballots be available under [this section](#)
20 more than ~~twenty~~ twenty-two days before an election.

21 Sec. 17. Section 53.10, subsection 2, paragraph a, Code
22 2024, is amended to read as follows:

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

1 registered voter's voter verification number; and return the
2 sealed affidavit envelope containing the absentee ballot to
3 the commissioner. The commissioner shall record the numbers
4 appearing on the application and affidavit envelope along with
5 the name of the registered voter.

6 Sec. 18. Section 53.11, subsection 1, paragraph a, Code
7 2024, is amended to read as follows:

8 a. Not more than ~~twenty~~ twenty-two days before the date
9 of an election, satellite absentee voting stations shall be
10 established upon receipt of a petition signed by not less than
11 one hundred eligible electors requesting that a satellite
12 absentee voting station be established at a location to be
13 described on the petition. However, if a special election is
14 scheduled in the county on a date that falls between the date
15 of the regular city election and the date of the city runoff
16 election, the commissioner is not required to establish a
17 satellite absentee voting station for the city runoff election.

18 Sec. 19. Section 53.12, Code 2024, is amended by striking
19 the section and inserting in lieu thereof the following:

20 **53.12 Duty of commissioner.**

21 The commissioner shall affix to the application the same
22 serial number that appears on the affidavit envelope, return
23 envelope, and delivery envelope.

24 Sec. 20. Section 53.16, Code 2024, is amended by striking
25 the section and inserting in lieu thereof the following:

26 **53.16 Subscribing to affidavit.**

27 After marking the ballot, the voter shall enclose the ballot
28 in a secrecy envelope, if necessary, and seal the ballot in
29 the affidavit envelope; subscribe to the affidavit by signing
30 and marking the registered voter's voter verification number;
31 place the sealed affidavit envelope in the return envelope; and
32 securely seal the return envelope.

33 Sec. 21. Section 53.17, subsection 1, unnumbered paragraph
34 1, Code 2024, is amended to read as follows:

35 ~~If the commissioner mailed the ballot pursuant to section~~

1 ~~53.8, subsection 1, paragraph "a", subparagraph (1), the sealed~~
2 ~~envelope bearing the voter's affidavit and containing the~~
3 ~~absentee ballot shall be enclosed in a return envelope which~~
4 ~~shall be securely sealed. If the commissioner mailed the~~
5 ~~ballot pursuant to section 53.8, subsection 1, paragraph "a",~~
6 ~~subparagraph (2), the absentee ballot shall be enclosed in the~~
7 ~~return envelope which shall be securely sealed. The sealed~~
8 ~~return envelope shall be returned to the commissioner by one of~~
9 ~~the following methods:~~

10 Sec. 22. Section 53.17, subsection 1, paragraph a, Code
11 2024, is amended to read as follows:

12 a. The sealed return envelope may be delivered by the
13 registered voter, by the voter's designee, or by the special
14 precinct election officials designated pursuant to section
15 53.22, subsection 2, to the commissioner's office no later
16 than the time the polls are closed on election day. However,
17 if delivered by the voter's designee, the envelope shall be
18 delivered within seventy-two hours of retrieving it from the
19 voter or by the close of business on the day before the closing
20 ~~of the polls on election day, whichever is earlier.~~

21 Sec. 23. Section 53.17, subsection 1, paragraph c, Code
22 2024, is amended by striking the paragraph.

23 Sec. 24. Section 53.17, subsection 2, Code 2024, is amended
24 to read as follows:

25 2. In order for the ballot to be counted, the return
26 envelope must be received in the commissioner's office by the
27 close of business on the day before the polls close on election
28 day.

29 Sec. 25. Section 53.17, subsection 4, paragraph f, Code
30 2024, is amended to read as follows:

31 f. A statement that the completed absentee ballot will be
32 delivered to the commissioner's office within seventy-two hours
33 of retrieving it from the voter or by the close of business
34 on the day before the closing of the polls on election day,
35 whichever is earlier, or that the completed absentee ballot

1 will be mailed to the commissioner within seventy-two hours of
2 retrieving it from the voter.

3 Sec. 26. Section 53.17A, subsection 3, paragraph a, Code
4 2024, is amended to read as follows:

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

12 Sec. 27. Section 53.18, subsections 2 and 3, Code 2024, are
13 amended to read as follows:

14 2. If the commissioner receives the return envelope
15 containing the completed absentee ballot by 5:00 p.m. on the
16 Saturday before the election for general elections and by 5:00
17 p.m. on the Friday before the election for all other elections,
18 the commissioner shall ~~review the affidavit marked on the~~
19 ~~return envelope, if applicable, for completeness or shall open~~
20 ~~the return envelope to review the affidavit for completeness~~
21 open the return envelope, if applicable, and review the
22 affidavit marked on the affidavit envelope for completeness.
23 If the affidavit lacks the signature or voter verification
24 number of the registered voter, the commissioner shall, within
25 twenty-four hours of the receipt of the envelope, notify the
26 voter of the deficiency and inform the voter that the voter may
27 vote a replacement ballot as provided in [subsection 3](#), cast a
28 ballot as provided in [section 53.19, subsection 3](#), or complete
29 the affidavit in person at the office of the commissioner not
30 later than the ~~time polls close~~ close of business on the day before
31 election day.

32 3. If the affidavit envelope ~~or the return envelope marked~~
33 ~~with the affidavit~~ contains a defect that would cause the
34 absentee ballot to be rejected by the absentee and special
35 voters precinct board, the commissioner shall immediately

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

29 Sec. 28. Section 53.19, subsection 1, Code 2024, is amended
30 to read as follows:

31 1. The commissioner shall maintain a list of the absentee
32 ballots provided to registered voters, the serial number
33 appearing on the unsealed envelope, the date the application
34 for the absentee ballot was received, the date the absentee
35 ballot was sent to the registered voter requesting the absentee

1 ballot, the date the absentee ballot was received by the
2 commissioner, the date the absentee ballot outer envelope was
3 opened, and whether the ballot was delivered by mail, or in
4 person, ~~to a ballot drop box,~~ or cast in person at a satellite
5 location. The information under this subsection shall be
6 reported separately at the same time as the information
7 reported under section 53.30, subsection 3.

8 Sec. 29. Section 53.21, subsection 2, paragraph b, Code
9 2024, is amended to read as follows:

10 *b.* The voter shall enclose one copy of the above statement
11 in the return envelope along with the affidavit envelope, if
12 ~~the voter was mailed a separate affidavit envelope,~~ and shall
13 retain a copy for the voter's records.

14 Sec. 30. Section 53.23, subsection 3, paragraph b,
15 subparagraph (1), Code 2024, is amended to read as follows:

16 (1) The commissioner may direct the board to meet on the day
17 before the election for the purpose of reviewing the absentee
18 voters' affidavits appearing on the sealed envelopes. If in
19 the commissioner's judgment this procedure is necessary due
20 to the number of absentee ballots received, the members of
21 the board may open the sealed affidavit envelopes and remove
22 the secrecy envelope containing the ballot, but under no
23 circumstances shall a secrecy envelope or a return an affidavit
24 envelope ~~marked with an affidavit~~ be opened before the board
25 convenes on election day, except as provided in paragraph
26 "c". If the affidavit envelopes are opened before election
27 day pursuant to this paragraph "b", the observers appointed
28 by each political party, as defined in section 43.2, shall
29 witness the proceedings. Each political party may appoint up
30 to five observers under this paragraph "b". The observers
31 shall be appointed by the county chairperson or, if the
32 county chairperson fails to make an appointment, by the state
33 chairperson. However, if either or both political parties fail
34 to appoint an observer, the commissioner may continue with the
35 proceedings.

1 Sec. 31. Section 53.23, subsection 5, Code 2024, is amended
2 to read as follows:

3 5. The special precinct election board shall preserve the
4 secrecy of all absentee and provisional ballots. After the
5 affidavits on the affidavit envelopes have been reviewed and
6 the qualifications of the persons casting the ballots have been
7 determined, those that have been accepted for counting shall
8 be opened. The ballots shall be removed from the affidavit
9 envelopes ~~or return envelopes marked with the affidavit, as~~
10 ~~applicable,~~ without being unfolded or examined, and then shall
11 be thoroughly intermingled, after which they shall be unfolded
12 and tabulated. If secrecy ~~folders~~ envelopes are used with
13 provisional paper ballots, the ballots shall be removed from
14 the secrecy ~~folders~~ envelopes after the ballots have been
15 intermingled.

16 Sec. 32. Section 53.25, subsection 1, paragraph a, Code
17 2024, is amended to read as follows:

18 a. If the absentee voter's affidavit lacks the voter's
19 signature or voter verification number, if the applicant is
20 not a duly registered voter on election day in the precinct
21 where the absentee ballot was cast, if the affidavit envelope
22 ~~marked with the affidavit~~ contains more than one ballot of any
23 one kind, or if the voter has voted in person, such vote shall
24 be rejected by the absentee and special voters precinct board.
25 If the affidavit envelope ~~or return envelope marked with the~~
26 ~~affidavit~~ is open, or has been opened and resealed, or if the
27 ballot is not enclosed in ~~such~~ the affidavit envelope, and an
28 affidavit envelope or return envelope marked with the affidavit
29 with the same serial number and marked "Replacement ballot" is
30 not attached as provided in [section 53.18](#), the ballot shall be
31 rejected by the absentee and special voters precinct board.

32 Sec. 33. Section 53.25, subsection 2, Code 2024, is amended
33 to read as follows:

34 2. If the absentee or provisional ballot is rejected prior
35 to the opening of the affidavit envelope ~~or return envelope~~

1 ~~marked with the affidavit~~, the voter casting the ballot shall
2 be notified by a precinct election official by the time the
3 canvass is completed of the reason for the rejection on a form
4 prescribed by the state commissioner of elections.

5 Sec. 34. Section 53.30, subsection 2, Code 2024, is amended
6 to read as follows:

7 2. At the conclusion of each meeting of the absentee and
8 special voters precinct board, the board shall securely seal
9 all ballots counted by them in the manner prescribed in section
10 50.12. The ballot envelopes, including the affidavit envelope
11 ~~if an affidavit envelope was provided~~, the return envelope, and
12 secrecy envelope bearing the signatures of precinct election
13 officials, as required by [section 53.23](#), shall be preserved.
14 All applications for absentee ballots, ballots rejected without
15 being opened, absentee ballot logs, and any other documents
16 pertaining to the absentee ballot process shall be preserved
17 until such time as the documents may be destroyed pursuant to
18 section 50.19.

19 Sec. 35. Section 53.32, Code 2024, is amended to read as
20 follows:

21 **53.32 Ballot of deceased voter.**

22 When it shall be made to appear by due proof to the precinct
23 election officials that any elector, who has so marked and
24 forwarded a ballot, has died before the ~~envelope marked with~~
25 ~~the affidavit~~ affidavit envelope is opened, then the ballot of
26 such deceased voter shall be endorsed, "Rejected because voter
27 is dead", and be returned to the commissioner. The casting
28 of the ballot of a deceased voter shall not invalidate the
29 election.

30 Sec. 36. Section 53.33, subsection 7, paragraph a, Code
31 2024, is amended to read as follows:

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

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DIVISION V

PERSONS PERMITTED IN VOTING BOOTHS

Sec. 37. Section 49.88, subsection 3, Code 2024, is amended to read as follows:

3. A person standing for election on the ballot before a voter ~~shall not occupy~~ commits a violation of this section by occupying the voting booth with the voter, including to assist the voter.

DIVISION VI

VOTER REGISTRATION DATABASE PILOT PROGRAM

Sec. 38. NEW SECTION. 47.7A Statewide voter registration database verification pilot program.

1. A statewide voter registration database verification pilot program is established within the office of the state registrar as follows:

a. The state registrar shall contract with a third-party vendor to develop or provide a program to allow the state registrar to verify the status of records in the statewide voter registration file and identify ineligible voters on an ongoing basis.

b. During the first quarter of the calendar year 2025, the state registrar shall utilize the program developed or provided by the third-party vendor to verify the status of records in the statewide voter registration file. The state registrar shall forward the results of the analysis to each county commissioner of registration prior to the date reports are required to be submitted pursuant to section 48A.40. Each county commissioner of registration shall cancel or mark records inactive according to the results of the analysis and as required by sections 48A.28 through 48A.30.

c. The state registrar shall evaluate the efficacy and cost of the pilot program as compared to the current method of verifying the list of voters in the statewide voter registration file.

2. This section is repealed December 31, 2027.

DIVISION VII

1 COUNTY HOSPITAL BOARD OF TRUSTEES

2 Sec. 39. Section 347.9, subsection 3, Code 2024, is amended
3 by striking the subsection.

4 Sec. 40. TRANSITION. This division of this Act does not
5 alter the term of office of a trustee elected to a county
6 public hospital board of trustees prior to the effective date
7 of this division of this Act.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill relates to duties of the secretary of state,
12 including the address confidentiality program and the conduct
13 of elections. The bill is organized in divisions.

14 DIVISION I — ADDRESS CONFIDENTIALITY PROGRAM. This
15 division relates to the address confidentiality program, which
16 provides mail forwarding services to persons who are victims of
17 domestic abuse, domestic abuse assault, sexual abuse, assault,
18 stalking, or human trafficking, or who fear for their own
19 safety or the safety of a household member. The bill allows
20 the secretary of state to accept as a program participant's
21 mailing address the name and other contact information of
22 a shelter in lieu of the shelter's physical address, to
23 cancel a deceased participant's certification, and to hold a
24 participant's mail for up to 30 days at the request of the
25 participant.

26 DIVISION II — CANDIDATE ELIGIBILITY OBJECTIONS. This
27 division relates to the nomination of candidates for federal
28 office. The bill exempts candidates for federal office from
29 the requirement that a candidate sign a statement that the
30 candidate is aware that the candidate is disqualified from
31 holding office if the candidate has been convicted of a felony
32 or other infamous crime and the candidate's rights have not
33 been restored by the governor or by the president of the United
34 States. The bill limits objections to the eligibility of a
35 candidate for a federal office that may be filed with the

1 state commissioner of elections to objections to the legal
2 sufficiency of the nomination petition or certificate of
3 election, or to the residency, age, or citizenship requirements
4 as described in the United States Constitution. With
5 respect to nominations for president or vice president of the
6 United States, the bill allows objections only to the legal
7 sufficiency of the certificate of nomination. The certificate
8 of nomination shall be presumed valid.

9 DIVISION III — RANKED CHOICE VOTING. This division relates
10 to the use of ranked choice and instant runoff voting for
11 elections in this state. The bill prohibits ranked choice and
12 instant runoff voting, defined in the bill as a system in which
13 voters rank multiple candidates for a single office in order of
14 preference and candidates are eliminated and votes transferred
15 between candidates in a series of rounds, from being used to
16 cast or tabulate ballots in any election in this state.

17 DIVISION IV — ABSENT VOTERS. This division relates to
18 the casting of ballots by absent voters. The bill strikes
19 provisions allowing a county commissioner of elections to
20 establish drop boxes to which a person can return an absentee
21 ballot.

22 The bill requires an absentee ballot that is mailed to a
23 voter to be enclosed in an unsealed affidavit envelope and with
24 or in an unsealed return envelope, which shall then be enclosed
25 in the delivery envelope. If the ballot cannot be folded so
26 that all the voting ovals on the ballot will be hidden, the
27 bill requires the commissioner to also send a secrecy envelope.
28 The bill requires a registered voter to subscribe to an
29 affidavit on an affidavit envelope by signing the envelope and
30 writing the voter's voter verification number. The bill also
31 requires return envelopes to have printed on them the deadline
32 to return the ballot and the manner to track the status of the
33 ballot.

34 The bill strikes a requirement that an affidavit envelope
35 be considered to contain a defect if it appears to the county

1 commissioner of elections that it was signed by a person other
2 than the voter. The bill adds a requirement that an affidavit
3 envelope be considered to contain a defect if the voter
4 verification number on the envelope does not match the voter
5 verification number on file for the voter.

6 The bill repeals certain requirements regarding what
7 materials a commissioner shall include with an absentee ballot
8 and instead requires a commissioner to put the same serial
9 number on the affidavit, return, and delivery envelopes.
10 The bill requires all mailed absentee ballots to include an
11 affidavit envelope. The bill also requires the absentee and
12 special voters precinct board to reject an absentee ballot
13 if the affidavit envelope does not include the voter's voter
14 verification number.

15 The bill changes the timeline for the mailing and return
16 of absentee ballots. The bill allows a county commissioner
17 of elections to mail absentee ballots to voters beginning
18 22 days before an election and requires absentee ballots to
19 be delivered to the office of the county commissioner of
20 elections by the close of business on the day before election
21 day. Under current law, county commissioners of elections may
22 mail absentee ballots beginning 20 days before an election and
23 absentee ballots must be delivered to the office of the county
24 commissioner of elections not later than the time polls close
25 on election day.

26 DIVISION V — PERSONS PERMITTED IN VOTING BOOTHS. This
27 division amends the subsection of Code section 49.88
28 (limitation on persons in booth and time for voting)
29 prohibiting a person standing for election on the ballot before
30 a voter from occupying the voting booth with the voter to say
31 that the candidate violates Code section 49.88 by occupying the
32 voting booth with the voter.

33 DIVISION VI — VOTER REGISTRATION DATABASE PILOT PROGRAM.
34 This division requires the state registrar of voters to
35 contract with a third-party vendor to develop or provide a

1 program to allow the state registrar to verify the status of
2 records in the statewide voter registration file and identify
3 ineligible voters on an ongoing basis. During the first
4 quarter of 2025, the bill requires the state registrar of
5 voters to utilize the program developed or provided by the
6 third-party vendor to verify the status of records in the
7 statewide voter registration file. The state registrar shall
8 forward the results of the analysis to each county commissioner
9 of registration prior to the date that county commissioners
10 of registration are required to submit voter list maintenance
11 reports. The bill requires the state registrar of voters to
12 evaluate the efficacy and cost of the pilot program as compared
13 to the current method of maintaining the statewide voter
14 registration database. The pilot program is repealed effective
15 December 31, 2027.

16 DIVISION VII — COUNTY HOSPITAL BOARD OF TRUSTEES. This
17 division strikes a provision setting the term length for
18 persons elected to a county hospital board of trustees in a
19 county with a population of at least 400,000 to six years,
20 returning the term length to four years. The bill does not
21 affect the term of office of a trustee elected to a county
22 public hospital board of trustees prior to July 1, 2024.