

## February 2014 Handbook Changed Pages

### Voter Registration – Chapter 1

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
5-6	Addition of information on original signatures on UOCAVA voter registration documents.	N/A
9-10	Addition of information on original signatures on UOCAVA voter registration documents.	N/A
11-12	Addition of information on keeping a list of EDR attesters.	N/A
77-78	Addition of reference to sample notice for voter registration forms signed POA.	N/A

### Pre-Election Day – Chapter 2

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
9, 9a, 9b, 10, 11, 12	Addition of section on changing polling places. Revision of section on publishing and posting notices for vote centers.	N/A
19-22	Addition of list of EDR attesters to precinct supplies checklist. Clarified language and Code citations regarding polling place signs.	N/A
62a-62b	Addition of information on eligibility slips vs. voter rosters.	N/A

### Absentee – Chapter 3

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
1-2	Addition of reference to sample notice for electronically submitted absentee requests by domestic voters. Addition of reference to sample notice for absentee requests signed POA.	N/A
5-6	Revised language for “I have moved” box on previous versions of absentee ballot request form.	N/A
39-42	Addition of references to sample notices for undeliverable ballots for domestic voters and UOCAVA voters.	N/A
61-62	Addition of information on original signatures on UOCAVA voter registration documents.	N/A

66a+ blank page	Addition of reference to sample notice for a UOCAVA voter who did not indicate a party affiliation for the Primary Election  Addition of section on processing FPCAs without signatures.	N/A
71-71a	Updated reference to list of imminent danger pay areas.  Clarified language on rejecting UOCAVA absentee ballots received electronically when the voter is not registered to vote and an original signature was never received.	N/A
73-74	Addition of reference to sample notice for undeliverable ballots for UOCAVA voters.	N/A
83-84	Clarified language by what time absentee ballots must be counted on election day.	§53.22(3)
87-88	Addition of deadline for notifying absentee voters whose ballots were rejected.	N/A
91-94	Addition of instructions on processing defective affidavits in I-VOTERS to close the election.	N/A
107-108	Addition of information on retention of UOCAVA voter registration documents.	N/A
125-128	Addition of references to sample notices for undeliverable ballots for domestic voters and UOCAVA voters.	N/A
137- 139c	Addition of instructions on processing defective affidavits in I-VOTERS to close the election.  Addition of instructions on processing absentee ballots issued with wrong party affiliation.	N/A

#### Election Day – Chapter 4

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
1-3a	Clarified language and Code citations regarding polling place signs.	N/A
3d-3e	Addition of information on providing list of EDR attestors at polling places.	N/A
7-8	Clarified language when PEOs must be party balanced when assisting voters.	N/A

## Post Election Day – Chapter 5

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
11-12	Clarified calculating the 5% threshold when to report write-in candidate names in vote for more than one races.	N/A
13-14	Clarified language on determining total votes cast in vote for more than one races.	N/A
21-24	Clarified language on processing the election register in I-VOTERS. Addition of instructions on processing defective affidavits in I-VOTERS to close the election.	N/A

## Recounts – Chapter 6 – entire chapter

### Recount Board Guide – entire guide

## Primary Elections – Chapter 8

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
9-10	Addition of definition of party vote. Addition of section regarding petition signer residency requirements for county board of supervisors.	§43.2 §43.15(3), 43.20(1)(d)
15-16	Addition of instructions to check party affiliation when processing absentee requests.	N/A
23-26	Addition of I-VOTERS instructions for: <ul style="list-style-type: none"> <li>▪ Entering absentee requests,</li> <li>▪ Processing absentee ballots issued with wrong party affiliation, and</li> <li>▪ Processing election registers.</li> </ul>	N/A

## Auditor's Calendar to Primary Election

Page	Change	Bill Sec. # Code Cite
1-2	Re-arranged two dates related to the caucuses to appear chronologically.	N/A

## General Elections – Chapter 9

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
8a-8b	Addition of section regarding petition signer residency requirements for county board of supervisors.	§45.1(5), 45.1(6)
9-10	Addition of Code citation for NPPO candidate substitutions.	§44.17
13-14	Clarified language on when gambling questions must appear on the general election ballot.	N/A
27, 27a, 27b, 28	Addition of sample ballots for Unisyn voting equipment.	N/A

## Candidate's Guide to the General Election

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
3-4	Addition of information on candidates' qualifications as eligible electors.	§39.3(6), 39.26, 161A.5, 277.27, 376.4(1)
9-10	Addition of section regarding petition signer residency requirements for county board of supervisors.	§45.1(5), 45.1(6)

## Precinct Election Official Guidebook – Appendix G: Election Day Form Examples

### ASVP Board Guide

Page	Change	Bill Sec. # Code Cite
7-8	Addition of deadline for notifying absentee voters whose ballots were rejected.	N/A
14-15	Addition of deadline for notifying absentee voters whose ballots were rejected.	N/A

### Filing Officer's Guide – entire chapter

### Election Administrator's Dictionary

Page	Change	Bill Sec. # Code Cite
41-42	Addition of definition of total votes cast.	N/A

### Poll Watcher's Guide – entire chapter

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## **Pre-Registration Deadlines**

Voters who want their names to appear on the election registers on election day should pre-register to vote by 5 p.m.:

- 10 days before primary and general elections
- 11 days before city, school, and all other special elections

[§48A.9(1)]

## **Worry-Free Postmark**

Any voter registration form that is postmarked no later than 15 days before election day is considered on time even if it is received after the voter pre-registration deadline.

[§48A.9(3)]

## **Military Discharges**

Voter pre-registration deadlines do not apply to a person who has been discharged from military services within 30 days of an election. The person must show a copy of his or her discharge papers to the auditor before election day or a PEO on election day. The person will be allowed to vote as long as he or she completes a voter registration form. A voter in this situation is not required to, but can, use EDR procedures.

[§48A.5(6)]

## **Electronically Submitted Forms**

### **New Registrants**

Faxed or emailed voter registration forms for new registrants cannot be accepted. Contact the voter and ask the voter to send the original document.

[§48A.13]

**Exception:** UOCAVA voters may submit their FPCA electronically.

[IAC 721—21.320(2)(d), 821—2.8]

See the “Voter Registration and UOCAVA Voters” section for more information.

### **Voters Already Registered in County**

Voters who are registered in your county may submit an update to their registration electronically. The notice of update must still be signed.

[§48A.27(2)(a)(1)]

## **Election Official Oath**

Anyone who performs voter registration duties must take an oath before engaging in any official duties. The election official/clerk oath is available in the Election Forms Library.

[§48A.4]

## **Retention of Voter Registration Records**

All records of a person's registration may be destroyed 22 months after the next general election following the cancellation of the person's voter registration.

[§48A.32]

"Incomplete" voter records may be cancelled and destroyed 22 months after the next general election following their receipt.

[IAC 821—2.8(5)]

For example, if John Citizen's registration is cancelled on June 2, 2009, you would need to wait 22 months after the 2010 general election to destroy records of his voter registration. His records could be destroyed on September 3, 2012, or later.

Instead of destroying the records, the auditor can choose to donate them to a historical society as long as all confidential information (driver's license and/or Social Security numbers and the name of the agency where a form was filled out) has been removed.

[§48A.32]

## **Scanned Documents**

If voter registration documents are electronically scanned, keep the paper copies of the original documents as all records pertaining to a voter's registration must kept for the prescribed retention period.

[§48A.32]

## **Voter Registration and UOCAVA Voters**

### **Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)**

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is a federal law that makes it easier for members of the armed forces and certain overseas U.S. citizens to register to vote and cast absentee ballots.

UOCAVA voters include:

1. Members of the armed forces on active duty and their spouses and dependents ,
2. Members of the merchant marine and their spouses and dependents,
3. Civilian employees of the U.S. serving outside the territorial limits of the U.S. and their spouses and dependents who live with them,
4. Members of religious or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents, and
5. U.S. citizens who live outside the territorial limits of the U.S.\*

\*Citizens may register and vote in Iowa if they or their parents were eligible electors of Iowa just before leaving the U.S. This includes citizens who were not old enough to register to vote at the time they left the country.

[§48A.5(4), 48A.5(5), 53.37]

If a U.S. citizen is also a citizen of another country and votes in that country's elections, it does not affect that person's ability to vote in U.S. elections as long as the person does not claim the right to vote anywhere else in the U.S.

[§48A.5(4)(b)]

### **Registering to Vote**

UOCAVA voters may register to vote any of the following ways:

- Completing an official Iowa voter registration form or federal mail-in voter registration form
- Completing a federal postcard application (FPCA)

An FPCA is used by UOCAVA voters only and serves as both a voter registration form and an absentee ballot request form. See the Absentee Voting chapter for more information.

- Completing the declaration of eligibility on the federal write-in absentee ballot (FWAB)

See the Absentee Voting chapter for more information.

- Completing the affidavit envelope on an absentee ballot

[§53.38, 53.53(2)]

UOCAVA voters may fax or email their FPCA. The voter's signed affidavit from the voted ballot will provide the voter's original signature for the voter registration record. If a signed affidavit from a voted ballot is not returned, the voter's status must be made "Incomplete" with the status reason "Registration Incomplete" and the "No signature" box checked after the election is posted and closed.

[IAC 721—21.320(2)(d), 821—2.8]

### **Original Signature from UOCAVA Registrants**

The document containing the physical signature of the UOCAVA voter (i.e. paper copy of the FPCA, FWAB declaration of eligibility page, or absentee affidavit envelope) must be kept and stored as the original voter registration document for the voter.

### **Retention of UOCAVA Voter Registration Documents**

All records of a person's registration may be destroyed 22 months after the next general election following the cancellation of the person's voter registration.

[§48A.32]

### **Pre-Registration Deadlines and ID Verification**

Voter pre-registration deadlines do not apply to UOCAVA voters.

[§53.38]

UOCAVA voters are also exempt from ID verification. UOCAVA voters should not be placed on "Pending" status for indicating they do not have an ID or for failure to verify an ID. If a UOCAVA voter did not provide an ID number on the FPCA and also on the signed affidavit with the voted ballot, the voter must be made "Incomplete" with the status reason "Registration Incomplete" after the election is posted and closed.

[§48A.25A(3), 53.38]

### **Processing Registrations in I-VOTERS**

Follow the same procedures as domestic voters for entering or updating registration information. See the "I-VOTERS Instructions" section for more information on entering mailing address information.

## **Election Day Registration**

### **Overview**

After the pre-registration deadline, any person who is not already registered in the county may register by proving identity and residency.

If a voter wants to register after the pre-registration deadline in the auditor's office or at a satellite voting station and vote in the upcoming election, the voter must also vote an absentee ballot at the same time.

If the voter wants to vote on election day, the voter must go to the correct precinct and complete the election day registration process.

[§48A.7A(1)(a), 48A.7A(3)]

### **ID Number Verification Not Required**

The ID number provided by voters using election day registration procedures does not need to be verified. An EDR voter should never be placed on "Pending" status because the voter showed proof of identity at the time of registration.

[§48A.25A(1)(b)]

### **Proof of Identity**

The best form of identification is a valid Iowa driver's license with the voter's current address printed on it. The voter may also provide one of the following as proof of identity:

- Iowa non-driver identification card,
- Out-of-state driver's license or non-driver's identification card,
- U.S. passport,
- U.S. military ID,
- Employer-issued ID, or
- Student ID from an Iowa high school or college.

All forms of photo ID must be current, valid, and contain an expiration date. The expiration date must be the day the voter is registering or later or list "None" as the expiration date.

Temporary licenses or IDs issued by the Iowa Department of Transportation must be accepted as proof of identity and/or residency while the temporary ID is valid. The temporary ID is valid for 30 days, and each one will have an expiration date printed on it.

[§48A.7A(1)(b)(1), IAC 721—21.3(2)]

## **Proof of Residency**

If the ID presented as proof of identity does not contain the person's current address, any of the following may be presented as proof of residency as long as it contains the voter's name and current address:

- Residential lease,
- Property tax statement,
- Utility bill (including a cell phone bill)
- Bank statement,
- Paycheck,
- Government check, or
- Other government document (vehicle registration, tax assessment, etc.)  
[§48A.7A(1)(b)(2), IAC 721—21.3(2)]

Documents presented must be actual documents, not documents displayed on smart phones or other technological devices.

## **Attestation**

If a voter does not have proof of identity and residence, a registered voter in the precinct can attest to the identity and residence of the voter as long as the attester has not attested for anyone else and was not attested for him or herself.

The voter being attested for must fill out a voter registration form and an oath swearing that the information is true.

The attester must also fill out an oath swearing the information the voter is providing is true.

Both oaths and a voter registration form are available in the Election Forms Library.

[§48A.7A(1)(c)]

Keep a log of people who have attested for EDR absentee voters at your office and at satellite locations. Copies of the list of attestors should be available at your office, satellites, and at each polling place on election day. A sample list of EDR attestors log is available in the Election Forms Library.

## **Voter Not 18**

### At Least 17 ½ Years Old

A person who is at least 17 ½ years old may register to vote. The person's registration will not be effective until the person reaches 18 years old.

**Exception:** If the voter's 18<sup>th</sup> birthday is after the pre-registration deadline for an upcoming election, the voter's registration effective date must be the day after the election unless the voter uses election day registration procedures.

[§48A.5(2)(c), 48A.26(9), IAC 821—2.12(4)]

When processing the voter's registration in I-VOTERS:

1. The voter's record will automatically be assigned "**Active**" status.
2. It will also automatically set the "**County Registration**" date and "**Vote Effective**" date to the day of the voter's 18<sup>th</sup> birthday (unless after the pre-registration deadline).

### Not 17 ½ Years Old

If you receive registration forms from persons who are not 17 ½, send them a notice explaining their registration cannot be processed because they are not 17 ½. The notice should explain that they can register to vote when they are 17 ½. Include a new voter registration form with the notice. A sample notice "Underage Voter Notification" is available in the Election Forms Library.

## **Residential Address Listed Outside the County/State**

If the address listed as the residential address on a voter registration form is in another county in Iowa, send the form to the auditor for that county. It must be forwarded within 48 hours to the correct auditor.

The date of registration is the date the form was received by the first official. The worry-free postmark provision applies even if the form was not properly addressed so the first official should also forward the envelope in which the form arrived.

[§48A.26(8)]

If the residential address listed is not in Iowa, send a letter to the address listed explaining that an out-of-state address was provided on the registration form and that only people who live in Iowa can register and vote in Iowa.

### **Citizenship and/or Age Boxes Unchecked**

Process the form as long as the form is complete in every other way and is signed. By signing the form, the voter is acknowledging that he or she is a U.S. citizen and will be 18 on or before election day. Make the voter's status "Active."

[§48A.26(4)]

### **Citizenship and/or Age Boxes Checked No**

Enter the voter's information in I-VOTERS. Assign the voter the status "Incomplete" with status reason "Registration Incomplete." Send the voter a letter explaining the voter cannot be registered because the voter is not a U.S. citizen or will not be 18 on or before election day.

[§48A.26(5)]

### **Registration Form Not Signed**

If the voter is currently not registered in your county, process the voter with an "Incomplete" status and check the box next to "No Signature."

If the voter is already registered in your county, do not change the voter's status to "Incomplete." Send the voter a new registration form along with a letter explaining the voter must sign the update.

[§48A.11(8), 48A.37(2)]

### **Registration Form Signed POA**

An individual who has power of attorney does not have the authority to sign a voter registration form. Send the voter a letter explaining the voter must sign the form, ask for assistance in signing the form, or having someone sign the form on the voter's behalf as long as it is done in the voter's presence and with the voter's permission. A sample notice "Voter Registration Signed POA" is available in the Election Forms Library.

[§39.3(17), 48A.11(7)]

### **Status "Inactive" with Reason "PRM – Pending – Returned Mail/ Third Party"**

If an "Inactive" voter with reason "Pending – Returned Mail/ Third Party" submits a registration form and the voter's ID still cannot be verified or if the voter submits absentee ballot request, change the voter's status to "Pending." Use the previous pending "Status Reason" found in the voter's audit log.

[§48A.25A(1)(a), 48A.37(2), IAC 821—2.14(3), 2.15(3)]

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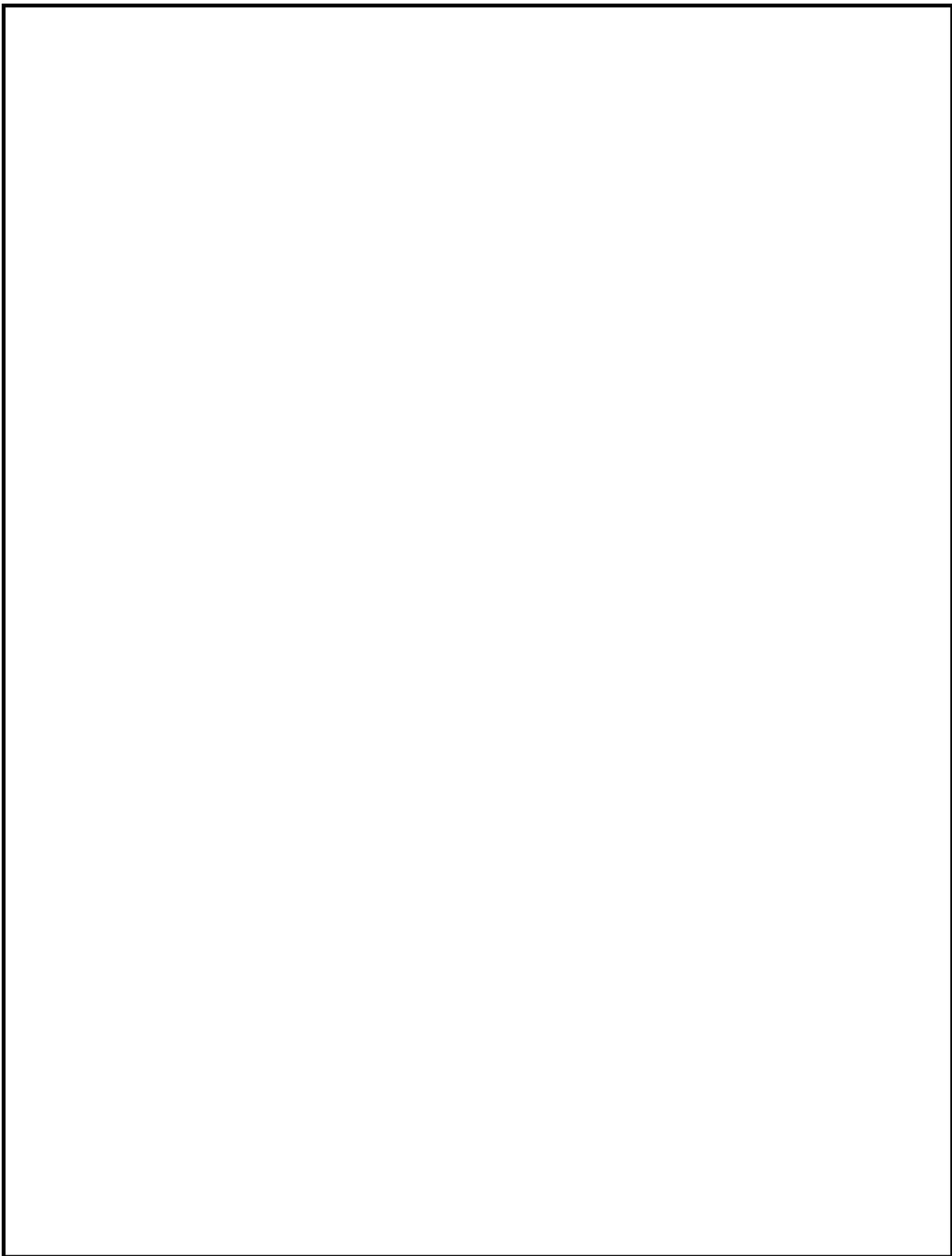
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There may be precincts in your county that have no accessible place to use for a polling place. This can happen because of two reasons:

- An emergency has made the regular polling place inaccessible
- There is no building that is accessible in or near the precinct

Before you may use a polling place that is inaccessible, you must apply for a waiver of the accessibility requirements from the SOS. A temporary waiver of accessibility requirements for an inaccessible polling place and a waiver for emergency use are available in the Election Forms Library.

A temporary waiver for an inaccessible polling place must be filed with the SOS no later than 60 days before the date of election.

A temporary waiver due to an emergency must be filed with the SOS as soon as possible.  
[IAC 721—21.50(5)]

Call the SOS if you need help determining whether a polling place is accessible or if you have any questions about obtaining temporary or emergency accessibility waivers.

### **Dividing Precincts**

You may divide a precinct and establish two or more polling places in a precinct. This is sometimes done for city elections when more than one city is located in a precinct.

This cannot be done for primary, general, and special elections held pursuant to §69.14.  
[§49.11(3)(c)]

### **Combining Precincts**

When precincts are combined for an election, all voters for combined precincts will vote at the same polling place. Only one polling place may be established for each combined precinct.

You may **not** combine precincts for the primary or general elections unless:

- One of the precincts involved consists entirely of dormitories that are closed at the time the election is held.
- The consolidated precincts, if established as a permanent precinct, would meet all requirements of §49.3 and a combined total of no more than 350 voters voted in the consolidated precincts at the last similar election.
- The city council of a special charter city with a population of 3,500 or less which is divided into council wards requests the auditor to consolidate two or more precincts for the primary or general election.

[§49.11(3)]

## Changing Polling Places

### Temporary Changes

**Best Practice:** Include the change of polling place in the notice of election. Post a notice at the former polling place before the polls open on election day indicating the location of the new polling place.

If using vote centers, see the vote center section in this chapter for information on the publication and posting requirements.

### Permanent Change

#### Primary and General Elections

For primary and general elections, a notification of the change in polling place must be sent to every active voter affected by the change. The notification can be sent to every active voter or sent to every household with an active voter. The notification must be sent at the time the polling place change is made.

[IAC 821—12.1]

The change must also be included in the published notice of election and a notice must be posted at the former polling place before the polls open on election day indicating the location of the new polling place.

[\$49.23]

#### School and City Elections

**Best Practice:** Include the change of polling place in the notice of election. Post a notice at the former polling place before the polls open on election day indicating the location of the new polling place.

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## **Vote Centers**

For all city, school, and special elections, vote centers may be established. In a vote center, any registered voter in a jurisdiction may vote, regardless of where the voter lives.

The decision to use vote centers is by jurisdiction. For example, the auditor may use vote centers for one of the cities and use regular polling places for other cities during a city election.

Unlike when precincts are merged/consolidated, vote centers are established in lieu of regular polling places.

[§49.11(3)(b), IAC 721—21.75]

### **Example:**

Bob's general election precinct is Fable Precinct 01 which votes at the Fable Town Hall. For the upcoming school election, the auditor has decided to use vote centers for Bob's school district which includes Fable general election precincts 1-10. Instead of opening all 10 general election polling places, the auditor designates three of them to serve as vote centers. One of the designated vote centers is Fable Town Hall.

In this scenario, Bob could choose to vote at the town hall or vote at any of the other vote centers established for his school district. Similarly, a voter from Fable precinct 07 could choose to vote at the Fable Town Hall even though it is not that voter's regular general election or city election polling place.

## **Preparing for a Vote Center**

Read §49.11(3)(b) of the *Iowa Code* and 721-21.75 of the *Iowa Administrative Code* and make sure you understand all the requirements of vote centers. If you have questions, call the SOS.

The use of I-VOTERS is not allowed at any vote center. You will need to provide the PEOs with election registers and master county registration lists to confirm voter eligibility.

A minimum of three PEOs and training is required before every election in which vote centers are used. The PEOs must receive specific instruction on the use of vote centers.

The requirements for polling hours are the same as for regular precinct polling places.

## Setting the Locations

All vote centers established for a jurisdiction must be inside the boundaries of that jurisdiction. You can use facilities normally used as polling places or other facilities within the jurisdiction as long as all vote centers meet the accessibility requirements for persons with disabilities.

You must provide a minimum of one vote center per jurisdiction. There is no maximum number of vote centers that can be established.

Notices must be posted at every regular polling place on election day informing voters that vote centers are being used and listing the vote center locations.

[IAC 721—21.75(2), 21.75(5)]

## Publishing Notice of Election and Posting Notices

When using vote centers, the following language must be included in the notice of election:

*“For the \_\_\_\_\_ election to be held on [date], voting centers will be available. Any registered voter of the [jurisdiction name] may vote at any of the following places in this election:*

*[List addresses of voting centers]”*

[IAC 721—21.75(4)]

Notice of the vote center locations must also be posted on the door to the usual polling places for the precincts (if the usual polling place is not used as a vote center). The notice must be posted no later than the time the polls open on election day. The notice must remain posted until the polls close.

[IAC 721—21.75(5)]

## Changes of Address Within the County

Anyone reporting a change of address on election day at a vote center must show ID that meets the requirements in §48A.8 before being allowed to cast a regular ballot (even if already registered to vote in the county/precinct). Voters may use EDR procedures at vote centers.

[IAC 721—21.75(8)(c)]

## Election Day Registration at Vote Centers

Voters may use election registration procedures at any vote center at an election held for the jurisdiction in which the voters live. If using an attester, the attester must still be registered in the EDR voter’s residential precinct.

[§48A.7A(1)(c), 49.11(3)(b)(1), IAC 721—21.75(8)(b)]

## **Ballots for Vote Centers**

Ballots for all precincts in the jurisdiction (i.e. school district, city, county) must be available at each and every vote center for that jurisdiction.

[IAC 721—21.75(8)(d)]

### Example:

Vegetable County has three cities: Carrotville (which has four city precincts), Lettuce City (which has five city precincts), and Beantown (with only one city precinct). The auditor decides to establish vote centers for Carrotville and Lettuce City. Each city will have two vote centers instead of the regular precincts.

Ballots for all four of Carrotville's precincts must be available at either of the Carrotville vote centers. Ballots for all five of Lettuce City's precincts must be available at either of Lettuce City's vote centers. However, a voter from Carrotville could not go to one of Lettuce City's vote centers and vice versa.

## **Ballot Rotation for Vote Centers**

To determine ballot rotation when vote centers are used, candidates' names must be rotated based on general election precincts or on the consolidated precincts that were used in the last regularly scheduled election for the jurisdiction in which vote centers were not used.

[IAC 721—21.75(7)]

## **Reporting Election Results**

Results may be reported by vote center or by the voters' resident precincts.

## **Post Election Review**

Within 45 days after the election, you must review the election registers and declarations of eligibility. If anyone is found to have voted more than once at an election in which vote centers are used, you must immediately notify the county attorney. Forward a copy of the voter's voter registration record and the documents signed by the voter on election day to the county attorney and reference §39A.2(2) and §49.11(3)(b) in your notice.

[IAC 721—21.75(9)]

## **Precinct Supplies Checklist**

### **Polling Place Signs**

- “Vote Here” signs

“Vote Here” signs must be placed at the entrance of each driveway leading to the building where the polling place is located. The sign must be visible from the street. The signs cannot be smaller than 16 inches by 24 inches.

[§49.21(3)(a), IAC 721—21.9]

- Polling place signs

A sign must be posted at the polling place entrance indicating the precinct name/number, the election name and date, and the polling place hours.

[§49.21(3)(b), HAVA Section 302]

If multiple precincts are located in one building with one entrance, one notice can be posted as long as all precincts are listed in the notice. Sample signs are available in the Election Forms Library.

- A street map showing precinct boundaries must be posted at the entrance to the polling place.

[§49.21(3)(b)]

- Sample ballots of each ballot style and public measure text (if needed)

At least one copy of sample ballots of each ballot style, both the front and back if two-sided, must be posted in the polling place. Sample ballots cannot be placed in the voting booths. The complete text of the public measure must be posted by the sample ballot and in each voting booth if the complete text does not appear on the ballot.

[§49.71(2), 52.25(1), 52.29]

- Voting instructions

At least one copy must be posted in the polling place and one copy posted in each voting booth. Voting instructions are available in the Election Forms Library.

[§49.68(2), 49.70, 49.71]

- “Voting is Your Right” poster

This must be posted in the polling place. This is available in the Election Forms Library.

[§49.68(1), 49.70, 49.71(3)]

- EDR Instructions and Iowa Voter Identification Requirements Poster

The Iowa voter identification requirements poster must be posted in the polling place. The EDR tabletop flyer should also be posted. Copies of both are available in the Election Forms Library.

[§49.68(1)]

- Poll Watcher Poster

**Best Practice:** The auditor may also choose to have the poll watcher poster posted in each polling place so voters, poll watchers, and PEOs can easily find information about what poll watchers may or may not do in the polling place. The poll watcher poster is available in the Election Forms Library.

### PEO Written Instructions

Every precinct should receive a complete set of written instructions. This can be the PEO Manual from the SOS website, along with any county-specific instructions.

### Ballots and Voting Equipment

- Ballots:

All ballots must be wrapped and sealed. The outside of the package must be clearly marked with:

- Number of ballots
- Name of precinct
- Location of polling place

[§49.64, 49.65]

- Ballot record and receipt

- Ballot boxes

[§49.25(3)]

- Voting booths, including one accessible voting booth

[§49.25]

- Request for additional ballots

### Voter Check-In Materials

- Election register

[§49.28]

- Precinct finders

- List of the names of persons who requested absentee ballots

[§49.72]

- List of the names of persons who attested for EDR absentee voters

- Declaration of eligibility slips, if used

[§49.77]

- Voter rosters, if used

[IAC 721—21.5]

- Voter registration forms for recording changes of address [§48A.27(2)(a)(3), 48A.7A(1)(a)]

- Provisional ballot envelopes

[§49.81(4)]

- Affidavit of voter requesting assistance
- EDR forms [§48A.7A(4)]
- Challenger's Statement [§49.79(3)(a)]
- Notice to EDR Registrants [IAC 721—21.7(4)]

**Precinct Canvass Materials**

- Tally list [§50.16]
- Election Official/Clerk Oath [§49.75]
- Envelopes for returning:
  - Voted provisional ballots
  - Voted and counted ballots [§50.12]
  - Unused ballots [§50.9]
  - Spoiled ballots [§50.9]
  - Disputed ballots [§50.5]
  - Surrendered absentee ballots

**Clerical Supplies**

- Pens
- Pencils
- Scissors
- Tape and/or thumb tacks
- Supply box or bag to carry everything [§49.28(1)]

**Electronic Pollbook Counties**

- Surge protectors
- Extra DYMO label rolls
- Laptops and accessories
- Trash cans
- Tape or Velcro strips to secure cords for the safety of voters and PEOs

## Precinct Election Boards and Officials

Precinct election officials (PEOs) are the “face” of your office on election day. They are responsible for ensuring that election law and procedures are followed in the polling place. They are also responsible for the precinct canvass of votes, including tallying all write-in votes cast.

[§49.12-20]

### PEO Basics

#### **Definitions**

##### Precinct Election Official

An official appointed to serve on the election board of a given precinct for a particular election.

##### Precinct Election Boards

The group of PEOs appointed from the election board panel to serve at a given precinct at an election.

##### Precinct Election Board Panels

The list of PEOs designated every two years before each primary election. Precinct election board membership is appointed from these panels before every election.

#### **Gender Balanced**

The precinct election boards must be gender balanced in all elections when possible. This also applies to the ASVP board.

[§69.16A(2)]

#### **Party Balanced in Partisan Elections**

The precinct election boards must be party balanced in partisan elections. That means that at every polling place there needs to be an equal number of Democrats, Republicans, and workers who are not registered with either of those parties may also be appointed (including “No Party,” “Iowa Green,” and “Libertarian.”) This also applies to the ASVP board.

[§49.13]

#### **Training**

PEOs must receive training from your office prior to primary and general elections. At least two PEOs from each precinct must attend, and preference for training must be given to PEOs who have never attended a training session before.

[§49.124(1)]

4. Enter a write-in candidate for each office, and test all of the letters of the alphabet.
5. Mark a ballot using the audio ballot function.
6. Test the marked ballots from the test in the appropriate optical scanner for each precinct.

[IAC 721—22.263]

### Testing the OVI Unit

The OVI unit must be available for demonstration at public tests, but is not required to be publicly tested. However, each OVI unit must undergo pre-election testing before each election in which it will be used.

The following must be verified for each OVI unit:

1. The vote response fields on the screen align with the candidate names or choices.
2. All contests and candidates appear on the screen for each precinct.
3. All contests and candidates are included in the audio ballot for each precinct.
4. All voting positions in each race can be selected and deselected using the touch screen and the keypad.
5. Selections on the printed ballot accurately reflect the voter's choices.
6. Overvote and undervote functions are programmed correctly.
7. The write-in function for each office is working correctly. All letters in the alphabet must be tested.
8. There is enough paper on the paper roll to print a minimum of ten ballots for each election in which the OVI unit is being used.

[IAC 721—22.265(4)]

## Eligibility Slips vs. Voter Rosters

### Overview

All voters must sign a declaration of eligibility. The auditor may choose to print this declaration on each page of the election register or on individual eligibility slips.

### Eligibility Slips

If declaration of eligibility slips are used, the slips must be available for poll watchers to review. Poll watchers may view the eligibility slips as long as they do not interfere with the PEOs. The eligibility slips cannot be removed from the polling place by anyone other than PEOs.

[§49.77(2)]

If an electronic pollbook is used, the voter's information on the eligibility slip may be produced by the electronic pollbook. The voter still must sign the eligibility slip.

[§49.77(1)(c)]

**Best Practice:** If a label printer is used with an electronic pollbook, instruct the PEOs and the voters to initial the label after it is placed on the eligibility slip.

Sample eligibility slips are available in the Election Forms Library.

### Voter Rosters

If the declaration of eligibility is printed in the election register, voters must sign the election register next to their printed name. A voter roster must also be used. The voter roster must list the name and date of the election and the precinct name. It must also include space for the voter's name, address, telephone number and party affiliation (for primary elections).

The voter roster must be available for the poll watchers to view. A multicopy form may be used. If so, the PEOs must maintain custody of the original copy and the carbon copies may be given to poll watchers.

[§49.77(1)(b), 49.77(2), IAC 721—21.5]

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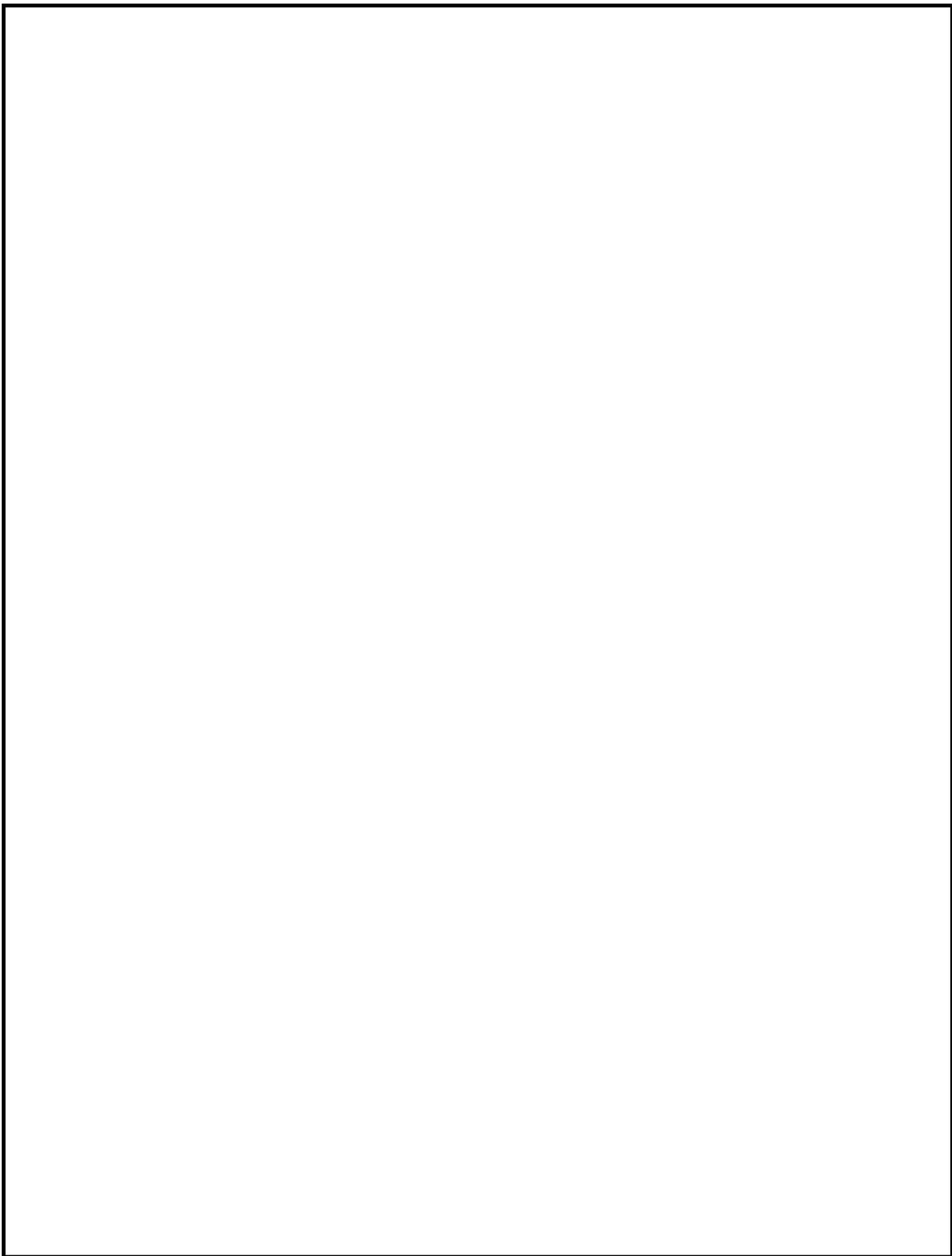
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## Absentee Ballot Requests

### Who May Request Absentee Ballots

Any Iowa voter may request an absentee ballot if they expect they cannot go to the polls on election day.

[§53.1]

### Request Methods

Voters can use the official Iowa absentee ballot request form. Voters can also write a request on paper no smaller than 3x5 inches and include the following information:

- Voter's name
- Voter's registration address
- Address to which the ballot should be sent (if different from the voter's registration address)
- Voter's date of birth
- Date and/or name of the election for which the voter is requesting a ballot, and
- The voter's signature
- Party affiliation – primary elections only (see page 24 for more information)

Requests solicited and returned to the auditor by a person acting as an actual or implied agent for a political party, candidate, or committee as defined by Chapter 68A **must** be on the official Iowa absentee ballot request form with receipt and must be returned to the auditor within 72 hours. See the "Absentee Ballot Request Solicitor Restrictions" section for more information.

[§53.2, 53.3]

### **Requests by Email or Fax**

Voters may submit a request for an absentee ballot by email or fax. Domestic voters must also mail the original signed copy of their request to the auditor. If mailed, the original request must be postmarked by the Friday before the election and received by the time the polls close on election day. UOCAVA voters do not have to send their original request. All electronic requests must include an image of the voter's written signature.

[39.3(3), IAC 721—21.2, 21.320(2)]

If an electronic request is received from a domestic voter, send the voter a ballot and a notice explaining the original request by received by the deadline. A sample notice "Electronically Submitted Request" is available in the Election Forms Library.

## **Who May Sign Absentee Ballot Requests**

A person who has power of attorney does not have the right to request or cast an absentee ballot for another person. A voter may ask for help to request or mark the absentee ballot, but the voter must sign the request form and affidavit of voter requesting assistance if casting a ballot with assistance at the auditor's office. The voter must decide how to mark the ballot.

Voters with disabilities may be unable to sign their names. They may substitute:

- A rubber stamp reproduction of the voter's signature if it is affixed by the voter or at the request of the voter and in the voter's presence.
- The name of the voter written by another person if it is done at the request of the voter and in the voter's presence.

[§39.3(17)]

If an absentee request is signed POA, send the voter a notice explaining the voter must sign the form, ask for assistance in signing the form, or having someone sign the form on the voter's behalf. A sample notice "Absentee Request Signed POA" is available in the Election Forms Library.

## **Request Deadlines**

### **In-Person Domestic Absentee Voters**

In-person absentee voters at the auditor's office may request and vote absentee ballots no earlier than 40 days before an election. This is true for all elections.

Generally, absentee voting at the auditor's office must end on the day before the election. The exception to this rule is when the auditor decides to open the polls at noon for an election as permitted by §49.73. When the polls do not open until noon, the auditor must provide absentee voting for that jurisdiction in the auditor's office on election day from 8:00 a.m. until 11:00 a.m.

[§53.2]

### **By-Mail Domestic Absentee Voters**

By-mail absentee voters may request absentee ballots at any time before an election. Absentee requests can be entered in I-VOTERS as soon as the initial election setup is completed in "Election Management."

The last day to request an absentee ballot by mail for any election is the Friday before the election at 5:00 p.m.

[§53.2]

### **By-Mail UOCAVA Voters**

By-mail UOCAVA voters may request absentee ballots at any time before an election. The last day for a UOCAVA voter to request an absentee ballot by mail for any election is the Friday before the election at 5:00 p.m.

[§53.40(1)(a)]

See pages 24 – 34 for more information.

## Reviewing Absentee Ballot Requests

Absentee ballot requests must be reviewed to see if all required information was included. The following information is required to be on every absentee ballot request:

- Voter's name
- Voter's registration address
- Address to which the ballot should be sent (if different from the voter's registration address)
- Voter's date of birth
- Date and/or name of the election for which the voter is requesting a ballot

Only one of these is needed, not both. There is no limit on how early a voter may request an absentee ballot by mail for an election. Do not assume the request is for the next scheduled election.

- The voter's signature
- Voter's political party affiliation, if any (primary elections only)

If the voter did not mark a party affiliation on the request, check the voter's registration record. If the registration record indicates a party affiliation, send the voter the ballot of the party indicated on the registration record.

If the voter marked a party different than the party indicated on the voter's registration record or if the voter was not previously registered with a party, accept the request as a change or declaration of party affiliation on the voter's registration record. Send the voter a notice informing the voter of the change of party affiliation. A sample notice "Change of Party Affiliation" is available in the Election Forms Library.

If the voter did not mark a party affiliation on the request and the voter's registration record does not indicate a party affiliation, send the voter a notice along with a new absentee ballot request.

If required information is missing, obtain it by the best means available. [§53.2]

1. Follow up by mail, if there is time. Send the voter a copy of the original request with an explanation of the required additional information and a new request form.
2. Telephone or email the voter. If you call, speak only to the voter. Record the date and time of the conversation and the name of the staff member making the call. Keep this information with the request.

Do not return absentee ballot requests to a political party or group if a request form is incomplete.

## **File Stamp Absentee Ballot Requests**

**Best Practice:** Absentee ballot requests should be filed stamped with the date they are received in your office.

### **Voter's Party Affiliation on Request Doesn't Match Voter's Registration Record**

The request must be accepted as a change or declaration of party affiliation. The voter's registration record in I-VOTERS must be updated to reflect the party change at the time the absentee request is entered.

For primary elections, send a notice to the voter with the ballot informing the voter you made a change in the voter's registration record. A sample "Change of Party Affiliation" notice is available in the Election Forms Library.

[§53.2(5)]

For all other elections, you may send a voter registration card. No notice is required to be sent with the ballot.

### **Requestor is not a Registered Voter**

Do not send the voter an absentee ballot. If the request form was received before the pre-registration deadline, send the eligible elector a voter registration form, a new absentee ballot request form, and a letter explaining the registration status issue. A sample notice "Not Registered Before Deadline" is available in the Election Forms Library.

If the request form was received after the pre-registration deadline, send the eligible elector a letter explaining the EDR and in-person absentee voting procedures. A sample notice "Not Registered After Deadline" is available in the Election Forms Library.

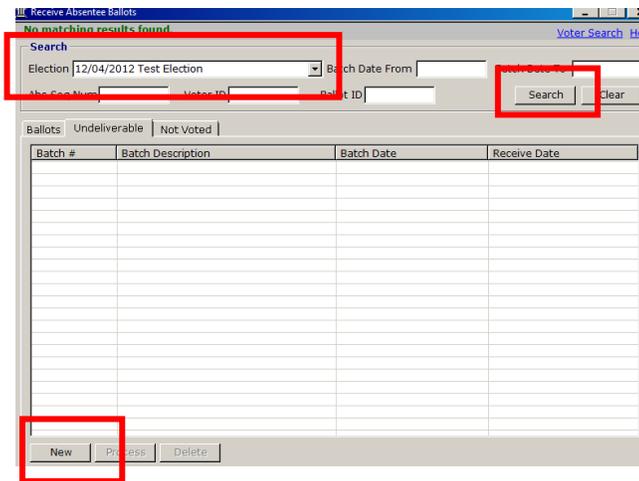
[§53.2(6)]

### **Voter Submitted Different Residential Address on Request than Registration Record and Did Not Check Box "I Have Moved"**

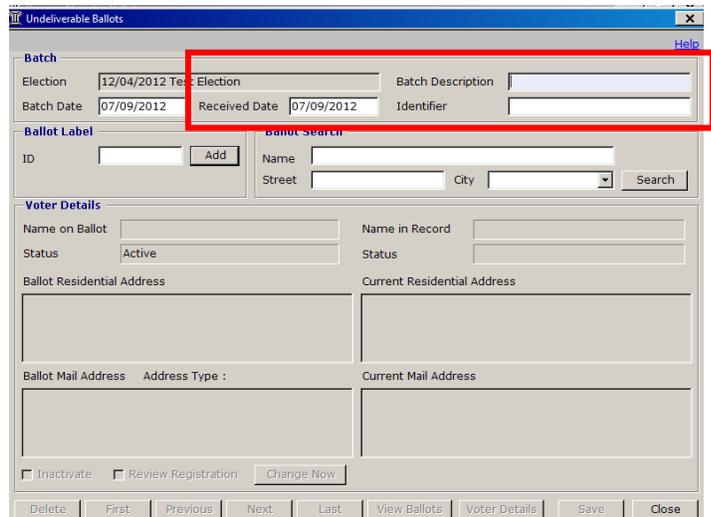
Update the voter's registration record in I-VOTERS even if the voter did not check the box next to "I have moved" on previous versions of the absentee request form.

**Undeliverable Because Domestic Voter Moved Since Requesting Ballot, Non-Existent Address, Unable to Forward, etc.**

1. Open **“Receive Absentee Ballots”** from the I-VOTERS main menu. Choose the appropriate election and then click on **“Search.”**
2. Click on the **“Undeliverable”** tab.
3. Click on **“New”** at the bottom of the screen to create a new batch of undeliverable ballots.

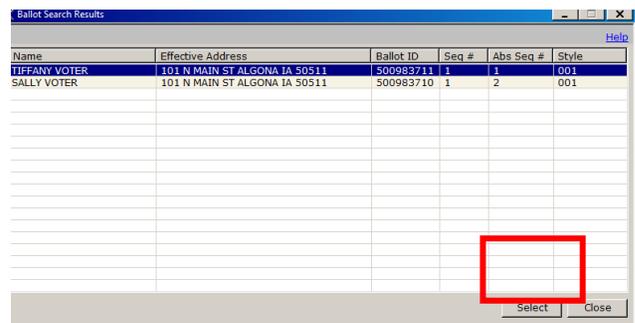


4. Enter any information you wish to describe your batch of undeliverable ballots in the **“Batch Description”** field. The text you enter here will appear on the main **“Undeliverable”** screen when you close your new undeliverable ballot batch.



5. The **“Received Date”** should be the date the ballot was returned undeliverable.
6. Search for the undeliverable ballot you want to add to your new batch by either typing the ballot tracking number in the **“Ballot ID”** field (or using your barcode scanner with the cursor in the **“Ballot ID”** field) or by searching for the ballot using the voter’s name.

If more than one ballot comes up in your search, select the correct ballot by clicking once on the voter you want to select and then clicking on the **“Select”** button at the bottom of the **“Ballot Search Results”** screen.



7. Confirm you have the correct voter's ballot. Check the box next to the word "Inactivate."
8. Click "Save." The information for the voter you just finished processing will disappear.
9. Add another undeliverable ballot or close the undeliverable batch by clicking "Close."

10. Open the voter's record. The voter's "Status" is now "I – Inactive."

Mail the residential confirmation notice automatically generated by I-VOTERS. See the Voter Registration chapter for more information.

11. Click on the "Absentee" tab. Highlight the undeliverable ballot request by clicking on it. Click "Void."
12. Click "Yes" when asked if you are sure you want to void the ballot. Add the comment "Ballot returned undeliverable" in the "Audit Comment" field. Click "Save."
13. Send the voter a forwardable letter explaining that the ballot was mailed to the address they requested and returned as undeliverable. Enclose a new absentee ballot request. A sample notice "Ballot Returned Undeliverable from Domestic Voter" is available in the Election Forms Library.

### Undeliverable and "Use Address on File" Box was Marked

**Best Practice:** If you checked "Use Address on File" box when entering the voter's absentee request and the voter's ballot was returned undeliverable, unsend the ballot in I-VOTERS, uncheck the "Use Address on File" box, and resend the ballot to the voter's residential address. To unsend the ballot, open the "Absentee Details" screen from the voter's record and click "Unsend Ballot."

## Undeliverable UOCAVA Ballot

1. Open **“Receive Absentee Ballots”** from the I-VOTERS main menu. Choose the appropriate election and then click on **“Search.”**
2. Click on the **“Undeliverable”** tab.
3. Click on **“New”** at the bottom of the screen to create a new batch of undeliverable ballots.

4. Enter any information you wish to describe your batch of undeliverable ballots in the **“Batch Description”** field. The text you enter here will appear on the main **“Undeliverable”** screen when you close your new undeliverable ballot batch.

5. The **“Received Date”** should be the date the ballot was returned undeliverable.
6. Search for the undeliverable ballot you want to add to your new batch by either typing the ballot tracking number in the **“Ballot ID”** field (or using your barcode scanner with the cursor in the **“Ballot ID”** field) or by searching for the ballot using the voter’s name.

If more than one ballot comes up in your search, select the correct ballot by clicking once on the voter you want to select and then clicking on the **“Select”** button at the bottom of the **“Ballot Search Results”** screen.

Name	Effective Address	Ballot ID	Seq #	Abs Seq #	Style
TIFFANY VOTER	101 N MAIN ST ALGONA IA 50511	500983711	1	1	001
SALLY VOTER	101 N MAIN ST ALGONA IA 50511	500983710	1	2	001

7. Confirm you have the correct voter's ballot. Be sure the **"Inactivate"** box is not checked.
8. Click **"Save."** The information for the voter you just finished processing will disappear.
9. Add another undeliverable ballot or close the undeliverable batch by clicking **"Close."**
10. Open the voter's record. Be sure the voter's **"Status"** is still **"A- Active."**
11. Click on the **"Absentee"** tab.

a. FPCA request

- i. Highlight the undeliverable ballot request by clicking on it. Click **"Details."**
- ii. Change the **"To"** date to the date the ballot was received.
- iii. Add a comment in the **"Comments"** field if you wish.
- iv. Click **"Print Later"** to save the date change and comment.
- v. A **"Confirmation to Void"** screen will appear with the message: "Changing the date will void all prepared and sent ballots outside of the new date range. Would you like to continue?" Click **"Yes."**

b. Election-specific request

- i. Highlight the undeliverable ballot request by clicking on it. Click **"Void."**
- ii. Click **"Yes"** when asked if you are sure you want to void the ballot. Add the comment "Ballot returned undeliverable" in the **"Audit Comment"** field. Click **"Save."**
- iii. Send the voter a forwardable letter explaining that the ballot was mailed to the address they requested and returned as undeliverable. Enclose a new absentee ballot request. A sample notice "Ballot Returned Undeliverable from UOCAVA Voter" is available in the Election Forms Library. If you have an email address for the voter, it may be quicker to also correspond about the undeliverable ballot by email.

## **Absentee Voting by UOCAVA Voters**

### **Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)**

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is a federal law that makes it easier for members of the armed forces and certain overseas U.S. citizens to register to vote and cast absentee ballots.

UOCAVA voters include:

- Members of the armed forces on active duty and their spouses and dependents
- Members of the merchant marine and their spouses and dependents
- Civilian employees of the U.S. serving outside the territorial limits of the U.S. and their spouses and dependents who live with them
- Members of religious or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents
- U.S. citizens who live outside the territorial limits of the U.S.\*

\*Citizens may register and vote in Iowa if either they or their parents were eligible electors of Iowa **just before leaving the U.S.** This includes citizens who were not old enough to register to vote at the time they left the country.

[§53.37]

If a U.S. citizen is also a citizen of another country and votes in that country's elections, it does not affect that person's ability to vote in U.S. elections as long as the person does not claim the right to vote anywhere else in the U.S.

[§48A.5(4)(b)]

### **Federal Voting Assistance Program (FVAP)**

FVAP stands for the Federal Voting Assistance Program. It is a division of the U.S. Department of Defense that provides voting information and assistance to members of the military and overseas citizens. It also administers UOCAVA.

UOCAVA voters can find copies of the federal postcard application (FPCA), federal write-in absentee ballot (FWAB), and information for voter registration and absentee voting specific to Iowa on FVAP's website: [www.fvap.gov](http://www.fvap.gov).

### **Voter Registration for UOCAVA Voters**

UOCAVA voters do not have to be registered voters to request an absentee ballot. Registration deadlines, verification requirements, and ID requirements are waived for UOCAVA voters.

If an unregistered UOCAVA voter requests an absentee ballot, the affidavit on the affidavit envelope shall be accepted as a sufficient registration form. The declaration of eligibility on a federal write-in ballot (FWAB) can also be accepted as a registration form.

The federal postcard application (FPCA) also serves as a voter registration form and absentee ballot request.

If a person was discharged from military service within 30 days before an election, the person may vote at the polls without presenting EDR documentation even if not previously registered by presenting discharge papers to the PEOs. The person must also submit a voter registration form to the officials.

[§48A.5(6), 53.42]

For more information on UOCAVA voter registration, see the Voter Registration chapter.

### **Original Signatures for UOCAVA Registrants**

The document containing the physical signature of the UOCAVA voter (i.e. paper copy of the FPCA, FWAB declaration of eligibility page, or absentee affidavit envelope) must be kept and stored as the original voter registration document for the voter.

### **Retention of UOCAVA Voter Registration Documents**

All records of a person's registration may be destroyed 22 months after the next general election following the cancellation of the person's voter registration.

[§48A.32]

## **UOCAVA Voter Did Not Provide Party Affiliation or Marked Different Party on Primary Election Request**

If the voter did not mark a party affiliation on the request, check the voter's registration record. If the registration record indicates a party affiliation, send the voter the ballot of the party indicated on the registration record.

If the voter marked a party different than the party indicated on the voter's registration record or if the voter was not previously registered with a party, accept the request as a change or declaration of party affiliation on the voter's registration record. Send the voter a notice informing the voter of the change of party affiliation. A sample notice "Change of Party Affiliation" is available in the Election Forms Library.

If the voter did not mark a party affiliation on the request and the voter's registration record does not indicate a party affiliation, send the voter a notice along with a new absentee ballot request. A sample notice "No Party Affiliation Indicated for Primary Election" is available in the Election Forms Library.

[§53.40(1)(c)]

## **No Signature on FPCA**

If the voter did not sign the FPCA, contact the voter as soon as possible. Email and/or phone the voter if an email address or phone number was provided. Also mail the voter a notice explaining a signature is required to process the FPCA.

[42 USC 1973ff-1(d)]

Obtain the signature by the best means available. UOCAVA voters may submit a request by fax or email as long as the electronic request includes an image of the voter's written signature. UOCAVA voters do not have to send the original request to the auditor. The signed affidavit envelope is used as the voter's original signature for voter registration purposes.

[39.3(17), 53.40, IAC 721—21.320(2)]

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## **Methods for UOCAVA Voters to Return Ballots**

### **By Mail**

Most UOCAVA voters must return their voted absentee ballots by mail even if they received their ballot by email or fax.

Provide instructions to voters on how to return their ballots. Instructions for returning ballots are available in the Election Forms Library. There is one set of instructions for voters whose ballots are mailed and another set of instructions for voters whose ballots are transmitted electronically.

Postage is free for voters when they use the return envelope provided and when they use the U.S. Postal Service or FPO (Fleet Post Office)/APO (Army Post Office) mail system. All other UOCAVA voters will need to pay postage.

### **By Electronic Transmission**

The following UOCAVA voters may return their ballot by fax or email:

- Those who are located in areas designated as “imminent danger pay areas” by the U.S. Department of Defense

A list of imminent danger pay areas can be found on in the Election Forms Library.

- Those who are active members of the army, navy, marine corps, merchant marine, coast guard, air force, or Iowa National Guard and are outside the U.S. or any of its territories.

Auditors may choose to have voters return their ballots through FVAP’s ETS server or directly to the auditor’s office by email or fax. Provide voters the appropriate instructions for returning their ballot by the chosen method. Instructions for voters are available in the Election Forms Library.

[IAC 721—21.1(13), 21.320(4)(a)]

## Processing UOCAVA Ballots Submitted Electronically

### Is the voter eligible to submit an electronic ballot?

**No** Send the voter a letter or email explaining that the original ballot must be submitted by mail. If the original ballot is not submitted, the ASVP board should reject the ballot and send the voter a ballot rejection notice.

### **Yes** Is the voter already registered to vote?

Print the ballot, affidavit envelope form, and acknowledgment/secretcy waiver, place the ballot in an envelope, seal the envelope, and attach the voter's affidavit envelope form and acknowledgment/secretcy waiver to the outside.

Receive the ballot in I-VOTERS.

**No** If all of the required voter registration information is provided on the affidavit envelope form and it is signed, enter the voter's registration as "Active" in I-VOTERS. Receive the ballot in I-VOTERS.

If the declaration/affirmation was not signed, enter the voter's registration as "Incomplete" and check the "No Signature" box in I-VOTERS for lack of a signature. Send an "Incomplete Registration" notice to the voter and explain a signature on the declaration/affirmation or the Iowa voter registration form is required by the ballot receipt deadline. The signature may be on a scanned document. If a signature is not received, the ASVP board must reject the ballot, send a ballot rejection notice, and leave the voter on "Incomplete" status. The rejection reason is the voter was not properly registered to vote. A sample notice "Rejected Absentee" is available in the Election Forms Library.

[IAC 721—21.320(5)(b)]

**Important Note:** Absentee ballots submitted electronically must be received before the polls close on election day.

[IAC 721—21.320(4)]

If a voter sends the ballot by postal mail and either by fax or email and both voted ballots arrive on time, the ballot that was delivered by postal mail should be counted by the ASVP board. Seal the electronically received ballot in an envelope and label it with the voter's name and absentee sequence number and attach it to the ballot returned by postal mail. This electronically received ballot will not be counted if the ballot returned by postal mail was counted. If the ballot returned by postal mail was not counted, the electronically received ballot must be considered for counting.

**Important Note:** When counting faxed and emailed ballots, instruct the ASVP board to mark a duplicate ballot. Doing so will allow the ballot to be run through the ballot scanner and counted in the same manner as all other ballots tabulated for the election. See the ASVP Board Guide for instructions on marking duplicate ballots.

4. Enter any information you wish to describe your batch of undeliverable ballots in the “**Batch Description**” field. The text you enter here will appear on the main “**Undeliverable**” screen when you close your new undeliverable ballot batch.

5. The “**Received Date**” should be the date the ballot was returned undeliverable.

6. Search for the undeliverable ballot you want to add to your new batch by either typing the ballot tracking number in the “**Ballot ID**” field (or using your barcode scanner with the cursor in the “**Ballot ID**” field) or by searching for the ballot using the voter’s name.

If more than one ballot comes up in your search, select the correct ballot by clicking once on the voter you want to select and then clicking on the “**Select**” button at the bottom of the “**Ballot Search Results**” screen.

Name	Effective Address	Ballot ID	Seq #	Abs Seq #	Style
TIFFANY VOTER	101 N MAIN ST ALGONA IA 50511	500983711	1	1	001
SALLY VOTER	101 N MAIN ST ALGONA IA 50511	500983710	1	2	001

7. Confirm you have the correct voter’s ballot. Be sure the “**Inactivate**” box is not checked.

8. Click “**Save.**” The information for the voter you just finished processing will disappear.

9. Add another undeliverable ballot or close the undeliverable batch by clicking “**Close.**”

10. Open the voter’s record. Be sure the voter’s “**Status**” is still “**A- Active.**”

11. Click on the “**Absentee**” tab.

a. FPCA request

i. Highlight the undeliverable ballot request by clicking on it. Click “**Details.**”

ii. Change the “**To**” date to the date the ballot was received.

- iii. Add a comment in the “**Comments**” field if you wish.
  - iv. Click “**Print Later**” to save the date change and comment.
  - v. A “**Confirmation to Void**” screen will appear with the message: “Changing the date will void all prepared and sent ballots outside of the new date range. Would you like to continue?” Click “**Yes.**”
- b. Election-specific request
- i. Highlight the undeliverable ballot request by clicking on it. Click “**Void.**”
  - ii. Click “**Yes**” when asked if you are sure you want to void the ballot. Add the comment “Ballot returned undeliverable” in the “**Audit Comment**” field. Click “**Save.**”
  - iii. Send the voter a forwardable letter explaining that the ballot was mailed to the address they requested and returned as undeliverable. Enclose a new absentee ballot request. A sample notice “Ballot Returned Undeliverable from UOCAVA Voter” is available in the Election Forms Library. If you have an email address for the voter, it may be quicker to also correspond about the undeliverable ballot by email.

## **Convening the Board**

The auditor may direct the board to meet the day before the election to review absentee voters' affidavit envelopes and open affidavit envelopes down to the secrecy envelopes (if secrecy envelopes were provided). For the general election only, the board can begin counting absentee ballots the day before the election, at the auditor's discretion.

[§50.21]

On election day, the auditor shall set a time for the ASVP board to meet, allowing a reasonable amount of time to complete counting by 10 p.m. of all absentee ballots received before the polls close. See the Election Day chapter for more information.

[§53.23]

After election day, the auditor must reconvene the ASVP board no earlier than noon on the second day following the election to consider any provisional ballots, challenged absentee ballots, and any absentee ballots that were postmarked before election day and received before the ASVP board meets. See the Post Election Day chapter for more information. If the canvass is scheduled to be earlier than the Monday following the election, the ASVP board must be reconvened at noon on the day following the election.

## Dates to Reconvene the ASVP Board

Election	County Canvass Date	Reconvene ASVP Board
School*	Friday after election [§277.20]	Noon on Wednesday following election [§50.21]
City Primary	No earlier than 1 p.m. on Thursday following election [§376.7]	Noon on Wednesday following election [§50.21]
Regular City without runoff provisions	First Monday or Tuesday after election [§50.24]	No earlier than noon on Thursday following election [§50.21]
Regular City with runoff provisions	No earlier than 1 p.m. on Thursday following election [§376.9]	Noon on Wednesday following election [§50.21]
Runoff City	First Monday or Tuesday after election [§50.24]	No earlier than noon on Thursday following election [§50.21]
Primary	First Monday or Tuesday after election [§43.49]	No earlier than noon on Thursday following election [§50.21]
General	First Monday or Tuesday after election [§50.24]	No earlier than noon on Thursday following election [§50.21]
Special	See Special Elections chapter	See Special Elections chapter

\*If your county is the control county for a community college, the board of supervisors must meet to canvass the abstracts from other counties in the merged area on the last Monday in September or at the board of supervisors' last regularly scheduled meeting in September.  
[§260C.15(4)]

### Important Notes:

#### Canvass on Monday or Tuesday

When the U.S. Post Office is closed on the first Monday or Tuesday after the election, the canvass should be held on the Tuesday or Wednesday following the election.

#### Canvass on Thursday

When the U.S. Post Office is closed on the Thursday after the election, the canvass must be held on the Friday after the election, no earlier than 1 p.m.

[IAC 721—21.13]

## **Opening Affidavit Envelopes**

Affidavit envelopes can be opened the Monday before the election under the following circumstances:

- For any election if you provided secrecy envelopes and you determine removing secrecy envelopes from the affidavit envelopes is necessary due to the quantity of voted absentee ballots received so that counting will be completed by 10 p.m. on election day.  
[IAC 721-21.359(53), §53.23(3)(a)]
- For the general election, if you convene the ASVP board to begin counting absentee ballots the day before the election.  
[§53.23(3)(c)]

## **Rejecting Absentee Ballots Without Opening Affidavit**

An absentee ballot must be rejected before the affidavit envelope is opened if any of the following conditions exists:

- Affidavit lacks the voter's signature,
- Voter is inactive/pending and has not provided §48A.8 ID by the time the ASVP board meets to consider provisional ballots,
- Applicant is not a duly registered voter in the precinct in which the ballot is cast,
- Affidavit envelope is missing,
- Affidavit envelope is open,
- Affidavit envelope has been opened and resealed,
- Affidavit envelope contains more than one ballot of any kind,
- Voter cast another ballot in person at the polls,
- Voter did not declare a party affiliation on the affidavit envelope (primary election only), or
- Voter submitted an absentee ballot request electronically and the original request form was not postmarked by the Friday before election day and was not received in the auditor's office by the time the polls close on election day.  
[§53.25, IAC 721—21.2(2), 21.361(53)]

## Process for Opening Affidavit Envelopes

The board must first review the voters' affidavits to determine which ballots will be accepted for counting.

1. Affidavit envelopes containing ballots that have been rejected for reasons set forth in §53.25 shall be set aside and stored in a manner prescribed by §53.26. Prepare the appropriate notices to send to the voters whose ballots were rejected. A board member must initial or sign the notices. A sample notice "Rejected Absentee" is available in the Election Forms Library. Voters whose ballots were rejected without opening the affidavit envelope must be notified of the rejection by the time of the canvass.

[§53.25, IAC 721—21.359(2)]

Rejected ballots must be marked "Rejected because (reason of rejection)." All rejected ballots must be sealed in an envelope marked "Defective ballots." The envelope must be marked with "absentee precinct," the date of the election at which the ballots were cast, and have a seal affixed that is signed by the PEOs.

The board should record the number of rejected ballots on the absentee and provisional ballot chain of custody log available in the Election Forms Library. The envelope with the rejected ballots shall be returned to the auditor.

[§53.26]

2. Affidavit envelopes that have been accepted for counting should then be stacked with the affidavits facing down and the secrecy folders should be removed.

If ballots are not being counted before election day for the general election, affidavit envelopes can only be opened for the purpose of removing the secrecy envelopes containing the ballot.

If there are any ballots not enclosed in a secrecy envelope, two ASVP board members, one from each of the parties, shall place the ballot in a secrecy envelope without examining the ballot.

If there is more than one ballot in an affidavit envelope or the affidavit envelope is empty, the ballot must be rejected and the voter must be mailed a notice of rejection. A sample notice "Rejected Absentee" is available in the Election Forms Library. Send the notice of rejection by the time of the canvass.

[§53.23(3)(b)(1), 53.23(3)(b)(2), IAC 721—21.359(4)]

3. If secrecy folders were used, leave the ballots in the secrecy folders and mix the folders so they are in a different sequence.

If secrecy folders were not used, leave the ballots unfolded and mix the ballots up.

4. Remove ballots from secrecy folders (if any).
5. Unfold the ballots.

### **Persons Allowed as ASVP Board Observers**

On Monday, if ballots are NOT being counted, the process is open to the public and anyone may observe as long as they do not interfere.

The only people who should be in the room when the ASVP board is counting absentee ballots before the polls are closed are:

- Auditor or auditor's designee
- The members of the ASVP board
- One challenger representing each political party
- One observer representing any non-party political organization or any candidate nominated by petition
- One observer representing any non-partisan candidate appearing on the ballot in city and school elections
- One observer representing support for a public measure on the ballot
- One observer representing opposition for a public measure on the ballot

None of the people in the room shall communicate or attempt to communicate information regarding the progress of the count while the board is counting ballots.

After the polls are closed, the process is open to the public and anyone may be present as long as they do not interfere with the process.

[§53.24(4)]

### **Political Party Observers**

Political party observers are not required to be present when the ASVP board meets on the Monday before the election; however, the auditor must notify parties of the intent to open affidavit envelopes before election day to give them the opportunity to appoint observers.

If either or both parties fail to appoint an observer, the process of reviewing and opening affidavit envelopes and the counting of absentee ballots (general elections only) may continue without the observers.

Observers may report the names of voters whose ballots were rejected without being opened. This is not a violation of the secrecy required for the progress of the count.

[§53.23(3)(b)(1); IAC 721—21.359(5)(a)]

## Processing Absentees After Counting

### Process Absentees in I-VOTERS

Rejected absentees must be processed first in I-VOTERS before processing accepted absentee ballots.

### Incomplete Affidavits Not Corrected

Reject incomplete affidavits that were not corrected.

1. Open **"Election Management."** Click on **"Process Absentee Ballots."**
2. Search for the voter's absentee ballot and choose rejection reason from the from the **"Ballot Status"** drop-down menu.
3. Click **"Save."**

The screenshot shows the 'Election Management' software interface. The top navigation bar includes 'Ballot Styles', 'Address Library', 'Pull Petitions', 'Polling Places', 'CASS', 'Districts Precincts', 'Absentee Voters', 'Reports', and 'Export'. A message at the top reads 'Ballot status saved successfully.' The main area displays election details: 'Election Date: Dec-04-2012', 'Election Type: School', and 'Description: Test Election'. On the left, there is a sidebar with links: 'Election Details', 'Include Certified Contests', 'Election Template', 'Measures & Races', 'Post Shared Contests', 'Ballot Review', 'Print Absentee Labels', and 'Election Register'. The 'Ballot Search' section has fields for 'Barcode', 'Abs Seq #', 'Name' (with 'voter' entered), and 'Address'. The 'Ballot Details' section shows 'Voter ID: 500266725' and 'Address: 101 N MAIN ST, ALGONA, IA 50511'. A red box highlights the 'Ballot Status' dropdown menu, which is currently set to 'Rejected - Affidavit not complete'. A 'Save' button is visible at the bottom right of the form.

### Defective Affidavits

#### Replacement Ballot Issued and Returned

If a replacement ballot was issued and returned by the voter, do nothing to the original, defective affidavit in I-VOTERS.

#### Replacement Ballot Issued but Not Returned

If a replacement ballot was issued but was not returned by the voter, reject the original, defective ballot:

[§53.25]

1. Open **"Election Management."** Click on **"Process Absentee Ballots."**
2. Search for the voter's absentee ballot and choose rejection reason from the from the **"Ballot Status"** drop-down menu.
3. Click **"Save."**

This screenshot is identical to the one above, showing the 'Election Management' software interface. The 'Ballot Status' dropdown menu is highlighted with a red box and set to 'Rejected - Affidavit not complete'. The 'Save' button is visible at the bottom right of the form.

## No Replacement Ballot Issued

If the voter did not request a replacement ballot, reject the original, defective ballot:

[§53.25]

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

The screenshot shows the 'Election Management' software interface. The 'Ballot Status' dropdown menu is highlighted with a red box and set to 'Rejected - Affidavit not complete'. The voter information displayed includes Voter ID: 500266725, Voter Name: MIKE VOTER, and Address: 101 N MAIN ST, ALGONA, IA 50511.

## Rejected Absentees

Process rejected absentee ballots.

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

The screenshot shows the 'Election Management' software interface. The 'Ballot Status' dropdown menu is highlighted with a red box and set to 'Rejected - Affidavit not complete'. Below the dropdown, a list of 'Ballots Sent' is visible, showing columns for Abs Seq #, Barcode, VoterName, Source, Date Sent, Date Received, Ballot Style, and Ballot Type. The 'Ballot Status' dropdown is also set to 'Rejected - Not sealed'.

## Accepted Absentees

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Check **“Mark Unprocessed as Accepted”** under **“Finish Processing.”**
3. Click **“Process Remaining Ballots.”**

The screenshot shows the 'Election Management' software interface. The 'Finish Processing' section is highlighted with a red box, and the 'Mark Unprocessed as Accepted' option is selected. The 'Ballot Status' dropdown menu is set to 'Rejected - No signature'. The 'Ballots Sent' table is also visible, showing columns for Abs Seq #, Barcode, VoterName, Source, Date Sent, Date Received, Ballot Style, and Ballot Type.

## Absentees Not Returned

If voters did not return their absentee ballots, do nothing. These ballots do not need to be processed in I-VOTERS.

## **Reporting Absentee Results**

### **When to Report**

The results from absentee votes and provisional ballots cannot be released until the counts have been completed each day. On election night, the absentee results cannot be released sooner than the polls close.

[§53.24(6)]

### **How to Report**

Results from the special precinct must be reported separately from the ballots cast at the polls on election day.

For all elections except the general election, the results may be reported as a single precinct or by resident precincts of the voters who cast absentee and provisional ballots.

For the general election, the results for the special precinct must be reported by resident precincts of the voters who cast absentee and provisional ballots.

When you choose to report the special precinct results by resident precincts, you must prepare a separate absentee ballot style for each precinct in the county and program the voting system to produce reports by resident precincts of the voters.

[§53.20(2)]

### **Reporting the Number of Rejected Ballots and Reasons Why**

A ballot rejection tally sheet is available in the Election Forms Library. This tally sheet is not required but it helps to keep record of the number of rejected domestic absentee ballots, UOCAVA absentee ballots, and provisional ballots and the reasons why they were rejected. The SOS collects this information to report to the Election Assistance Commission. If you use this sheet, it should be easy to report the numbers to the SOS.

## **Record Retention and Public Information**

### **Paper Record Retention**

Refer to the Election Document Retention Record in the Election Forms Library to determine which paper records you need to keep and for how long.

### **Retention of UOCAVA Voter Registration Documents**

If a UOCAVA voter registered to vote by signing a federal postcard application (FPCA), the declaration of eligibility on a federal write-in absentee ballot (FWAB), or an affidavit envelope, that document must be kept and stored as the original voter registration document for the voter.

All records of a person's registration may be destroyed 22 months after the next general election following the cancellation of the person's voter registration.

[§48A.32]

### **Absentee Ballot Request Forms and Affidavit Envelopes As Public Information**

Anyone can view those documents. However, someone from the auditor's office needs to remain with the person at all times while he or she is viewing the documents and a reasonable fee can be charged for doing this. In this case, the person does not need to complete a voter list request form, and the auditor's office does not need to enter any information in a log as long as the person does not request copies of any of the forms or try to write down any information related to a voter's information.

If the person wants copies or to write down/take with them any information related to individual registrants, he or she will have to complete a voter list request form and the request would need to be filed in the auditor's logbook. The auditor will have to make copies and then redact the confidential information from those copies (last 4 of SSN or Driver's ID #). The auditor can charge a reasonable fee for the copying and the time involved in redacting the documents.

[§22.2, 22.3]

### **Making Public Lists Containing the Names of Absentee Voters**

Anyone who wishes to may see or receive a copy of the absentee list. You may set reasonable times when copies will be available for distribution. You may charge a reasonable copying fee.

[§22.2, 22.3]

# I-VOTERS Instructions

## Entering Domestic Voter Absentee Requests

1. Open the voter's record.
2. If the voter moved from the address where currently registered, update the voter's residential address and click on "**Save.**"

**Important Note:** Do not update the voter's registration mailing address to the mailing address listed on the absentee ballot request.

The screenshot shows the 'Residence' tab in the I-VOTERS system. It features a table with columns for 'Dates/Elections', 'Seq Num', 'Source', 'Address', and 'County'. Below the table, there are buttons for 'Special Absentee', 'Active Ballots', 'Add', 'Details', and 'Void'. The 'Add' button is highlighted with a red box.

3. Click on the "**Absentee**" tab above the voter's residence.
4. Click on "**Add.**"

5. When the "**Absentee Details**" screen opens, choose "**Election Specific**" as the request type.
6. Choose the appropriate election from the drop-down menu. The elections are listed in this menu in chronological order with the last election appearing first.

The screenshot shows the 'Absentee Detail' screen in the I-VOTERS system. It includes fields for 'Absentee Type' (set to 'Election Specific'), 'Election' (set to '12/04/2012 Test Election'), 'Absentee Application Source', 'HCF/Satellite Location', and 'Issue Method'. There are also checkboxes for 'Election Type' (Federal, School, City, Special, All), a 'Date Requested' field (07/06/2012), and a 'Political Party' field. A red box highlights the 'Use Address On File' checkbox, which is checked, and the address field below it, which contains '101 N MAIN ST ALGONA, IA 50511'. Other fields include 'Comments', 'Absentee Address' (Country: UNITED STATES OF AMERICA), and 'Absentee Link' (Voter ID, Link to Voter, Unlink, Unsend Ballot, Print Now, Print Later, Close).

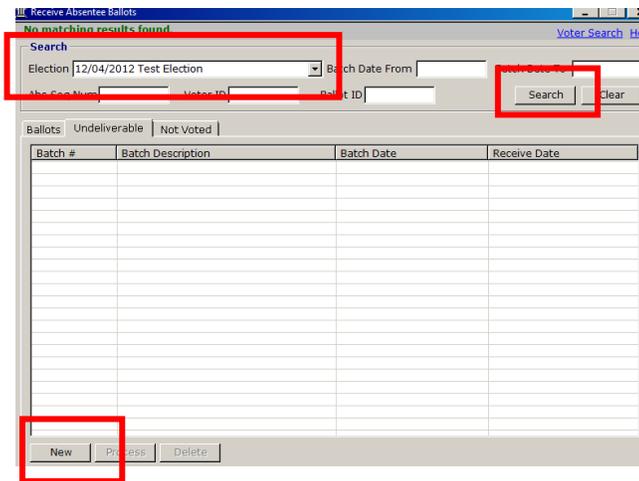
7. Choose the "**Request Source.**"
8. Make sure the "**Issue Method**" is correct. For ballots that will be mailed, the "**Issue Method**" should be "**Mailing.**"
9. Check the voter's absentee request to see if the voter would like the ballot mailed to the registration or a mailing address.

- a. If the voter wants the ballot mailed to the voter's registration address, click on the "**Use Address on File**" checkbox.

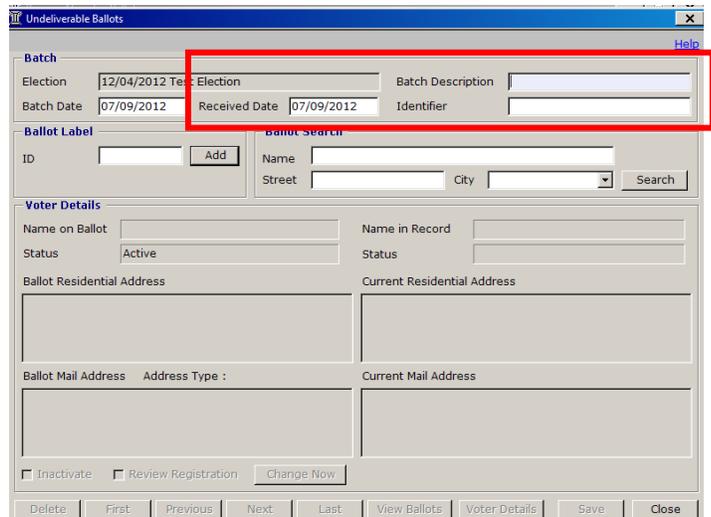
If the voter has a mailing address listed on the voter's registration record, clicking "**Use Address on File**" will pull in the voter's registration mailing address for the absentee mailing label.

**Undeliverable Because Domestic Voter Moved Since Requesting Ballot, Non-Existent Address, Unable to Forward, etc.**

1. Open **“Receive Absentee Ballots”** from the I-VOTERS main menu. Choose the appropriate election and then click on **“Search.”**
2. Click on the **“Undeliverable”** tab.
3. Click on **“New”** at the bottom of the screen to create a new batch of undeliverable ballots.

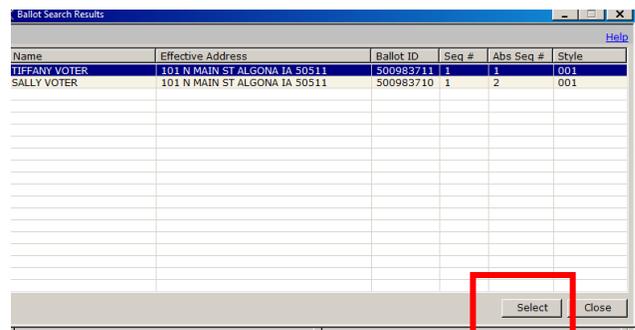


4. Enter any information you wish to describe your batch of undeliverable ballots in the **“Batch Description”** field. The text you enter here will appear on the main **“Undeliverable”** screen when you close your new undeliverable ballot batch.



5. The **“Received Date”** should be the date the ballot was returned undeliverable.
6. Search for the undeliverable ballot you want to add to your new batch by either typing the ballot tracking number in the **“Ballot ID”** field (or using your barcode scanner with the cursor in the **“Ballot ID”** field) or by searching for the ballot using the voter’s name.

If more than one ballot comes up in your search, select the correct ballot by clicking once on the voter you want to select and then clicking on the **“Select”** button at the bottom of the **“Ballot Search Results”** screen.



7. Confirm you have the correct voter's ballot. Check the box next to the word "Inactivate."
8. Click "Save." The information for the voter you just finished processing will disappear.
9. Add another undeliverable ballot or close the undeliverable batch by clicking "Close."

10. Open the voter's record. The voter's "Status" is now "I – Inactive."

Mail the residential confirmation notice automatically generated by I-VOTERS. See the Voter Registration chapter for more information.

11. Click on the "Absentee" tab. Highlight the undeliverable ballot request by clicking on it. Click "Void."
12. Click "Yes" when asked if you are sure you want to void the ballot. Add the comment "Ballot returned undeliverable" in the "Audit Comment" field. Click "Save."
13. Send the voter a forwardable letter explaining that the ballot was mailed to the address they requested and returned as undeliverable. Enclose a new absentee ballot request. A sample notice "Ballot Returned Undeliverable from Domestic Voter" is available in the Election Forms Library.

## Undeliverable UOCAVA Ballot

1. Open **“Receive Absentee Ballots”** from the I-VOTERS main menu. Choose the appropriate election and then click on **“Search.”**
2. Click on the **“Undeliverable”** tab.
3. Click on **“New”** at the bottom of the screen to create a new batch of undeliverable ballots.

4. Enter any information you wish to describe your batch of undeliverable ballots in the **“Batch Description”** field. The text you enter here will appear on the main **“Undeliverable”** screen when you close your new undeliverable ballot batch.

5. The **“Received Date”** should be the date the ballot was returned undeliverable.
6. Search for the undeliverable ballot you want to add to your new batch by either typing the ballot tracking number in the **“Ballot ID”** field (or using your barcode scanner with the cursor in the **“Ballot ID”** field) or by searching for the ballot using the voter’s name.

If more than one ballot comes up in your search, select the correct ballot by clicking once on the voter you want to select and then clicking on the **“Select”** button at the bottom of the **“Ballot Search Results”** screen.

Name	Effective Address	Ballot ID	Seq #	Abs Seq #	Style
TIFFANY VOTER	101 N MAIN ST ALGONA IA 50511	500983711	1	1	001
SALLY VOTER	101 N MAIN ST ALGONA IA 50511	500983710	1	2	001

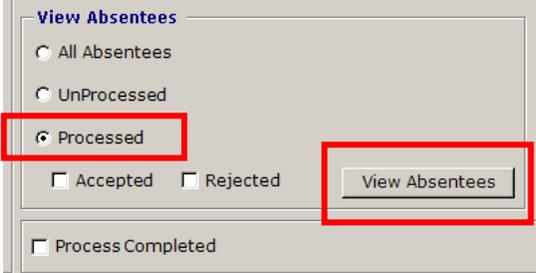
7. Confirm you have the correct voter's ballot. Be sure the **"Inactivate"** box is not checked.
8. Click **"Save."** The information for the voter you just finished processing will disappear.
9. Add another undeliverable ballot or close the undeliverable batch by clicking **"Close."**

The screenshot shows a software window titled "Undeliverable Ballots" with a status message "Ballot has been received." The interface includes several sections: "Batch" with fields for Election, Batch Date, Received Date, and Identifier; "Ballot Label" with an ID field and an "Add" button; "Ballot Search" with fields for Name, Street, and City, and a "Search" button; "Voter Details" with fields for Name on Ballot, Status, Name in Record, and Current Residential Address; and "Ballot Mail Address" with fields for Address Type and Current Mail Address. At the bottom, there are checkboxes for "Inactivate" (checked) and "Review Registration", along with a "Change Now" button. Navigation buttons like "Delete", "First", "Previous", "Next", "Last", "View Ballots", and "Voter Details" are also present. The "Save" and "Close" buttons are highlighted with red boxes.

10. Open the voter's record. Be sure the voter's **"Status"** is still **"A- Active."**
11. Click on the **"Absentee"** tab.
  - b. FPCA request
    - i. Highlight the undeliverable ballot request by clicking on it. Click **"Details."**
    - ii. Change the **"To"** date to the date the ballot was received.
    - iii. Add a comment in the **"Comments"** field if you wish.
    - iv. Click **"Print Later"** to save the date change and comment.
    - v. A **"Confirmation to Void"** screen will appear with the message: "Changing the date will void all prepared and sent ballots outside of the new date range. Would you like to continue?" Click **"Yes."**
  - c. Election-specific request
    - i. Highlight the undeliverable ballot request by clicking on it. Click **"Void."**
    - ii. Click **"Yes"** when asked if you are sure you want to void the ballot. Add the comment "Ballot returned undeliverable" in the **"Audit Comment"** field. Click **"Save."**
    - iii. Send the voter a forwardable letter explaining that the ballot was mailed to the address they requested and returned as undeliverable. Enclose a new absentee ballot request. A sample notice "Ballot Returned Undeliverable from UOCAVA Voter" is available in the Election Forms Library. If you have an email address for the voter, it may be quicker to correspond about the undeliverable ballot by email.

## Printing a List of Received Incomplete and Defective Affidavits

1. Open “**Election Management**” and click on “**Process Absentee Ballots.**”
2. From the bottom of the page, make sure the button next to “**Processed**” is selected and click “**View Absentees.**”
3. A list of ballots currently assigned to incomplete and defective status will be generated.



The screenshot shows a web interface titled "View Absentees". It contains three radio buttons: "All Absentees", "UnProcessed", and "Processed". The "Processed" radio button is selected and highlighted with a red box. Below the radio buttons are two checkboxes: "Accepted" and "Rejected". To the right of these checkboxes is a button labeled "View Absentees", which is also highlighted with a red box. At the bottom of the interface is a checkbox labeled "Process Completed".

## Process Absentees in I-VOTERS

Rejected absentees must be processed first in I-VOTERS before processing accepted absentee ballots.

### Incomplete Affidavits Not Corrected

Incomplete that were not corrected by voters must be rejected.

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

The screenshot shows the 'Election Management' application window. The top navigation bar includes 'Ballot Styles', 'Address Library', 'Pull Petitions', 'Polling Places', 'CASS', 'Districts Precincts', 'Absentee Voters', 'Reports', and 'Export'. A message at the top states 'Ballot status saved successfully.' The main content area is titled 'Ballot status saved successfully.' and shows election details: 'Election Date: Dec-04-2012', 'Election Type: School', and 'Description: Test Election'. On the left, there is a sidebar with links: 'Election Details', 'Include Certified Contests', 'Election Template', 'Measures & Races', 'Post Shared Contests', 'Ballot Styles', 'Ballot Review', 'Print Absentee Labels', and 'Election Register'. The 'Ballot Search' section has fields for 'Barcode', 'Abs Seq #', 'Name' (filled with 'voter'), 'Address', and 'City'. Below this is the 'Ballot Details' section with 'Voter ID' (500266725) and 'Address' (101 N MAIN ST, ALGONA, IA 50511). A red box highlights the 'Ballot Status' dropdown menu, which is currently set to 'Rejected - Affidavit not complete'. A 'Save' button is visible at the bottom right of the details section.

### Defective Affidavits

#### Replacement Ballot Issued and Returned

If a replacement ballot was issued and returned by the voter, do nothing to the original, defective affidavit in I-VOTERS.

#### Replacement Ballot Issued but Not Returned

If a replacement ballot was issued but was not returned by the voter, reject the original, defective ballot:

[§53.25]

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

This screenshot is identical to the one above, showing the 'Election Management' application window with the same navigation bar, message, election details, sidebar, and ballot search/details sections. The 'Ballot Status' dropdown menu is highlighted with a red box and set to 'Rejected - Affidavit not complete'. A 'Save' button is visible at the bottom right of the details section.

## No Replacement Ballot Issued

If the voter did not request a replacement ballot, reject the original, defective ballot:

[§53.25]

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

**Election Management**  
Ballot Status saved successfully.

Election Date: Dec-04-2012 Election Type: School Description: Test Election

**Ballot Search**  
Barcode: \_\_\_\_\_ Abs Seq #: \_\_\_\_\_ Name: voter  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Search Clear

**Ballot Details**  
Voter ID: 500266725 Voter Name: MIKE VOTER  
Address: 101 N MAIN ST ALGONA, IA 50511 Ballot Status: Rejected - Affidavit not complete

Save

## Rejected Absentees

Process rejected absentee ballots.

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

**Election Management**  
Election Date: Dec-04-2012 Election Type: School Description: Test Election

**Ballot Search**  
Barcode: \_\_\_\_\_ Abs Seq #: \_\_\_\_\_ Name: voter  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Search Clear

**Ballot Details**  
Voter ID: 500266725 Voter Name: MIKE VOTER  
Address: 101 N MAIN ST ALGONA, IA 50511 Ballot Status: Rejected - Affidavit not complete

**Ballots Sent**

Abs Seq #	Barcode	VoterName	Source	Date Sent	Date Received	Ballot Style	Ballot Type
5	50098...	MIKE VOTER	Mail	07/12/2012	07/12/2012	001	Original

## Accepted Absentees

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Check **“Mark Unprocessed as Accepted”** under **“Finish Processing.”**
3. Click **“Process Remaining Ballots.”**

**Election Management**  
Ballot Status saved successfully.

Election Date: Dec-04-2012 Election Type: School Description: Test Election

**Ballot Search**  
Barcode: \_\_\_\_\_ Abs Seq #: \_\_\_\_\_ Name: voter  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Search Clear

**Ballot Details**  
Voter ID: 500266725 Voter Name: MIKE VOTER  
Address: 101 N MAIN ST ALGONA, IA 50511 Ballot Status: Rejected - No signature

**Ballots Sent**

Abs Seq #	Barcode	VoterName	Source	Date Sent	Date Received	Ballot Style	Ballot Type
5	50098...	MIKE VOTER	Mail	07/12/2012	07/12/2012	001	Original

**View Absentees**  
 All Absentees  
 UnProcessed  
 Processed  
 Accepted  Rejected View Absentee

**Finish Processing**  
 Mark Unprocessed as Accepted  
Process Remaining Ballots

## Absentees Not Returned

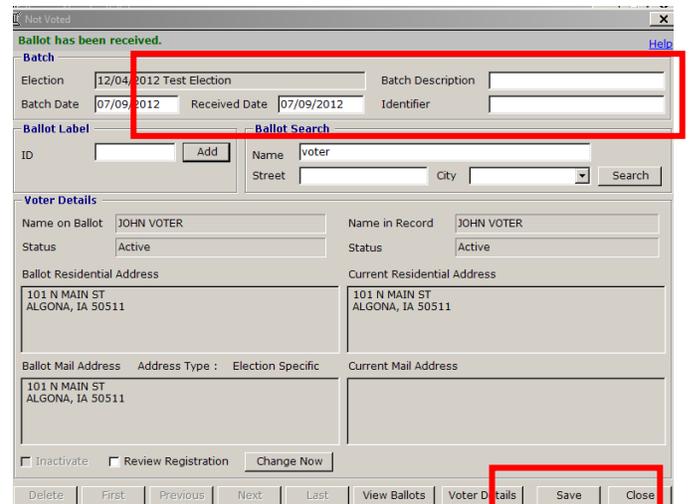
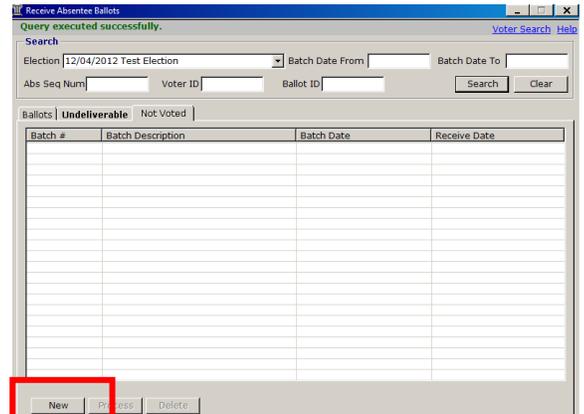
If voters did not return their absentee ballots, do nothing. These ballots do not need to be processed in I-VOTERS.

## Wrong Party Ballot Issued for Primary Election

For the primary election, if the voter was issued a ballot for a different political party than the voter wishes to vote for, the voter must return the original ballot to the auditor's office marked "Not Voted - Wrong Ballot" before another ballot can be issued to the voter.

Once the original ballot is received:

1. Open "**Receive Absentee Ballots**" from the main I-VOTERS menu.
2. Choose the appropriate election from the drop down menu and click on "**Search**."
3. Click on the "**Not Voted**" tab. Any "**Not Voted**" batches you already created for this election will appear.
4. Click on the "**New**" button at the bottom of the page.
5. If you want text to appear in the "**Batch Description**" field of the main "**Not Voted**" screen, add your text in the "**Batch Description**" field that appears at the top of the new "**Not Voted**" batch you are creating.
6. The "**Received Date**" should be the date the ballot was returned.
7. Add the ballot(s) to the new "**Not Voted**" batch by scanning the barcode in the "**Ballot Label**" field or typing the voter's name in the "**Ballot Search**" field.
8. After you choose the correct ballot (if more than one option appear) the voter's information will appear on the screen.
9. Click the "**Save**." The information for this voter will disappear. Either add a new "**Not Voted**" ballot to the batch by searching for the voter as instructed above or close the batch by clicking "**Close**."
10. Store the wrong party ballots together in a secure place.
11. Open the voter's record and click on the "**Absentee**" tab.
12. Highlight the wrong party ballot request by clicking on it. Click "**Void**."



13. Click **“Yes”** when asked if you are sure you want to void the ballot. Add the comment **“Wrong party affiliation”** in the **“Audit Comment”** field. Click **“Save.”**
14. Add a new absentee request. Choose the correct political party from the **“Political Party”** drop-down. Update the ballot serial number on the voter’s absentee request.

The screenshot shows a web form titled "Voter Registration - Absentee Detail". The form contains several sections:

- Absentee Type:** Election Specific (dropdown), 06/03/2014 Test Primary (dropdown)
- Absentee Application Source:** HCF/Satellite Location (dropdown), Issue Method (dropdown)
- Mail:** Mail (dropdown), (dropdown), Mailing (dropdown)
- Election Type:**  Federal,  School,  City,  Special,  All
- Date Requested:** 01/06/2014, **Date Sent:** (empty), **Date Received:** (empty), **ReIssue Method:** (dropdown)
- Political Party:** (dropdown menu highlighted with a red box, showing options: Democrat, Republican, Comments)
- Use Address On File:**  (checkbox)
- Address:** 101 MAIN ST, LORIMOR, IA 50149

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## **Election Day at the Polls**

### **Polling Place Hours**

See the Pre-Election Day chapter for information about polling place hours.

### **Delivering Supplies**

Election supplies and ballots must be furnished to the PEOs no later than one hour before the opening of the polls on Election Day.

[§49.55]

Upon receipt of the ballots, the PEOs must verify the quantity of ballots received against the number listed on the ballot record and receipt. A PEO must sign the ballot record and receipt after verification. The ballot record and receipt is available in the Election Forms Library.

[§49.65]

Supplemental registers showing which voters were sent absentee ballots and which voters have moved must also be furnished to PEOs at the polls no later than one hour before the polls open.

See the Pre-Election Day chapter for more information.

[§49.72]

### **Opening the Polls**

PEOs must arrive at the polling place at least one hour before the polls open. If an official fails to arrive at the polling place on time, the PEOs should report it immediately to the auditor. Iowa law requires at least one PEO from each political party to be present before a polling place may open.

[§49.73(1)]

The process of opening the polls is public. The public cannot vote before the polls are “open” but may be present during the opening process.

Before opening the polls, the PEOs must take the election official/clerk oath. Any of the PEOs may administer the oath to the others. The election official/clerk oath is available in the Election Forms Library.

[§49.75, 49.76]

### **Substitute PEOs**

If a vacancy occurs on Election Day, the auditor must fill the vacancy with a substitute PEO with the same political party affiliation as the PEO whose duties are being assumed unless the substitution of a PEO with a different political affiliation will not cause the precinct to lose party balance. The party balance requirement only applies in partisan elections.

The substitute PEO must take the election official/clerk oath upon arriving at the polling place and before performing any official duties.

[§49.14, 49.18]

See the Pre-Election Day chapter for more information on substitute PEOs.

## **Required Postings at the Polling Place**

### **1. “Vote Here” signs**

On Election Day, “Vote Here” signs must be placed at the entrance of each driveway leading to the building where the polling place is located. The sign must be visible from the street. The signs cannot be smaller than 16 inches by 24 inches.

[§49.21(3)(a), IAC 721—21.9]

### **2. Polling place signs**

A sign must be posted at the polling place entrance indicating the precinct name/number, the election name and date, and the polling place hours. Sample signs are available in the Election Forms Library.

[§49.21(3)(b), HAVA Section 302]

If multiple precincts are located in one building with one entrance, one notice can be posted as long as all precincts are listed in the notice. Sample signs are available in the Election Forms Library.

### **3. Precinct map**

A street map showing the boundaries of the precinct must be posted at the entrance of the polling place.

[§49.21(3)(b)]

### **4. Sample ballots of each ballot style**

At least one copy of a sample ballot, both the front and back if it is two-sided, must be posted in the polling place. Sample ballots cannot be placed in the voting booths. The complete text of the public measure must be posted by the sample ballot and in each voting booth if the complete text does not appear on the ballot.

[§49.71(2), 52.25, 52.29]

### **5. Voting instructions**

At least one copy must be posted in the polling place and one copy posted in each voting booth. Voting instructions are available in the Election Forms Library.

[§49.68(2), 49.70, 49.71]

### **6. “Voting is Your Right” poster**

This poster must be posted in the polling place. The poster is available in the Election Forms Library.

[§49.68(1), 49.70, 49.71(3)]

### **7. EDR Instructions and Iowa Voter Identification Requirements Poster**

The Iowa voter identification requirements poster must be posted in the polling place. The EDR tabletop flyer should also be posted. Copies of both are available in the Election Forms Library.

[§49.68(1)]

## 8. Poll Watcher Poster

**Best Practice:** The auditor may also choose to have the poll watcher poster posted in each polling place so voters, poll watchers, and PEOs can easily find information about what poll watchers may or may not do in the polling place. The poll watcher poster is available in the Election Forms Library.

### **When Voters Must Show ID**

#### **Non-EDR Voters**

Non-EDR voters are required to show ID before they are allowed to vote if:

- Their voter registration status is “Pending”
- Their voter registration status is “Inactive”
- Their names do not appear in the election register because they moved from a different precinct within the county
- The PEOs do not know them and ask to see ID

In these cases, voters may use any of the following forms of ID if it has their name:

- Non-expired photo ID (this may list a previous address)
- Utility bill, including cell phone bill with current address
- Bank statement with current address
- Paycheck or government check with current address
- Other government document with current address

Documents presented must be actual documents, not documents displayed on smart phones or other technological devices.

[§48A.8, 49.77, IAC 721—21.3]

If a voter is asked to show ID for one of the reasons listed above and cannot provide it, the voter must use EDR attestation procedures or cast a provisional ballot.

Temporary licenses or IDs issued by the Iowa Department of Transportation must be accepted as proof of identity and/or residency while the temporary ID is valid. The temporary ID is valid for 30 days, and each one will have an expiration date printed on it.

## **EDR Voters**

EDR voters are required to prove both who they are and where they live. See the Voter Registration chapter for a list of acceptable EDR identification documents and the attestation procedure.

### **When Voters Must Cast Provisional Ballots**

Voters must cast a provisional ballot for the following reasons:

- When they cannot prove they are qualified to vote by showing ID when required to do so.
- When they requested an absentee ballot but cannot surrender it at the polls and PEOs cannot confirm whether the auditor has received the voter's absentee ballot. See the next page for more information.
- When their qualifications to vote were challenged at the polls and the challenge was not withdrawn. [§49.81, 53.19]

### **Surrendered Absentee Ballots**

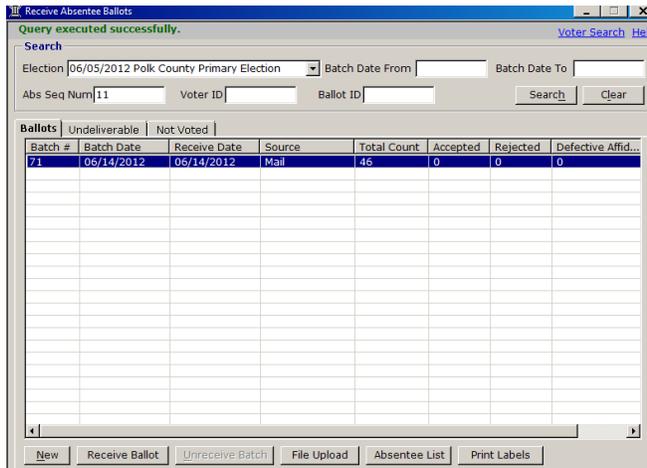
Voters may surrender their absentee ballots at the polls to the PEOs and vote a regular ballot. If surrendered, the PEOs should write "Void" on the ballot and store it separately with other surrendered absentee ballots.

[§53.19]

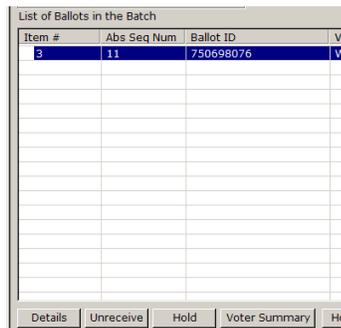
The number of surrendered absentee ballots returned from the polling place should be indicated on the ballot record and receipt returned from the polling place.

For instructions on processing these ballots in I-VOTERS once they are returned to the auditor's office on election day, see the Absentee chapter.

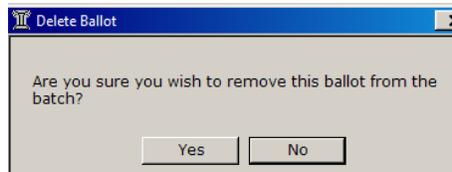
6. Highlight the batch by clicking on it and click **“Receive Ballot.”**



7. Highlight the voter's information by clicking on it and click **“Unreceive.”**

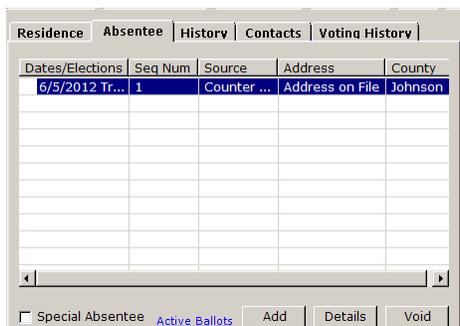


8. Click **“Yes.”**



9. Open the voter's record. Click on the **“Absentee”** tab.

10. Highlight the non-voided request and select **“Void.”** In the void comment box, enter **“Voted at polls.”**



### **Notice to EDR Registrants**

In precincts where an electronic poll book program is not used, PEOs must hand each election day registrant a “Notice to Election Day Registrants” and ask the registrant to read the information.

[§721—21.7(4)]

The notice informs registrants that if they have ever been convicted of a felony and have not had their right to vote restored, they are committing a Class D felony if they proceed to register and vote. The notice also details what options the voter has if the voter is not 100% sure of the status of the voter’s voting rights and also lists the other requirements to be a registered voter.

Precincts that use an electronic poll book program that has been properly uploaded with the statewide felon data are not required to use this notice.

The “Notice to Election Day Registrations” is available in the Election Forms Library.

### **List of EDR Attesters**

A log should be kept of people who have attested for absentee voters at your office and at satellites. Copies of this list should be provided to each polling place on election day for the PEOs to confirm if someone has already attested for an EDR voter. A sample list of attesters log is available in the Election Forms Library.

## **Assisting Voters**

A voter may request help when marking or casting a ballot. Any voter may declare upon oath that the voter is blind, cannot read the English language, or is, by reason of any physical disability other than intoxication, unable to cast a vote without assistance. The voter must complete the affidavit of voter requesting assistance. The PEOs must make a mark in the election register to indicate the voter received assistance.

Voters may choose any person to assist them except their employer, employer's agent, or an officer/agent of their union. Voters may also request assistance from PEOs, and two PEOs may assist.

**Important Note:** When assistance from PEOs is requested by the voter, one PEO from each political party must assist voters in primary, general, and special elections held pursuant to §69.14 and §69.14A. In all other elections, the PEOs may be members of the same party.

[§49.90, 49.91]

If a person other than the PEOs assists the voter, the person assisting the voter must sign the affidavit of voter requesting assistance. The affidavit is available in the Election Forms Library.

## **Curbside Voting**

If a voter is unable to enter the building where the polling place is located because of a disability, two PEOs (one from each political party for partisan elections) must take a ballot and election supplies outside to the voter. The voter can then mark the ballot in the voter's vehicle. The same procedures that would happen if the voter was casting a ballot in the polling place must also occur during curbside voting.

The voter must sign the affidavit of voter requesting assistance which is available in the Election Forms Library. The PEOs must make a mark in the election register to indicate the voter received assistance.

**Important Note:** One PEO from each political party must assist voters in primary, general, and special elections held pursuant to §69.14 and §69.14A.

[§49.90, 49.91]

## **Closing the Polls**

Anyone who is on the premises of the polling place when the polls close must be allowed to vote. If they are outside, the PEOs should instruct voters to move inside the building and shut, but not lock, the doors. Anyone arriving after that time cannot be allowed to vote.

**Best Practice:** Have a PEO stand behind the last person in line so no one else can join the line.

The polls can never be closed early even if the PEOs or auditor believe no one else will vote. The PEOs must close the election equipment only after all voters have cast their ballots.

The doors to the polling place must remain unlocked.

[§49.74]

## **Precinct Canvass of Votes**

Immediately after the polls close, the PEOs must begin the process of publicly counting ballots. They must continue until they are finished.

[§50.1, 50.1A]

The precinct canvass of votes is public. Observers may be present but cannot interfere with the process. Observers cannot touch the ballots or other election supplies.

[§50.11]

All votes cast at precinct polling places must be tallied on election night, including all write-in votes. Ballots cast at the polls are counted only at the polling place. Votes are not counted by the board of supervisors, the auditor, or the auditor's staff.

Iowa Administrative Code 721—Chapter 26, Counting Votes provides the uniform standards for counting votes by hand in Iowa. Provide PEOs instructions on how to count write-in votes by hand. Instructions are available in the Counting Votes guide.

Precinct results are entered in the tally list. The names of all people who received write-in votes (including fictional names) must be included on the tally list. It is the duty of the precinct canvassers to examine the write-in votes and to decide whether similar versions of a name should be counted for the same person.

The information entered in the tally list must include the number of people who voted, the name of each person who received votes, the number of votes each person received, and the total number of votes for each office. The PEOs who close the polls must sign the tally list.

[§50.16]

If ballots were damaged and could not be read by the optical scan machine, the PEOs may make a true duplicate of the ballot. PEOs should call the auditor's office before doing so. Once given the approval to do so, they must write "original" on the original ballot and "duplicate" on the substitute ballot and a serial number. The original ballot must be marked with the same serial number.

[§52.37]

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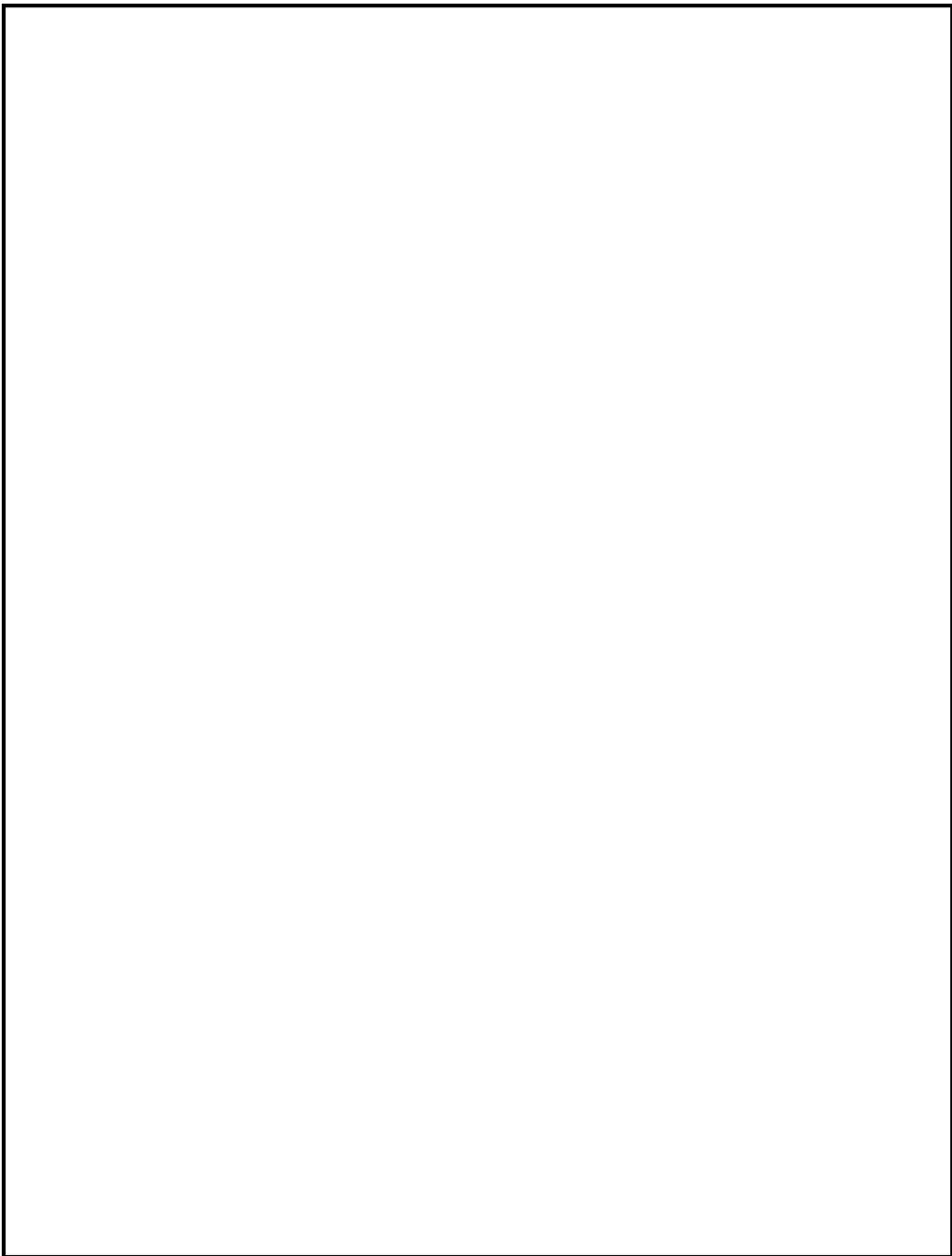
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## Preparing Abstracts of Votes

For most elections, two sets of the abstracts for each office and measure are needed. The office abstracts must include all of the following information:

1. Name of each person who received votes for each office and the number of votes each person received
2. Name and number of votes received by each write-in who received five percent or more of votes cast for an office

The names of candidates who received five percent or more of the total votes cast should appear after the names of candidates whose names were printed on the ballot.

To determine the threshold of votes needed to meet 5%, add together the votes for all the candidates and write-ins (but do not include overvotes and undervotes). Multiply that total by 0.05. Round up if necessary.

**Important Note:** In vote for more than one races, divide the total votes cast by the number of seats to be filled. Multiply that total by 0.05. Round up if necessary.

3. Scattering

The votes for any write-in candidates who each received less than five percent of the votes cast for an office shall be reported collectively as "Scattering."

4. Total number of votes cast in the county for each office

This is found by adding together the votes for all of the candidates, including write-in candidates. This does NOT include overvotes or undervotes.

The public measure abstracts must include all of the following information:

1. Number of votes for and against each question (if any)
2. Total number of votes cast in the county for each question (if any). This does NOT include overvotes and undervotes.

[§50.24]

For the primary election, the abstract must also state the number of ballots cast by political party. Separate abstracts must be made for each state and federal office.

[§43.49]

For the general election, separate abstracts must be made for each state and federal office, each constitutional amendment and statewide ballot question, and each judge. County offices and township offices can be combined on the same abstract.

For school and city elections, separate abstracts must be made for different jurisdictions.

[§50.25]

The abstracts must be signed by a majority of the board of supervisors and the auditor. They can be printed from I-VOTERS or from the election results reporting program used in primary and general elections.

Proof the following items on the abstracts before the canvass:

1. Check the total votes for each candidate.

Be sure the totals listed on the abstracts for the candidates and scattering match the totals listed in the election canvass summary.

2. Check winners.

Be sure the appropriate candidate is listed as the winner in each race. If no candidate won, be sure no candidate is declared elected on the abstract.

3. Check the canvass date.

4. Use zeros.

If no votes were cast for an office or candidate on the ballot, put the number of votes cast as “0” on the abstract.

5. Put the county seal on each abstract.

## Printing Abstracts from I-VOTERS

1. Open “**Reports & Labels**” from the main I-VOTERS screen.
2. Select “**Election Management**” from the menu on the left side. Choose the “**Election**” from the drop-down.
3. Choose reports “**E-022 County Abstract of Votes – Candidate Abstract**” and “**E-024 County Abstract of Votes – Measures Abstract**.”

The date of the canvass will appear on the abstracts. To change the date of the canvass, click on “**Election Details**” in “**Election Management**.”

## Preparing Election Canvass Summary

The canvass summary must include the results of the election by precinct for each office and public measure on the ballot. The summary must include scatterings, overvotes, and undervotes. Overvotes and undervotes are not included in the summary when the ballots are counted by hand.

[§50.24(3)]

For primary, general, and special elections held pursuant to §69.14, two sets of the canvass summary are required. It must be signed by a majority of the board of supervisors and the auditor. It can be generated by I-VOTERS. The Official Results Report can be used if the results were entered by precinct. A report from vote tabulation software or SOS election night results reporting program can also be used.

[§50.24(3)]

## Printing Canvass Summary in I-VOTERS

1. Open **“Reports & Labels”** from the main I-VOTERS screen.
2. Select **“Election Management”** from the menu on the left side. Choose the **“Election”** from the drop-down.
3. Choose **“E-019 Official Results Report.”** Be sure to mark the **“All”** boxes for **“Pol Party”** and **“Party Org.”**

The screenshot shows the I-VOTERS Reports interface. The left sidebar contains a menu with 'Election Management' selected. The main area is titled 'Election Management' and features several dropdown menus and checkboxes. The 'Election' dropdown is set to '11/08/2011 - 2011 City Election'. The 'Pol Party' and 'Party Org' sections have 'All' selected. The 'E-019 Official Results Report' is highlighted in the report list. The interface also includes fields for 'Election Date', 'Absentee Application Source', and 'Sort Order'.

## **During the County Canvass**

The board of supervisors does not count ballots. The board uses the results reported by the PEOs in the tally lists to compile the vote totals for the county. The board has no authority to examine any ballots or write-in documents other than the tally lists from each precinct. The board declares the winners for county and township offices. This declaration is included in the county abstract of votes.

The board of supervisors also canvasses the county vote totals for state and federal offices. The county abstracts are mailed immediately to the SOS following the county canvass so the state canvass of votes may start.

[§50.24, 50.25, 50.26, 50.27]

Open meeting laws do not apply. It is not necessary to publish and post the agenda before the meeting. However, the meeting must be open to the public and minutes must be kept.

[OAG #90-2-6(L), §50.45]

## **Who Wins?**

The candidate with the most votes is declared the winner with two exceptions.

[§50.45, 277.20, 376.8]

The exceptions are:

### 1. Cities With Runoff Provisions

All candidates must receive a majority of the votes cast to be declared elected; however, there are two different definitions of “majority” in cities with runoff provisions.

#### a. Vote for No More Than One Races

A simple majority is needed to be declared elected. A simple majority is at least one vote more than 50% of the total votes cast (total votes for all candidates and write-ins). If no candidate receives a majority in this type of race, a runoff must be held between the highest vote-getters. The number of candidates on the runoff ballot will equal twice the number of seats to be filled. For example, a runoff for the office of mayor will have the top two vote-getters on the runoff ballot.

#### b. Majorities in At-Large Multi-Member Body Races

A majority is one vote more than half the quotient found by dividing the total number of votes cast (total votes for all candidates and write-ins) for that body by the number of positions to be filled.

See the City Elections chapter for more information.

## Process Election Register

1. Open **“Election Management”** from the main I-VOTERS screen.
2. Click **“Process Election Register.”**
3. Select a precinct from the **“Precincts List”** drop-down.

For the primary election, choose either **“Republican”** or **“Democrat”** from the **“Party”** drop-down.

The screenshot shows the 'Election Management' software interface. The header displays 'Election Date: Oct-07-2008', 'Election Type: Primary', and 'Description: Primary Test'. Below the header, there are dropdown menus for 'Election Register', 'Precincts List' (set to '1NW - 1NW ADAIR'), and 'Party'. A 'Barcode' field and an 'Accept' button are also visible. The main area contains a table of voters with columns for 'Accepted', 'Voter Name', and 'Residential Address'. The first row is highlighted, showing a checked 'Accepted' box and the name 'CHRISTENSEN, B' with address '80 ST ADAIR, IA 50002'. Other voters listed include CHRISTENSEN, D, F, I, J, K, K, T, and V. At the bottom, there is a 'Processing Status: 0 of 1148 Voter ballots Accepted.' and a navigation bar with buttons for 'Process Completed', 'Process Added Voters', 'First', 'Prev', 'Next', 'Last', 'Page 12 of 96', and 'Proof'.

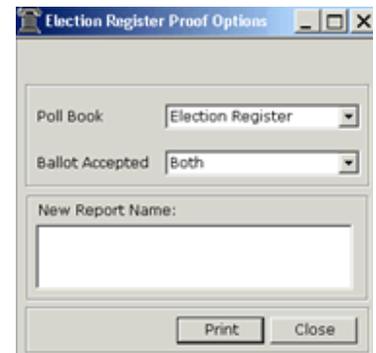
**Important Note:** Only one user should process a precinct register at a time.

4. Voters can be selected to receive vote credit one of three ways:
  - a. Use a bar code scanner to scan the bar code next to the voter's name.
    - i. Click in the **“Barcode”** field so the cursor is placed there.
    - ii. Scan the voter's bar code. The voter's information will populate.
    - iii. Click **“Accept.”** The **“Accepted”** box next to the voter's name will be checked.
  - b. Enter the voter's ID in the **“Barcode”** field and click **“Accept.”** The **“Accepted”** box next to the voter's name will be checked.
  - c. Manually check the **“Accepted”** box next to the voter's name.

Use the navigation buttons (**“Prev,” “Next,”** etc.) at the bottom of the screen to move between pages.

## Proof Election Register

1. Click “**Proof**” to generate a proof report of the election register.
2. Choose a “**Ballot Accepted**” option from the drop-down.  
Choose “**Accepted**” to view only the voters with vote credit.
3. Enter a name for the report and click “**Print.**”



The screenshot shows a dialog box titled "Election Register Proof Options". It contains two dropdown menus: "Poll Book" set to "Election Register" and "Ballot Accepted" set to "Both". Below these is a text input field labeled "New Report Name:" which is currently empty. At the bottom right are two buttons: "Print" and "Close".

## Process Absentees

Rejected absentees must be processed first in I-VOTERS before processing accepted absentee ballots.

## **Incomplete Affidavits Not Corrected**

Incomplete that were not corrected by voters must be rejected.

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

The screenshot shows the 'Election Management' software interface. At the top, there is a navigation menu with options: Ballot Styles, Address Library, Pull Petitions, Polling Places, CASS, Districts Precincts, Absentee Voters, Reports, and Export. Below this, a message states 'Ballot status saved successfully.' The main area is divided into sections: 'Election Date: Dec-04-2012', 'Election Type: School', and 'Description: Test Election'. On the left, there is a sidebar with links: Election Details, Include Certified Contests, Election Template, Measures & Races, Post Shared Contests, Ballot Styles, Ballot Review, Print Absentee Labels, and Election Register. The central part of the screen is titled 'Ballot Search' and contains fields for Barcode, Abs Seq #, Name (voter), Address, and City, with Search and Clear buttons. Below this is the 'Ballot Details' section, which includes Voter ID (500266725) and Address (101 N MAIN ST, ALGONA, IA 50511). A red box highlights the 'Ballot Status' dropdown menu, which is currently set to 'Rejected - Affidavit not complete'. A 'Save' button is located at the bottom right of this section.

## **Defective Affidavits**

### Replacement Ballot Issued and Returned

If a replacement ballot was issued and returned by the voter, do nothing to the original, defective affidavit in I-VOTERS.

### Replacement Ballot Issued but Not Returned

If a replacement ballot was issued but was not returned by the voter, reject the original, defective ballot:

[\$53.25]

1. Open **“Election Management.”** Click on **“Process Absentee Ballots.”**
2. Search for the voter’s absentee ballot and choose rejection reason from the from the **“Ballot Status”** drop-down menu.
3. Click **“Save.”**

This screenshot is identical to the one above, showing the 'Election Management' software interface. It displays the same navigation menu, sidebar, and main content area. The 'Ballot Search' and 'Ballot Details' sections are visible, with the 'Ballot Status' dropdown menu highlighted in a red box and set to 'Rejected - Affidavit not complete'. The 'Save' button is also visible at the bottom right.

## No Replacement Ballot Issued

If the voter did not request a replacement ballot, reject the original, defective ballot:

[§53.25]

1. Open **"Election Management."** Click on **"Process Absentee Ballots."**
2. Search for the voter's absentee ballot and choose rejection reason from the from the **"Ballot Status"** drop-down menu.
3. Click **"Save."**

The screenshot shows the 'Election Management' application window. The 'Ballot Search' section has fields for Barcode, Abs Seq #, Name (voter), Address, and City. The 'Ballot Details' section shows Voter ID 500266725, Voter Name MIKE VOTER, and Address 101 N MAIN ST, ALGONA, IA 50511. The 'Ballot Status' dropdown menu is open, and the option 'Rejected - Affidavit not complete' is selected. A red box highlights this dropdown menu.

## Rejected Absentees

Process rejected absentee ballots.

1. Open **"Election Management."** Click on **"Process Absentee Ballots."**
2. Search for the voter's absentee ballot and choose rejection reason from the from the **"Ballot Status"** drop-down menu.
3. Click **"Save."**

The screenshot shows the 'Election Management' application window. The 'Ballot Search' section has fields for Barcode, Abs Seq #, Name (voter), Address, and City. The 'Ballot Details' section shows Voter ID 500266725, Voter Name MIKE VOTER, and Address 101 N MAIN ST, ALGONA, IA 50511. The 'Ballot Status' dropdown menu is open, and the option 'Rejected - Affidavit not complete' is selected. A red box highlights this dropdown menu.

## Accepted Absentees

1. Open **"Election Management."** Click on **"Process Absentee Ballots."**
2. Check **"Mark Unprocessed as Accepted"** under **"Finish Processing."**
3. Click **"Process Remaining Ballots."**

The screenshot shows the 'Election Management' application window. The 'Ballot Details' section shows Voter ID 500266725, Voter Name MIKE VOTER, and Address 101 N MAIN ST, ALGONA, IA 50511. The 'Ballot Status' dropdown menu is open, and the option 'Rejected - No signature' is selected. The 'Ballots Sent' table shows one ballot with Abs Seq # 5, Barcode 50098..., VoterName MIKE VOTER, Source Mail, Date Sent 07/12/2012, Date Received 07/12/2012, Ballot Style 001, and Ballot Type Original. The 'Finish Processing' section is highlighted with a red box, and the option 'Mark Unprocessed as Accepted' is selected.

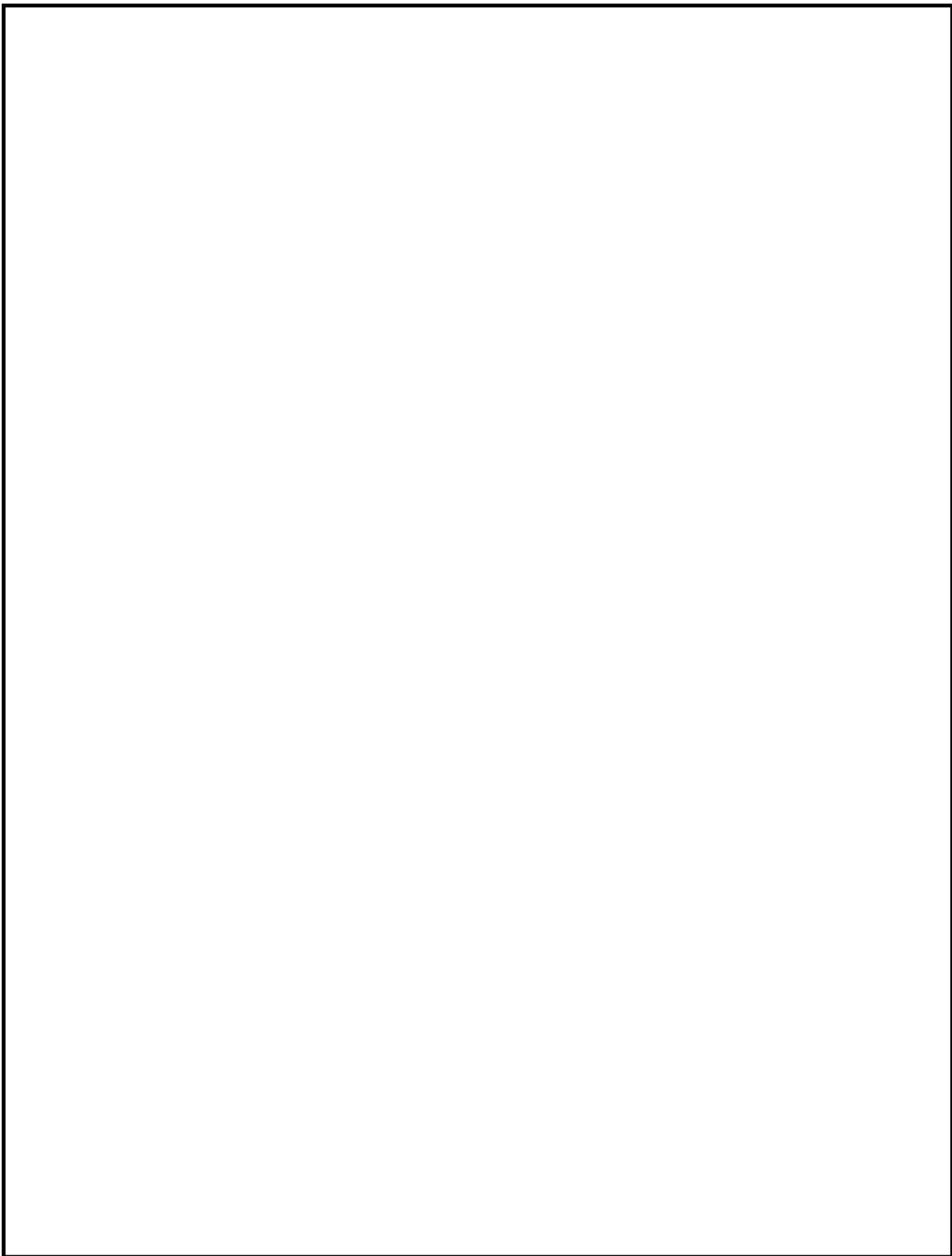
## Absentees Not Returned

If voters did not return their absentee ballots, do nothing. These ballots do not need to be processed in I-VOTERS.

## **Chapter 6**

# **Recounts**

This chapter of the handbook contains information about recounts for offices, recounts for public measures, and administrative recounts. It also provides instructions on how to administer recounts.



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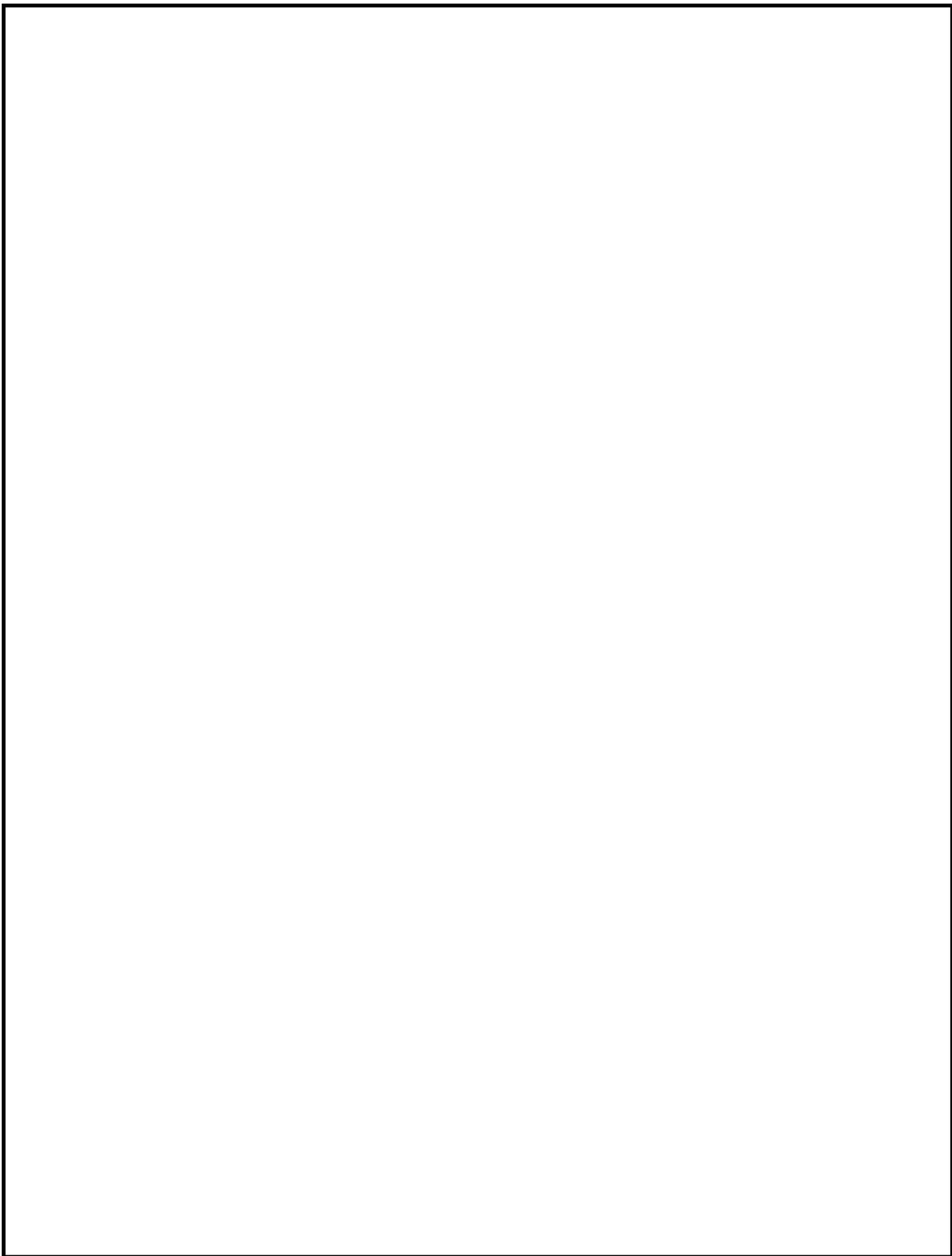
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## Overview

### **What is a Recount?**

A recount is a formal process for recounting the ballots which were voted and counted for an office or public measure. This includes any disputed ballots returned under §50.5 that were “objected to” but counted. Recounts do not include rejected absentee or provisional ballots, spoiled ballots, and defective ballots.

[§50.48, IAC 721—26.104(1)]

### **Recounts vs. Election Contests**

A recount is a formal procedure in which ballots that were voted and counted at an election are counted again.

An election contest is a formal process for challenging the results of an election by proving that improper activities resulted in an incorrect outcome. (See the Contest chapter for more information.)

### **Board of Supervisors Orders Recounts**

When a request for a recount or a petition requesting a recount is received, notify the board of supervisors. The board must submit a written order for the recount to the auditor. This can be a motion or resolution the board has passed.

[§50.48(1)(a), 331.302(1)]

### **Publishing Notice of Recount**

Notice of the recount does not have to be published. Recounts are a purely ministerial function rather than a policymaking one, so they are not subject to the notification requirements of the Iowa open meetings law.

[IAC 721—26.106]

### **Observers**

Recounts, like all canvasses of votes, are open to the public. Observers may watch and listen, but they may not participate in or interfere with the recount. Observers cannot touch ballots.

[IAC 721—26.106]

### **Compensation of Recount Board**

The *Iowa Code* does not provide for any compensation for recount board members; they serve without pay. Because the ASVP board is required to serve as the recount board for administrative recounts, they may be compensated. Consult with the county attorney regarding compensation questions.

## Recount Requests

### Who May Request a Recount

#### Recounts for Offices

Any person who received votes for an office, including the person who received the most votes, may request a recount. A write-in candidate may file a request for a recount but only if the person is legally qualified to seek and hold the office for which the candidate received votes.

For offices that are elected as a team (i.e. president and vice president, governor and lieutenant governor), either of the two candidates may sign a request for a recount or designate a member of the recount board.

[§50.48(1)(a), IAC 721—26.100, 26.101]

#### Recounts for Public Measures

Eligible electors can petition to request a recount for a public measure. Petition signers must have been entitled to vote on the public measure in question or would have been so entitled if registered to vote. Signers are not required to have voted in the election.

Petitions must be signed by a number of eligible electors equal to at least one percent of the total votes cast for the public measure or 10, whichever is greater.

[§50.49(1)]

### Recount Requests

Recount requests and petitions must include the following:

- Office or public measure for which requesting the recount,
- Precinct(s) to be recounted, and
- A recount board designee.

A recount request from a candidate must be signed by the candidate.

[§50.48, 50.49]

The original recount request must be filed. It cannot be filed electronically.

Consult with the county attorney if unsure about the legal sufficiency of a recount request.

A sample “Request Form for Recount of Votes Cast for Office” and “Petition to Request Recount of Public Measure” are available in the Election Forms Library.

**Best Practice:** Stamp the request with the date and time it was received. This step is beneficial in case multiple recount requests are filed.

[IAC 721—26.103(1)]

## **Recount Request Deadline**

For most elections, recount requests for offices and public measures must be filed no later than 5 p.m. on the third day after the county canvass of votes.

[§50.48(1), 50.49(1)]

**Exception:** The recount request deadline for city primary elections and the regular city election in cities where the council has adopted a runoff provision is 5:00 p.m. the day after the county canvass of votes.

[§50.48(7)]

The *Iowa Code* does not specify a first day for filing recount requests. However, the bond amount is calculated based on the official abstracts of votes. As long as both the request and the bond (if required) are filed by the request deadline, the requirements of *Iowa Code* §50.48 and §50.49 are met.

## **Filing Officer**

All requests for recounts are filed with the auditor in the county where the election was held. When a city, school district, or other local office appeared on the ballot in more than one county the request must be filed with the control auditor who conducted the election for the jurisdiction.

When the request is for a recount of a federal or state office with territory in more than one county, the request must be filed in each county in which the candidate wants to have the ballots counted again.

[§50.48(1), 50.49(1)]

## **Required Notifications**

### **Recounts for Offices**

The auditor must notify the apparent winner as soon as a recount request has been successfully filed. Send a copy of the recount request to the apparent winner by certified mail. The auditor must also attempt to contact the apparent winner by telephone. The auditor should document attempts to contact the apparent winner.

[§50.48(1)(b)]

### **Apparent Winner**

The apparent winner is the person who received the most votes for the office and who will apparently be declared the winner at the final canvass of votes for the office. The apparent winner for a statewide race is determined by the vote totals for the whole state, not in individual counties.

If the apparent winner of an election requested the recount, the person who received the next highest number of votes for that office must receive the official notice of the recount and must designate the second member of the recount board.

[IAC 721—26.100]

For partisan offices, if the apparent winner cannot be reached within 4 days, notify the chairperson of the political party or organization which nominated the candidate to serve on behalf of the candidate. Notify the county chairperson for county offices and notify the state party for state and federal offices.

[§50.48(1)(b)]

**Important Note:** The auditor must notify the SOS of the receipt of a recount request if the recount is for a state or federal office.

[§50.48(6)]

### **Recounts for Public Measures**

**Best Practice:** Notify the SOS if the recount is for a statewide public measure.

## Bonds

### Filing Office and Bond Amounts

When bonds are required, the filing office and bond amounts are as follows:

#### Recounts for Offices

Office	File Bond With	Amount
Statewide Offices (including president, U.S. senator)	Secretary of State	\$1,000
U.S. Representative	Secretary of State	\$500
State Senator	Secretary of State	\$300
State Representative	Secretary of State	\$150
Any office voted upon countywide by the voters of a county with more than 50,000 population	County Auditor	\$200
All other elective offices	Control County Auditor	\$100

[§50.48(2)(a)]

#### Recounts for Public Measures

The bond for all public measure recounts, except for public measures appearing on the ballot statewide, is \$100. The bond must be filed with the auditor by the recount request deadline.

The bond for statewide public measure recounts is \$1,000 and is collected and held by the SOS Office.

[§50.49(4)]

## **Calculating Whether Bonds are Required for Office Recounts**

### **Vote for No More Than One Offices**

A bond is required when the election for the office was won or lost by more than one percent of the total votes cast or 50 votes, whichever is greater. Use the vote totals listed on the official abstracts of votes to determine whether a bond is required.

[§43.56(1), 50.48(2)]

#### **Example:**

Candidate A received 1,034 votes. Candidate B received 785 votes. There were 32 write-in votes. Total votes cast (TVC) were 1,851.

One percent of TVC =  $1,851 \times 0.01 = 18.51$  (If the result is a fraction, round up.) → 19

Fifty is greater than 19, so if the difference is fewer than 50 votes, no bond will be required.

Difference =  $1,034 - 785 = 249$

The difference of 249 is greater than 50 votes, so bond is required.

### **Vote for More than One Offices**

A bond is required when the election for the office was won or lost by more than one percent of the total votes cast or 50 votes, whichever is greater. Use the vote totals based on the official abstracts of votes. Divide the total number of votes cast by the number of seats to be filled, then multiply that number by 0.01. If the result is a fraction, round up.

[§43.56(1), 50.48(2)]

#### **Example:**

Two at-large supervisors to be nominated. Candidate A received 692 votes. Candidate B received 644 votes. Candidate C received 356 votes. There were 18 write-in votes. Total votes cast (TVC) were 1,710. Candidate B requested a recount.

Divide 1,710 by 2 =  $1,710 \div 2 = 855$

One percent of TVC =  $855 \times 0.01 = 8.55$  (If the result is a fraction, round up.) → 9

Fifty votes is more than 9, so if the difference is fewer than 50 votes, no bond will be required.

Difference =  $692 - 644 = 48$

The difference of 48 is less than 50 votes, so bond is not required if candidate B requested a recount.

## Primary Election

If a candidate received the required 35% of the votes cast for the office, bond is required when the nomination for the office was won or lost by more than one percent of the total votes cast or 50 votes, whichever is greater.

[§43.56(1), 50.48(2)]

If no candidate received the required 35% of the votes cast for the office, the bond requirement is calculated from the number of votes needed to receive the nomination. No bond is required if the difference between the number of the votes needed to be nominated and the number of votes received by the candidate requesting the recount is less than 50 votes or one percent of the total votes cast, whichever is larger.

[§43.56(2)]

### Example:

Three candidates ran for one open position. Candidate A received 455 votes. Candidate B received 440 votes. Candidate C received 411 votes. There were 44 write-in votes. Total votes cast (TVC) were 1,350, so candidates needed to receive at least 473 votes to meet the required 35% threshold.

Candidate A is requesting the recount.

One percent of TVC = 13.50 (If the result is a fraction, round up.) → 14

Fifty is greater than 14, so if the difference is fewer than 50 votes, no bond will be required.

Difference = 473 – 455 = 18

The difference of 18 is less than 50 votes, so bond is not required if candidate A requested the recount.

## Bonds for Multicounty Offices

Use the vote totals from all counties where the office was on the ballot. If more than one candidate for a multicounty office requests a recount, the bond requirement must be calculated for each candidate. If a candidate must post a bond, the candidate must post only one bond, even if the candidate requests recounts in more than one county.

[§43.56(2), 50.48(2), IAC 721—26.102]

## **What Happens with the Bond**

The bond must be kept under the control of the auditor or SOS until the official canvass of votes is corrected or completed.

If a bond was collected and the recount did not change the outcome of the election, the county keeps the bond and deposits it in the county's election fund. In the case of bonds held and then kept by the SOS, the bond is deposited in the state's general fund.

When the outcome of the election does change, the bond is returned to the party who posted the bond.

[§50.48(2)(b)]

## **Calculating Whether Bonds are Required for Public Measure Recounts**

### **Majority Approval Required**

If the measure does not require 60 percent approval, bond is required when the difference between the “yes” and “no” votes cast is more than one percent of the total votes cast or 50 votes, whichever is greater. Use the vote totals listed on the official abstracts of votes.

#### **Example:**

Sample County voted on a local sales and services tax question. “Yes” received 110 votes. “No” received 97 votes. The total votes cast (TVC) were 207.

One percent of TVC =  $207 \times 0.01 = 2.07$  (If the result is a fraction, round up.)  $\rightarrow 3$

Difference =  $110 - 97 = 13$

The difference is greater than one percent of TVC but less than 50 votes, so a bond is not required.

### **60 Percent Approval Required**

If the measure requires 60 percent approval, bond is required if the difference between 60 percent of the total votes cast and the number cast for the losing side is more than one percent of the total votes cast on the measure or 50 votes, whichever is greater.

[§50.49(4)]

#### **Example:**

Fable School District voted on a school bond question. “Yes” received 60,113 votes. “No” received 48,210 votes. The total votes cast (TVC) were 108,323.

One percent of TVC =  $108,323 \times 0.01 = 1,083.23$  (If the result is a fraction, round up.)  $\rightarrow 1,084$

Difference =  $60,113 - 48,210 = 11,903$

The difference is greater than one percent of TVC and greater than 50 votes, so a bond is required.

### **Bonds for Multicounty Measures**

If more than one county was involved in the public measure election, use the vote totals from all counties where the measure appeared on the ballot. Only one bond is posted when it is necessary to post a bond.

[§50.48(2), IAC 721—26.102]

## **What Happens with the Bond**

The bond must be kept under the control of the auditor or SOS until the official canvass of votes is corrected or completed.

If a bond was collected and the recount did not change the outcome of the election, the county keeps the bond and deposits it in the county's election fund. In the case of bonds held and then kept by the SOS, the bond is deposited in the state's general fund.

When the outcome of the election does change, the bond is returned to the party who posted the bond.

[§50.48(2)(b)]

## Recount Boards

### Overview

A three-person board conducts recounts. No recount board may have more than three members. A candidate may not serve as his or her own designee on the recount board.

A staff member of the auditor's office may serve on a recount board if chosen to do so.

There are no other qualifications specified in the *Iowa Code* limiting or defining who a candidate may designate to serve on a recount board.

### Choosing Recount Board Members for Recounts of Offices

#### Non-Primary Elections

The recount board consists of the following:

1. The first member of the recount board is chosen by the candidate who filed the request for the recount.

If more than one person files a request for a recount of the same office in the same county, the board member is the designee of the first person who filed.

2. If the recount requester was not the apparent winner, the second member is chosen by the apparent winner. If more than one person is to be elected to the office in question, the designation is made by the apparent winner who received the fewest votes.

If the recount requester was the apparent winner, the second member is chosen by the candidate who received the next highest number of votes for that office.

3. The third member is mutually agreed upon by the first two members.

Convene the first two members of the board no later than 9 a.m. on the seventh day following the canvass to determine the third member. They may be convened telephonically if necessary. If they cannot agree on a third member by 8 a.m. on the ninth day following the canvass, the chief judge of the district court must select the third member no later than 5 p.m. on the 11<sup>th</sup> day following the canvass. Notify the chief judge before the deadline if it appears likely he/she will be asked to choose a third member of the recount board.

[§50.48(3), IAC 721—26.103]

**Exception:** For city primary elections and regular city elections in cities with runoff election provisions, the first two members of the board must meet as soon as possible to determine the third member. The full recount board must convene by the sixth day after the election (the Monday following the election).

[§50.48(7)]

## Primary Election

If a candidate received the required 35% of the votes and a recount request was filed, the recount board consists of the following:

1. The first member is chosen by the candidate who filed the request for the recount.

If more than one person files a request for a recount of the same office in the same county, the board member is the designee of the first person who filed.

2. If the recount requester was not the apparent winner, the second member is chosen by the apparent winner. If more than one person is to be elected to the office in question, the designation is made by the apparent winner who received the fewest votes.

If the recount requester was the apparent winner, the second member is chosen by the candidate who received the next highest number of votes for that office.

3. The third member is mutually agreed upon by the first two members.

If no candidate for an office received the required 35% of the votes, the board consists of the following:

1. The first member is chosen by the candidate who filed the request for the recount.
2. The second member is chosen by the candidate who received the highest number of votes. If that is the person who requested the recount, the person who received the second highest number of votes designates the second person.
3. The third member is mutually agreed upon by the first two members.

[§43.56(1)]

Convene the first two members of the board no later than 9 a.m. on the seventh day following the canvass to determine the third member. They may be convened telephonically if necessary. If they cannot agree on a third member by 8 a.m. on the ninth day following the canvass, the chief judge of the district court must select the third member no later than 5 p.m. on the 11<sup>th</sup> day following the canvass. Notify the chief judge before the deadline if it appears likely he/she will be asked to choose a third member of the recount board.

[§50.48(3), IAC 721—26.103]

## **Choosing Recount Board Members for Recounts of Public Measures**

The recount board consists of the following:

1. The first member is designated by the petitioners on the request for recount petition.
2. The second member is designated by the auditor.
3. The third member is mutually agreed upon by the first two members.

Convene the first two members of the board no later than 9 a.m. on the seventh day following the canvass to determine who will be the third member. They may be convened telephonically if necessary. If the first two members cannot agree on a third member by 8 a.m. on the ninth day following the canvass, the chief judge of the district court must select the third member no later than 5 p.m. on the eleventh day following the canvass. Notify the chief judge before the deadline if it appears likely he/she will be asked to choose a third member of the recount board.

[§50.49(2), 50.49(3)]

## **Recount Administration**

### **Convene the Full Recount Board**

For city primary elections and regular city elections in cities with runoff election provisions, the recount board must convene by the sixth day after the election.

[§50.48(7)]

For all other elections, the recount board must complete the recount as expeditiously as possible and file its report by the deadline.

[§50.48(4)(a), 50.49(5)]

### **Location**

The room where the recount is conducted should be arranged to enable observers to see and hear the process. Observers cannot touch ballots.

[IAC 721—26.106]

### **Delivery of Supplies and Ballots**

Provide these tools to the board:

1. Recount Board Guide
2. Counting Votes guide
3. Manual Recount Tally Sheet (available in the Election Forms Library)
4. Report for Recount of Votes for Office/Public Measure (available in the Election Forms Library)

Complete the recount ballot tracking chart before delivering ballots to the recount board. A “Recount Ballot Tracking Chart” is available in the Election Forms Library.

When delivering ballots to the recount board, deliver only ballots that were accepted and counted, including any disputed ballots returned from the precinct pursuant to §50.5. Recount boards cannot consider:

- Rejected absentee or provisional ballots,
- Spoiled ballots, and
- Defective ballots.

[§50.48(4)(a), 50.49(5), IAC 721—26.104(1)]

## **Conducting the Recount**

All three members of the board should be present when the ballot packages are opened. When opening ballots, the board should only work with one precinct at a time.

All ballots should be kept in view of the recount board members and any observers. The ballots should be guarded to protect them from theft or loss. The auditor or the auditor's designee is responsible for the security of the ballots and must supervise their handling.

[IAC 721—26.105(1)]

**Best Practice:** If one board member leaves the room, halt the process until that person returns.

The board can open only the sealed ballots from the precincts specified in the recount request or precincts specified by the recount board.

[§50.48(4)(a), 50.49(5), IAC 721—26.104(2)]

## **Adding Additional Precincts to the Recount**

Recount boards may extend the recount to other precincts in the same county where the office or question appeared on the ballot when at least one member of the board deems it necessary to do so. The recount cannot be expanded to include other offices or questions.

[§50.48(4)(b), 50.49(5), IAC 721—26.104(2)]

## **Counting Standards**

If the ballots were hand-counted on election day, the recount board must count the ballots by hand using the standards in IAC 721—26. Provide the “Counting Votes” guide to the recount board.

If voting equipment was used on election day, the board:

- May request that the ballots be recounted by voting equipment

**OR**

- May count the ballots by hand

**OR**

- May conduct both types of counts

If using voting equipment to conduct the recount, the auditor or auditor's designee must operate the voting equipment and use the same program used on election day unless the program is known or believed to be flawed.

[50.48(4), 50.49(5), IAC 721—26.105(2)]

In the event a hand recount differs from a recount using voting equipment, the recount board must determine which results to give to the auditor in its report issued under §50.48(4)(c).

## Counting Standards for Write-In Votes

During the recount, write-in votes must be counted using the same standards used for counting on election day. For example, if voting equipment was used on election day, the voting target must be marked in order for the write-in vote to be counted, even if the recount board is counting the ballot by hand and the voter's intent can be clearly ascertained.

[§49.99, IAC 721—26.104(3)]

## Voting Equipment Memory Cards

If the recount board chooses to use voting equipment for the recount, the auditor may use different memory cards for the recount. If the auditor plans to use the same memory cards in the recount as used in the election, the information on the memory cards used in the election must be retained for six months for non-federal elections and 22 months for federal elections.

## **Recount Board Restrictions**

Recount boards do not resolve procedural or legal questions about the conduct of the election or the qualifications of voters. No additional evidence, beyond the ballots that were counted, is reviewed during a recount. The board does not decide if ballots were correctly accepted or rejected. The board merely counts ballots which were already counted.

See the Contest chapter for information about available legal remedies when allegations of misconduct are raised after an election.

## **Auditor and Staff Restrictions**

The auditor and auditor's staff should not count votes unless they are designated as a member of the recount board. Do not instruct members of the recount board to count or not count a particular vote. Recount board members are the only individuals authorized to decide whether or not to count a vote. If the auditor or auditor's designee is asked a question related to whether or not a vote should be counted, that individual should instruct the recount board to review the Counting Votes Guide and IAC 721—26. If legal advice is needed, the recount board should consult with the county attorney.

The auditor or auditor's designee is responsible for the security of the ballots and must supervise their handling. If the recount board requests the use of the optical scan voting machine, the auditor or auditor's designee must operate the tabulation machine.

[IAC 721—26.105]

## **After Counting**

The recount board must reseal the ballots after they have been retabulated and return them to the auditor. Complete the “Recount Ballot Tracking Chart” available in the Election Forms Library.

[§50.48(4)(c), 50.49(5), IAC 721—26.104(4)]

## **Recount Board’s Report**

When the recount is complete, the board must file a written report of its findings with the auditor. The report must be filed no later than the 18th day following the county’s canvass. The 18<sup>th</sup> day falls on a Saturday so the deadline moves to Monday.

The report must be signed by at least two members of the recount board. The tally sheets and any voting equipment results tapes produced in the recount process must be attached to it.

[§47.4, 50.48(4)(c), 50.49(5), IAC 721—26.107]

**Exception:** Recounts for city primary elections or regular city election in cities with runoff election provisions must be completed no later than the 11th day following the board of supervisors’ canvass. The 11<sup>th</sup> day falls on a Saturday so the deadline moves to Monday.

[§47.4, 50.48(7), IAC 721—26.107]

## **Notify Board of Supervisors**

If the recount board reports results that differ from the original canvass, even if the winner doesn’t change, notify the board of supervisors of the need to re-canvass as soon as possible. The board of supervisors must reconvene within three days after being notified to correct the canvass. The abstract of votes and the election canvass summary for the race or measure must be updated to reflect the results included in the recount board’s report.

[§50.48(5), 50.49(5)]

See the Post Election Day chapter for information on generating canvass materials.

## **Notify the Secretary of State**

If the recount was for a federal or state office, notify the SOS and send a new abstract and election canvass summary for the office or measure ASAP so the state canvass of votes may be completed.

[§50.48(6)]

## **Return Bond (if necessary)**

When a bond is collected and the outcome (winner) of the election changes, the bond is returned to the party who posted the bond.

[§50.48(2)(b)]

## **Administrative Recounts**

### **Requesting an Administrative Recount**

An administrative recount may be requested by the auditor when:

- the auditor suspects that voting equipment used in the election malfunctioned,
- equipment programming errors may have affected the outcome of the election, or
- the PEOs report counting errors to the auditor after the conclusion of the canvass of votes in the precinct.

[§50.50, IAC 721—21.25]

The auditor must make a request to conduct an administrative recount in writing to the board of supervisors. The request must explain the nature of the problem, in which precincts the problem occurred, and list which offices and questions should be recounted.

[§50.50]

### **Request Deadline**

The request for an administrative recount can be made as soon as the day after the election and as late as three days after the canvass of votes.

[IAC 721—21.25]

### **Board of Supervisors Orders Recount**

The board of supervisors must determine whether to order the administrative recount. The board must submit a written order to conduct the recount to the auditor as soon as possible.

[§50.50]

### **Bond Requirement**

There is no bond for an administrative recount.

[§50.50]

## **Administrative Recount Board Process and Timeline**

The ASVP board conducts the recount. The process and timeline for administrative recounts is the same as for other recounts.

[§50.50]

If the recount board chooses to use voting equipment for the recount, the auditor may use different memory cards for the recount. If the auditor plans to use the same memory cards in the recount as used in the election, the information on the memory cards used in the election must be retained for six months for non-federal elections and 22 months for federal elections.

The auditor may also use different election definition files if the auditor believes the original files were flawed. Retain both the original and the new files for six months for non-federal elections and 22 months for federal elections.

See the election document retention record available in the Election Forms Library for additional information.

[IAC 721—21.25]

If the recount board finds an error in the programming which may have affected the outcome of an election for any office or measure, the board must describe the error in its report.

[§50.50]

### **Notify Board of Supervisors**

If the recount board reports results that differ from the original canvass, even if the winner doesn't change, notify the board of supervisors of the need to re-canvass as soon as possible. The board of supervisors must reconvene within three days after being notified to correct the canvass. The abstract of votes and the election canvass summary must be updated to reflect the results included in the recount board's report.

[§50.48(5)]

### **Notify the Secretary of State**

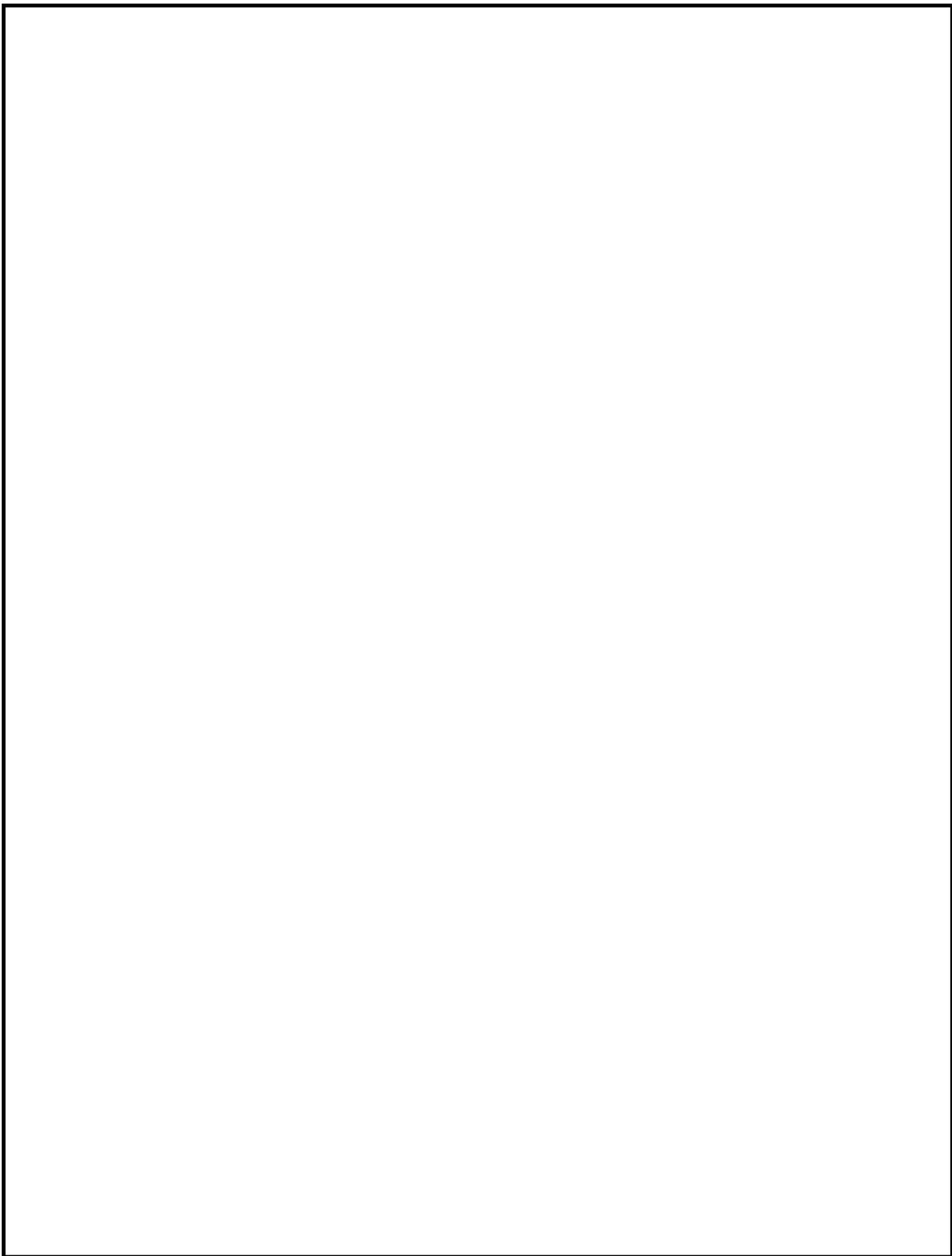
If the recount was for a federal or state office, notify the SOS and send a new abstract and election canvass summary for the office or measure ASAP so the state canvass of votes may be completed.

[§50.48(6)]



# **Recount Board Guide**

This guide contains information about conducting recounts. Please read the instructions carefully and consult with the county auditor for any questions.



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## Overview

### **What is a Recount?**

A recount is a formal process for re-examining and recounting the ballots which were voted and counted for an office or public measure. This includes any disputed ballots returned under §50.5 that were “objected to” but counted.

Recount boards do not resolve procedural or legal questions about the conduct of the election or the qualifications of voters. No additional evidence, beyond the ballots that were counted, is reviewed during a recount. The board does not decide if ballots were correctly accepted or rejected. The board merely counts ballots which were already counted.

[§50.48, IAC 721—26.104(1)]

### **Board’s Responsibilities**

Conduct the recount “as expeditiously as possible” as stated in the *Iowa Code*. Follow the counting standards prescribed by Iowa law.

[§49.92, 49.99, IAC 721—26]

When the recount is completed, file a written report of the board’s finding with the auditor. The report must be filed no later than the 18th day following the county’s canvass. The 18<sup>th</sup> day falls on a Saturday so the deadline moves to Monday.

[§50.48(7), 50.49(5), IAC 721—26.107]

**Exception:** Recounts for city primary elections or regular city election in cities with runoff election provisions must be completed no later than the 11th day following the board of supervisors’ canvass. The 11<sup>th</sup> day falls on a Saturday so the deadline moves to Monday.

[§47.4, 50.48(7), IAC 721—26.107]

### **Auditor and Auditor’s Staff Assistance**

The auditor or auditor’s designee is responsible for the security of the ballots and must supervise their handling. If voting equipment is used for the recount, the auditor or auditor’s designee must operate the tabulation machine.

[IAC 721—26.105]

The auditor or auditor’s designee can help the board be organized. The auditor or auditor’s designee cannot help count votes. Recount board members are the only one authorized to decide whether or not to count a vote. If the board has a question related to whether or not a vote should be counted, review the Counting Votes Guide and IAC 721—26.

## **Tools for Recount Boards**

Please ask the auditor's office for the following materials prior to starting the recount if they have not already been provided:

1. Recount Board Guide
2. Counting Votes Guide

Provides information on the Iowa laws governing how votes must be counted.

3. Manual Recount Tally Sheet

Used to tally votes by hand.

4. Report for Recount of Votes for Office/Public Measure

Used to report the recount board's results after recounting.

## **Recounts are Public**

Recounts, like all canvasses of votes, are open to the public. Observers may watch and listen, they may not participate in or interfere with the recount.

The room where the recount is conducted should be arranged to enable observers to see and hear the process. However, the observers cannot touch ballots.

[IAC 721—26.106]

## Handling Ballots

### Overview

All three members of the board should be present when the ballot packages are opened. If one board member leaves the room, halt the process until that person returns.

When opening ballots, the board should only work with one precinct at a time.

Keep all ballots in view of all recount board members and any observers. Keep the ballots guarded to protect them from theft or loss. The auditor or the auditor's designee is responsible for the security of the ballots and voting equipment documents and must supervise their handling.

Handle the ballots carefully. The recount in which you are conducting may not be the only recount of the ballots for the election in question. It is possible that recounts will be requested for other offices or questions appearing on these ballots. There may also be an election contest or further legal action that may include an examination of the documents.

### Ballots Delivered to the Board

Verify the number of ballots received from the auditor matches what is recorded on the recount ballot tracking chart. Once you have verified the numbers match, sign the recount ballot tracking chart.

Only ballots that were accepted for counting are recounted. This includes disputed ballots from the precinct returned separately from the counted ballots.

Recount boards do not consider:

- Rejected absentee or provisional ballots,
- Spoiled ballots, and
- Defective ballots.

[§50.48(4)(a), 50.49(5), IAC 721—26.104(1)]

### Adding Additional Precincts to the Recount

Recount boards may extend the recount to other precincts in the same county where the office or question appeared on the ballot when at least one member of the board deems it necessary to do so. The recount cannot be expanded to include other offices or questions.

[§50.48(4)(b), 50.49(5), IAC 721—26.104(2)]

**Open Ballots Only as Necessary**

Open only the sealed ballot containers from the precincts specified in the recount request or from the precincts added by the recount board. Keep ballots from precincts that are not included in the recount sealed or kept separate.

[IAC 721—26.104(2)]

## Performing the Recount

### By Hand or by Machine

If the ballots were hand-counted on election day, the recount board must count the ballots by hand using the standards in IAC 721—26. Provide the “Counting Votes” guide to the recount board.

If voting equipment was used on election day, the board:

- May request that the ballots be recounted by voting equipment

**OR**

- May count the ballots by hand

**OR**

- May conduct both types of counts

If using voting equipment to conduct the recount, the auditor or auditor’s designee must operate the voting equipment and use the same program used on election day unless the program is known or believed to be flawed.

[50.48(4), 50.49(5), IAC 721—26.105(2)]

In the event a hand recount differs from a recount using voting equipment, the recount board must determine which results to give to the auditor in its report issued under §50.48(4)(c).

## Counting Votes by Optical Scanners

If the board decides to tabulate the votes using voting equipment, the following rules apply:

### Counting Standards

The ballots must be run through the optical scanner. Any ballots rejected by the scanner should be counted accordingly to the provisions of IAC 721—26.

### **Write-In Votes**

Ballots identified by the optical scanner as containing a write-in vote must be separated and the write-in votes must be tallied. If the voting target next to the write-in line is not marked, the write-in vote will not be read by the optical scanner and the write-in vote cannot be counted.

[§49.99(1), IAC 721—26.104(3)]

### Disputed Ballots

If there is an envelope labeled “Disputed Ballots” from any precinct, open the envelope and sort the ballots into two categories: “Objected to” or “Defective.” Each ballot in the envelope should be labeled as either of the following:

- “Objected to” Ballots

These ballots were accepted for counting and are included in the vote totals. Examine these ballots and decide how to count them. On election night, the precinct election officials were required to include a signed statement as to how the ballot was counted.

[§50.4, 50.5, IAC 721—26.104(1)]

- “Defective” Ballots

These ballots were not accepted for counting at the precinct and cannot be added to the vote totals. Put them back in the envelope without examination and do not count them.

[§50.3, 50.5, IAC 721—26.14]

### **Duplicate Ballots if Optical Scan Used on Election Day**

The auditor may deliver ballots marked as duplicates. Precinct election officials or the absentee and special voters precinct board marked a duplicate ballot because the voter's original ballot was damaged and could not be read by the optical scan machine.

The precinct election officials marked the duplicate ballot in the exact manner as the voter marked it. Both the original ballot and duplicate ballot should be marked with the same serial number.

The recount board may examine the duplicated ballots to compare the marks on the original ballot with the duplicate. If there are discrepancies between the original ballot and duplicated ballot, correct the duplicate ballot.

[§52.37]

## **Counting Votes by Hand**

### **Counting Standards**

The recount board must follow the standard for counting votes prescribed by Iowa law and administrative rules. See the “Counting Votes Guide.”

The board must count votes for all candidates, including write-in votes, and not just those candidates who are represented by members of the recount board.

[§49.92, 49.99, IAC 721—26.104(3)]

### **Keeping Track**

Use the manual recount tally sheet provided by the auditor. One tally sheet should be used for each candidate or “yes” or “no” vote for a public measure in each precinct. Count one precinct at a time.

### **Counting Write-Ins**

When hand-counting ballots, write-in votes must be counted even if the voter did not mark the voting target next to the write-in line.

[§49.99]

See the Counting Votes Guide for additional rules about counting write-in votes.

### **Vote for No More Than One**

When voters could vote only for one person for the office being recounted, the board should sort the ballots into piles. Make a separate pile of ballots cast for each candidate.

### **Vote for No More Than...**

When voters could vote for two or more candidates in the office being recounted, use one tally sheet for each candidate. Be sure to account for all votes cast by voters.

### **Straight Party for General Election Only**

For the general election only, be sure to examine the straight party votes as well as the marks for the candidates listed on the ballot. See the Counting Votes Guide for details about counting straight party votes.

### **Duplicate Ballots if Optical Scan Used on Election Day**

The auditor may deliver ballots marked as duplicates. Precinct election officials or the absentee and special voters precinct board marked a duplicate ballot because the voter's original ballot was damaged and could not be read by the optical scan machine.

The precinct election officials marked the duplicate ballot in the exact manner as the voter marked it. Both the original ballot and duplicate ballot should be marked with the same serial number.

The recount board may examine the duplicated ballots to compare the marks on the original ballot with the duplicate. If there are discrepancies between the original ballot and duplicated ballot, correct the duplicate ballot.

[§52.37]

## Completing the Recount

### Verify Total Ballot Count

Verify the number of ballots recounted matches the number of ballots delivered by the auditor. Complete and sign the recount ballot tracking chart.

### Reseal Ballots

The recount board must reseal the ballots after they have been retabulated and return them to the auditor.

The envelope or container containing the ballots must have a seal across its opening that is signed by all members of the recount board. The seal must be applied so the ballot package cannot be opened without breaking the seal.

[§50.48(4)(c), 50.49(5), IAC 721—26.104(4)]

### Return Ballots

Return the sealed ballots to the auditor.

### Report Results

If the recount board recounted by hand and by using voting equipment, the recount board must determine which results to give to the auditor in its report in the event the hand recount differs from the recount using voting equipment.

The recount board must file a written report of its findings with the county auditor. The report must be filed no later than the 18th day following the county's canvass. The 18<sup>th</sup> day falls on a Saturday so the deadline moves to Monday.

[§47.4, 50.48(4)(c), 50.49(5), IAC 721—26.107]

The report must be signed by at least two members of the recount board. The tally sheets and any voting equipment results tapes produced in the recount process must be attached to it.

**Exception:** Recounts for city primary elections or regular city election in cities with runoff election provisions must be completed no later than the 11th day following the board of supervisors' canvass. The 11<sup>th</sup> day falls on a Saturday so the deadline moves to Monday.

[§47.4, 50.48(7), IAC 721—26.107].

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## Candidate Qualifications and Signature Requirements Chart

<b>Federal Office</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
U.S. Senator [U.S. Constitution, Art. 1, Sec. 3]	At least 9 years when sworn in.	Iowa resident at the time of the general election.	30 when sworn in.	6 years	Based on votes cast at last general election; refer to signature charts. [§43.20(1)(a)]
U.S. Representative [U.S. Constitution, Art. 1, Sec. 2]	At least 7 years when sworn in.	Iowa resident at the time of the general election.	25 when sworn in.	2 years	Based on votes cast at last general election; refer to signature charts. [§43.20(1)(c)]
<b>State Executive Office</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
Governor & Lieutenant Governor [Iowa Constitution, Art. IV, Sec. 6]	2 years at the general election.	Iowa resident for 2 years at the time of the general election.	30 at the time of the general election.	4 years	Based on votes cast at last general election; refer to signature charts. [§43.20(1)(a)]
Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture, Attorney General	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. [§39.26]	18 at the time of the election. [§39.26]	4 years	1,000, including 50 signatures from at least 10 counties. [§43.20(1)(b)]
<b>Iowa General Assembly</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
State Senator [Iowa Constitution, Art. III, Sec. 5]	Citizen when sworn in. [§39.26]	1 year in Iowa, 60 days in the district at the time of the general election.	25 when sworn in.	4 years	100 from state senate district. [§43.20(1)(c)]
State Representative [Iowa Constitution, Art. III, Sec. 3-4]	Citizen when sworn in. [§39.26]	1 year in Iowa, 60 days in the district at the time of the general election.	21 when sworn in.	2 years	50 from state representative district. [§43.20(1)(c)]
<b>County Offices</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
County Supervisor	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Registered voter of the county/supervisor district when sworn in. [§39.26, 331.201(2)]	18 at the time of the election. [§39.26]	4 years	Plan 1 and 2 Counties: At least 100 or 2% of the party vote in the county at last general election, whichever is less.  Plan 3 Counties: At least 100 or 2% of the party vote in the supervisor district (including election day and absentee) at last general election, whichever is less. [§43.20(1)(d)]
County Attorney  Must be admitted to the practice of law in the courts of Iowa when sworn in. [§331.751(2)]	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Registered voter in the county when sworn in. [§39.26, 331.751(2)]	18 at the time of the election. [§39.26]	4 years	At least 100 or 2% of the party vote in the county at last general, whichever is less. [§43.20(1)(d)]
County Auditor, County Treasurer, County Recorder	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Resident of the county when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	At least 100 or 2% of the party vote in the county at last general, whichever is less. [§43.20(1)(d)]
County Sheriff  Must also meet the requirements in <i>Iowa Code</i> §331.651.	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Resident of the county when sworn in. [§39.26-27]	21 when sworn in. [§331.651(2)(b)]	4 years	At least 100 or 2% of the party vote in the county at last general, whichever is less. [§43.20(1)(d)]

## **Party Vote Defined**

Use the vote totals for each party's candidate for president or governor at the last general election.

[§43.2]

## **Signature Requirements for County Supervisor Candidates**

### Supervisor Plans 1 and 2 Counties

Petition signers may live anywhere in the county.

[§43.20(1)(d)]

### Supervisor Plan 3 Counties

Petition signers must live in the supervisor district.

[§43.15(3)]

## **Withdrawals**

A written notice of withdrawal must be filed with the SOS for state and federal offices 76 days or more before the primary election.

A written notice of withdrawal must be filed with the auditor for county offices 67 days or more before the primary election.

The deadline for filing is the close of business.

[§43.16, 43.23]

## **Objections**

Written objections to candidates for state/federal offices must be filed 74 days or more before the primary election with the SOS.

Written objections to candidates for county offices must be filed 64 days or more before the primary election with the auditor.

The deadline for filing is close of business.

[§43.24(1)]

**Example of a Premier Primary Election Ballot:**

<div style="border: 1px solid black; width: 40px; height: 15px; margin-bottom: 5px;"></div> <small>Pct. Off. Initials</small>  <small>Black Hawk County Commissioner of Elections</small>	OFFICIAL PRIMARY ELECTION BALLOT <h2 style="margin: 0;">Democratic Party</h2> of Black Hawk County, State of Iowa <b>Primary Election -- June 6, 2006</b>	Special & Representative District 18
<b>INSTRUCTIONS:</b> To vote, blacken the target <input type="radio"/> completely! TO CAST A WRITE-IN VOTE, you must blacken the target <input type="radio"/> completely AND write the name of your candidate on the line provided.		
<b>FEDERAL OFFICES</b>	<b>SECRETARY OF AGRICULTURE</b> (Vote for no more than one)	<b>COUNTY TREASURER</b> (Vote for no more than one)
<b>UNITED STATES REPRESENTATIVE DISTRICT 1</b> (Vote for no more than one)	<input type="radio"/> Denise O'Brien <input type="radio"/> Dusky Terry <input type="radio"/> _____ (Write-in vote, if any)	<input type="radio"/> Barbara Freet <input type="radio"/> _____ (Write-in vote, if any)
<input type="radio"/> Bruce Braley <input type="radio"/> Rick Dickinson <input type="radio"/> Bill Gluba <input type="radio"/> Denny Heath <input type="radio"/> _____ (Write-in vote, if any)	<b>ATTORNEY GENERAL</b> (Vote for no more than one)	<b>COUNTY RECORDER</b> (Vote for no more than one)
<b>STATE OFFICES</b>	<input type="radio"/> Tom Miller <input type="radio"/> _____ (Write-in vote, if any)	<input type="radio"/> Judy McCarthy <input type="radio"/> _____ (Write-in vote, if any)
<b>GOVERNOR</b> (Vote for no more than one)	<b>STATE SENATOR DISTRICT 9</b> (Vote for no more than one)	<b>COUNTY ATTORNEY</b> (Vote for no more than one)
<input type="radio"/> Mike Blouin <input type="radio"/> Chet Culver <input type="radio"/> Ed Fallon <input type="radio"/> Sal Mohamed <input type="radio"/> _____ (Write-in vote, if any)	<input type="radio"/> Bill Heckroth <input type="radio"/> _____ (Write-in vote, if any)	<input type="radio"/> Thomas J. Ferguson <input type="radio"/> _____ (Write-in vote, if any)
<b>SECRETARY OF STATE</b> (Vote for no more than one)	<b>STATE REPRESENTATIVE DISTRICT 18</b> (Vote for no more than one)	
<input type="radio"/> Michael A. Mauro <input type="radio"/> _____ (Write-in vote, if any)	<input type="radio"/> Andrew Wenthe <input type="radio"/> _____ (Write-in vote, if any)	
<b>AUDITOR OF STATE</b> (Vote for no more than one)	<b>COUNTY OFFICES</b>	
<input type="radio"/> _____ (Write-in vote, if any)	<b>BOARD OF SUPERVISORS</b> (Vote for no more than two)	
<b>TREASURER OF STATE</b> (Vote for no more than one)	<input type="radio"/> Tim Anderson <input type="radio"/> Frank L. Magsamen <input type="radio"/> Craig White <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any)	
<input type="radio"/> Michael L. Fitzgerald <input type="radio"/> _____ (Write-in vote, if any)		

**Note:** On this sample ballot, rotation is required for the races of U.S. representative, governor, secretary of agriculture, and board of supervisors because there are more candidates than open seats.

Rotation is not required for the other races because the candidates are unopposed.

FRONT Card 3 SEQ# 1

## Processing Voters for Primary Elections (Absentee and Election Day)

### Party Affiliation

Every primary election voter must be registered to vote with a political party before voting and receiving the ballot for that party only.

Any registered voter can declare or change party affiliation at the polls on election day or when voting an absentee ballot by completing a new voter registration form or by writing a different party on an eligibility slip, in the election register, or on an absentee ballot request.

[§43.38, 43.41, 43.42, 53.2(5)]

### **Processing Absentee Requests**

If the voter did not mark a party affiliation on the absentee request, check the voter's registration record. If the registration record indicates a party affiliation, send the voter a ballot of the party indicated on the registration record.

If the voter marked a party different than the party indicated on the voter's registration record or if the voter was not previously registered with a party, accept the request as a change or declaration of party affiliation on the voter's registration record. Send the voter a notice informing the voter of the change in party affiliation. A sample notice "Change in Party Affiliation" is available in the Election Forms Library.

If the voter did not mark a party affiliation on the request and the voter's registration record does not indicate a party affiliation, send the voter a notice along with a new absentee ballot request. A sample notice "No Party Affiliation Indicated for Primary Election" is available in the Election Forms Library.

### Changing Back

Voters who express an interest in changing party affiliation after voting may take voter registration forms with them and send the form in after the election. PEOs should not collect forms from voters who wish to change party affiliation after voting.

If a voter switched party affiliation to vote in the primary, the change in party affiliation is updated in the voter's registration record in I-VOTERS when the election register is processed or when the voter's absentee ballot request is entered.

**Best Practice:** If voters wish to change party affiliations back after voting, process those changes after the election is closed in I-VOTERS.

### Federal Write-In Ballot (FWAB) Allowed

See the Absentee Voting chapter of this handbook for more information on FWABs and when they can be counted.

[§53.53]

## I-VOTERS Instructions

### Entering Absentee Requests for the Primary Election

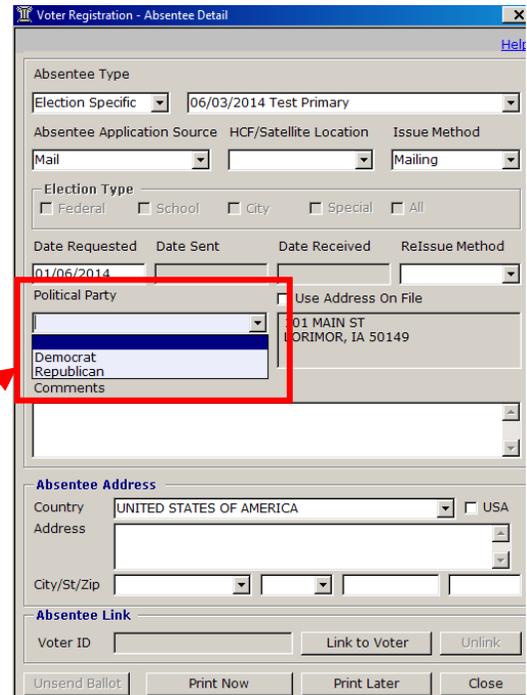
1. If the voter moved from the address where currently registered, update the voter's residential address before entering the absentee request.

**Important Note:** Do not update the voter's registration mailing address to the mailing address listed on the absentee ballot request.

2. Enter the absentee request following the instructions in the Absentee chapter.

3. For the primary election, you must choose a political party from the drop-down.

**Important Note:** If the voter marked a different party on the absentee request than as listed on the voter's registration record, the voter's party affiliation will automatically update to the party chosen from the drop-down. A voter registration card will generate if a correspondence rule is set up to do so.



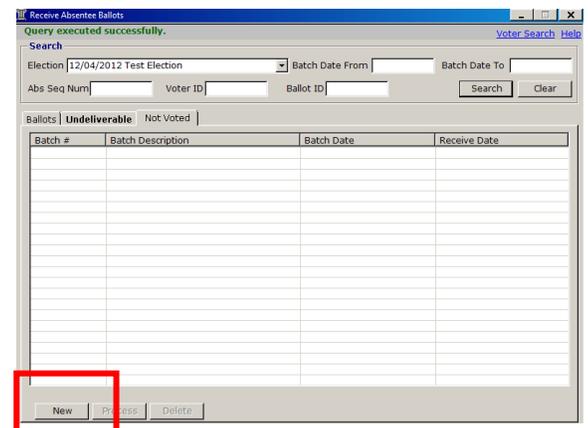
The screenshot shows the 'Voter Registration - Absentee Detail' form. The 'Political Party' dropdown menu is open, showing options: Democrat, Republican, and Comments. A red arrow points to the dropdown menu. The form includes fields for Absentee Type, Absentee Application Source, Issue Method, Election Type, Date Requested, Date Sent, Date Received, ReIssue Method, Political Party, Use Address On File, Absentee Address, and Absentee Link.

### Wrong Ballot Issued

If the voter was issued a ballot for a different political party than the voter wishes to vote for, the voter must return the original ballot to the auditor's office marked "Not Voted - Wrong Ballot" before another ballot can be issued to the voter.

Once the original ballot is received:

1. Open "**Receive Absentee Ballots**" from the main I-VOTERS menu.
2. Choose the appropriate election from the drop down menu and click on "**Search.**"
3. Click on the "**Not Voted**" tab. Any "**Not Voted**" batches you already created for this election will appear.
4. Click on the "**New**" button at the bottom of the page.



The screenshot shows the 'Receive Absentee Ballots' form. The 'Not Voted' tab is selected. The 'New' button is highlighted with a red box. The form includes a search bar, a table with columns for Batch #, Batch Description, Batch Date, and Receive Date, and buttons for New, Process, and Delete.

5. If you want text to appear in the “**Batch Description**” field of the main “**Not Voted**” screen, add your text in the “**Batch Description**” field that appears at the top of the new “**Not Voted**” batch you are creating.

6. The “**Received Date**” should be the date the ballot was returned.

7. Add the ballot(s) to the new “**Not Voted**” batch by scanning the barcode in the “**Ballot Label**” field or typing the voter’s name in the “**Ballot Search**” field.

8. After you choose the correct ballot (if more than one option appear) the voter’s information will appear on the screen.

9. Click the “**Save.**” The information for this voter will disappear. Either add a new “**Not Voted**” ballot to the batch by searching for the voter as instructed above or close the batch by clicking “**Close.**”

10. Store the wrong party ballots together in a secure place.

11. Open the voter’s record and click on the “**Absentee**” tab.

12. Highlight the wrong party ballot request by clicking on it. Click “**Void.**”

13. Click “**Yes**” when asked if you are sure you want to void the ballot. Add the comment “**Wrong party affiliation**” in the “**Audit Comment**” field. Click “**Save.**”

14. Add a new absentee request. Choose the correct political party from the “**Political Party**” drop-down. Update the ballot serial number on the voter’s absentee request.

## Process Election Register

**Important Note:** Only one user should process a precinct register at a time.

1. Open **“Election Management”** from the main I-VOTERS screen.
2. Click **“Process Election Register.”**
3. Select a precinct from the **“Precincts List”** drop-down.
4. Choose either **“Republican”** or **“Democrat”** from the **“Party”** drop-down to process voters who voted a party’s ballot.

Accepted	Voter Name	Residential Address
<input checked="" type="checkbox"/>	CHRISTENSEN, B	80 ST ADAIR, IA 50002
<input type="checkbox"/>	CHRISTENSEN, D	60 ST ADAIR, IA 50002
<input type="checkbox"/>	CHRISTENSEN, F	17 AVE ANITA, IA 50020
<input type="checkbox"/>	CHRISTENSEN, I	21 AVE FONTANELLE, IA 50846
<input type="checkbox"/>	CHRISTENSEN, J	18 AVE FONTANELLE, IA 50846
<input type="checkbox"/>	CHRISTENSEN, K	18 AVE FONTANELLE, IA 50846
<input type="checkbox"/>	CHRISTENSEN, K	21 AVE FONTANELLE, IA 50846
<input type="checkbox"/>	CHRISTENSEN, T	16 TH ST CASEY, IA 50048-8523
<input type="checkbox"/>	CHRISTENSEN, V	17 AVE ANITA, IA 50020

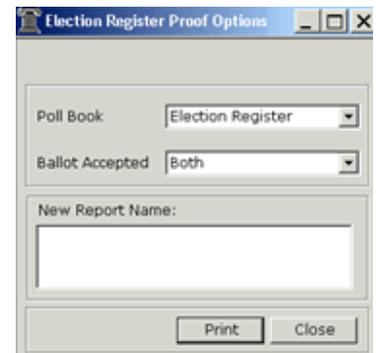
**Important Note:** If the voter was registered with a different party affiliation, the voter’s registration record will be updated to reflect the change in party affiliation once the election is closed.

5. Voters can be selected to receive vote credit one of three ways:
  - a. Use a bar code scanner to scan the bar code next to the voter’s name.
    - i. Click in the **“Barcode”** field so the cursor is placed there.
    - ii. Scan the voter’s bar code. The voter’s information will populate.
    - iii. Click **“Accept.”** The **“Accepted”** box next to the voter’s name will be checked.
  - b. Enter the voter’s ID in the **“Barcode”** field and click **“Accept.”** The **“Accepted”** box next to the voter’s name will be checked.
  - c. Manually check the **“Accepted”** box next to the voter’s name.

Use the navigation buttons (**“Prev,” “Next,”** etc.) at the bottom of the screen to move between pages.

## Proof Election Register

1. Click “**Proof**” to generate a proof report of the election register.
2. Choose a “**Ballot Accepted**” option from the drop-down.  
Choose “**Accepted**” to view only the voters with vote credit.
3. Enter a name for the report and click “**Print.**”



The screenshot shows a window titled "Election Register Proof Options". It has a standard Windows-style title bar with minimize, maximize, and close buttons. The main area contains two dropdown menus. The first is labeled "Poll Book" and has "Election Register" selected. The second is labeled "Ballot Accepted" and has "Both" selected. Below these is a text input field with the label "New Report Name:". At the bottom of the window are two buttons: "Print" and "Close".

## Auditor's Calendar Primary Election – June 3, 2014

■ Text in blue = Secretary of State's Office    
 ■ Text in green = Political Parties    
 ■ Text in black = County Auditor

Days from Election	Date	Event	Code Cite
-15 before caucuses	<b>Monday, January 6</b>	<p><b>Political Parties: First Caucus Location Publication.</b> Political parties must publish a list of caucus locations and an attendance invitation at least two times.</p> <p><b>First</b> publication must occur not more than 15 days and not less than 7 days before caucus date.</p>	§43.92
-7 before caucuses	<b>Tuesday, January 14</b>	<p><b>Caucus Locations Filed With County Auditors.</b> Caucus locations and the number of delegates to be chosen in each precinct must be filed with the auditor <b>at least seven days before</b> the date of the caucuses. The auditor determines the number of delegates to be chosen from each precinct if the party chairs do not file them on time.</p> <p><b>Political Parties: Second Caucus Location Publication.</b> <b>Second</b> publication must occur not more than 7 days before and not later than the date of the caucus.</p>	§43.4, 43.90  §43.92
	<b>Tuesday, January 21</b>	<p><b>Caucus Day.</b> Democratic and Republican parties' precinct caucuses.</p>	§43.4
+14 after caucuses	<b>Tuesday, February 4</b>	<p><b>Voter Registration Forms Delivered.</b> All voter registration forms completed at the caucuses must be delivered to the auditor within 14 days after the caucuses.</p>	§43.4
-99	<b>Monday, February 24</b>	<p><b>State and Federal Candidate Filing Begins.</b> First day for Democratic and Republican candidates for state and federal offices to file nomination papers with the Secretary of State.</p>	§43.11(2)
-92	<b>Monday, March 3</b>	<p><b>County Candidate Filing Begins.</b> First day for Democratic and Republican candidates for county offices to file nomination papers with the auditor.</p>	§43.11(1)
-90	<b>Wednesday, March 5</b>	<p><b>Review of Polling Place Accessibility.</b> Deadline to determine if polling places must be reinspected.</p>	IAC 721— 21.50(3)
-89	<b>Thursday, March 6</b>	<p><b>Vacancy Deadline – U.S. Senate and Statewide Offices.</b> U.S. senate and statewide offices (except governor and lt. governor) must appear on the primary election ballot if a vacancy in the office occurs on or before this date.</p>	§43.6(1)
-81	<b>Friday, March 14 – 5 p.m.</b>	<p><b>Filing Deadline – State and Federal.</b> Last day for Democratic and Republican candidates to file nomination papers with the Secretary of State. Deadline is 5 p.m.</p>	§43.11(2)
-76	<b>Wednesday, March 19</b>	<p><b>Withdrawal Deadline – State and Federal.</b> Last day for candidates who filed with the Secretary of State to withdraw. Notice of withdrawal must be submitted in writing to the SOS.</p>	§43.16

Days from Election	Date	Event	Code Cite
		<b>Objection Deadline – State and Federal.</b> Last day to file written objections to nomination petitions with the Secretary of State.	§43.24(1)(b)(1)
-74	Friday, March 21	<b>Vacancy Deadline – County.</b> County offices must appear on the primary election ballot if a vacancy in the office occurs on or before this date.	§43.6(2)
No later than +59 after caucuses		<b>Caucus Registrations Processed.</b> The last day to process voter registration forms completed at precinct caucuses is 45 days after the forms are delivered by the political party chair. This deadline will vary depending on which day the forms were received.	§48A.26(1)(b)
+60 from caucuses	Saturday, March 22	<b>Caucus Report Deadline.</b> Democratic and Republican central committees must certify to the auditor the names of delegates to the county convention, the names of people elected as party committee members and the names and addresses of caucus participants within 60 days after the precinct caucuses.	§43.4, 43.91
-71	Monday, March 24 – 5 p.m.	<b>Substitution Deadline – State and Federal.</b> Last day political parties may designate to the Secretary of State a substitute candidate for another who withdrew or died by March 19. Deadline is 5 p.m.	§43.23(1)
-69	Wednesday, March 26– 5 p.m.	<b>Filing Deadline – County.</b> Last day for Democratic and Republican candidates for county offices to file with the auditor. Deadline is 5 p.m.  <b>Auditor’s office must be open until 5 p.m.</b>	§43.11(1) §47.2(6)
		<b>Certification Deadline – State and Federal.</b> Last day for the Secretary of State to certify candidates’ names to the auditor.	§43.22
-67	Friday, March 28	<b>Withdrawal Deadline – County.</b> Last day for candidates who filed nomination papers with the auditor to withdraw. Notice of withdrawal must be submitted in writing to the auditor.	§43.16
-64	Monday, March 31	<b>Objection Deadline – County.</b> Last day to file written objections to nomination petitions with the auditor.	§43.24(1)(b)(2)
-63	Tuesday, April 1 – 5 p.m.	<b>Substitution Deadline – County.</b> Last day political parties may designate to the auditor a substitute candidate for another who withdrew or died by March 28. Deadline is 5 p.m.  <b>Auditor’s office must be open until 5 p.m. if a substitution possibility exists.</b>	§43.23(2)
-47	Thursday, April 17 – 5 p.m.	<b>Satellite Voting Petitions Deadline.</b> A petition requesting a satellite absentee voting station must be filed no later than 5 p.m. on the 47 <sup>th</sup> day before the election.  At least seven days before the first day of a satellite, the auditor must notify the political parties’ chairpersons of the date, time, and location of a satellite so the parties may appoint observers.  <b>Auditor’s office must be open until 5 p.m.</b>	§53.11(2)(a) §53.11(5)

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<b>Non-Partisan Offices</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed*</b>
Township Trustee	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Trustees must be registered voters of the township when sworn in. [§39.26, 359.17(1)]	18 at the time of the election. [§39.26]	4 years	No petition is required. [§39.22(2)(a)]
Township Clerk	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the township when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	No petition is required. [§39.22(2)(a)]
Soil & Water Conservation Board	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Cannot reside in the same township as any other board member. [§161A.5(2)]	18 at the time of the election. [§39.26]	4 years	25 from the conservation district. [§161A.5(3)(a)]
County Hospital Trustee	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26, 39.27, 347.9]	18 at the time of the election. [§39.26]	6 years	50 from the county. [§347.25]
County Agricultural Extension	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter of the district when sworn in. [§176A.5]	18 at the time of the election. [§39.26]	4 years	25 from the extension district. [§176A.8(3)]
City Offices	Citizen at the time of filing papers and at the time of the election. [§39.26, 376.4(1)(a)]	Resident of the city at time of filing papers. Resident of ward (if any) at time of filing papers and at time of election. [§376.4(1)]	18 at the time of filing papers and at time of election. [§39.26, 376.4(1)]	2 or 4 years	<p>Primary or Runoff Provision Cities: At least 10 or 2% of number of people who voted for the office at last regular city election. [§376.4]</p> <p>Chapter 45 Cities: For cities with a population of 3,500 or greater, at least 25 eligible electors of city or ward. [§45.1(8)(a)]</p> <p>For cities with a population between 100 and 3,499, at least 10 eligible electors of city or ward. [§45.1(8)(b)]</p> <p>For cities with a population of 99 or less, at least 5 eligible electors of city or ward. [§45.1(8)(c), 376.4]</p>

## **Signature Requirements for County Supervisor Candidates**

### Supervisor Plans 1 and 2 Counties

Petition signers may live anywhere in the county.

### Supervisor Plan 3 Counties

Petition signers must live in the supervisor district.

[§45.1(5), 45.1(6)]

### NPPO Convention Attendance Requirements

<b>Office</b>	<b>Minimum Attendance</b>	<b>Number of counties or precincts that must be represented by at least one eligible elector</b>
Statewide Offices	250 eligible electors	25 counties in Iowa
U.S. Representative	50 eligible electors	½ of counties in district
State Senator	20 eligible electors	½ of precincts in district
State Representative	10 eligible electors	½ of precincts in district
County Offices	10 eligible electors	½ of precincts in county
City Offices	10 eligible electors	½ precincts in city

[§44.1]

## **Withdrawals**

### **Political Party Candidates who were Nominated at Primary Election**

A written notice of withdrawal must be filed with the SOS for state and federal offices 89 days or more before the general election.

A written notice of withdrawal must be filed with the auditor for county offices 74 days or more before the general election.

[§43.76]

### **Candidates who Filed During the General Election Filing Period**

#### **NPPO and Non-Partisan Candidates**

A written notice of withdrawal must be filed with the SOS for state and federal offices 74 days or more before the general election.

A written notice of withdrawal must be filed with the auditor for county offices 64 days or more before the general election.

[§44.9, 45.4]

#### **Political Party Candidates Nominated by Convention**

The *Iowa Code* does not include a procedure these candidates may use to withdraw.

## **Objections**

Written objections for state and federal candidates must be filed within 74 days or more before the general election with the SOS. Deadline is 5 p.m.

Written objections for county candidates must be filed within 64 days or more before the general election with the auditor. Deadline is 5 p.m.

[§44.4(2), 45.4]

There is a different process followed after objections are filed for political party candidates and NPPO candidates. See the Filing Officer's Guide for more information on the objection process.

## **Substitutions**

Only NPPOs may make substitutions on the general election ballot. See the Filing Officer's Guide for more information on the substitution process.

Substitutions for state and federal candidates must be filed 74 days or more before the general election with the SOS. Substitutions for county candidates must be filed 63 days or more before the general election with the auditor.

[§44.11, 44.14]

## **Absentee Voting**

### **Proxy Requests Allowed**

Proxy requests may be made by certain relatives of UOCAVA voters no sooner than 70 days before the election.

[§53.40(1)(b)]

See the Absentee Voting chapter for more information.

### **Special Write-In (Submarine) Ballot Allowed**

Submarine ballots are available 90 days before the general election to UOCAVA voters who will not be able to wait for the regular ballots to be transmitted.

[§53.45]

See the Absentee Voting chapter for more information on submarine ballots

### **Federal Write-In Ballot (FWAB) Allowed**

See the Absentee Voting chapter for more information on FWABs and when they can be counted.

[§53.53]

### **Request Deadlines**

See the Absentee Voting chapter.

## **Ballot Preparation**

### **Voting Equipment**

Voting equipment is required to be used in general elections. The equipment must be programmed to report absentee results by resident precinct in the general election.

[§52.1, 53.20(2)]

### **Partisan Election with Non-Partisan Offices on the Ballot**

General election ballots contain both partisan and non-partisan offices. For partisan offices, the political affiliation of candidates is listed with each individual candidate's name on the ballot. No reference to political affiliation is included after the names of candidates for non-partisan offices or judges seeking retention.

[§49.31(1)(a)]

### **Candidate Certifications**

The official list of the names of all candidates for state and federal offices is called the certification or certificate and is prepared by the SOS. Only candidates named on the certificate may have their names on the ballot for state and federal offices. This certificate lists the correct spelling of candidate names. The certificate will be sent as soon as possible after the filing period is over.

[§43.73, 46.21]

### **When Ballots Must be Ready**

Ballots must be mailed, emailed, or faxed to UOCAVA voters at least 45 days before the election.

Ballots can be mailed to domestic absentee voters as soon as they are ready. Ballots can be voted in-person at satellites and auditors' offices no sooner than 40 days before the election.

[§53.10(1), 53.8(1), 53.40(2)]

### **Public Measures/Special Elections**

Public measures are allowed on the general election ballot for counties, cities, and some benefitted districts. Constitutional amendments, constitutional convention questions, and statewide public measures may also appear on the ballot.

[Iowa Constitution Article X Sec. 3, §39.2, 49A.4]

In 2018, any counties where gambling was initially approved in 2010 must include a gambling proposition on the general election ballot (if not already voted upon in 2018). If a gambling proposition has been approved at two successive elections, the proposition is not required to be re-submitted to the voters.

[§99F.7(11)(d), 99F.7(11)(e)]

Example of Premier General Election Ballot (cont.):

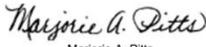
Non Partisan Offices	Judicial Ballot		Constitutional Amendment
<b>Soil &amp; Water Conservation Commission</b> Vote for no more than three <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any)	<b>Instructions:</b> Vote on all names by filling in the appropriate oval <input type="radio"/> after each name.		[Notice to Voters: To vote to approve the question on this ballot, fill in the oval <input type="radio"/> completely before the word "Yes". To vote against the question, fill in the oval <input type="radio"/> preceding the word "No".]
<b>Agricultural Extension Council</b> Vote for no more than four <input type="radio"/> Lillian Thomas <input type="radio"/> Mike Pipho <input type="radio"/> Candy Welch Streed <input type="radio"/> Gloria A. Paulsen <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any)	Shall the following Judges be retained in office?		
<b>Agricultural Extension Council To Fill Vacancy</b> Vote for no more than one <input type="radio"/> Lucy M. Evans <input type="radio"/> _____ (Write-in vote, if any)	<b>Supreme Court</b> Daryl L. Hecht <input type="radio"/> Yes <input type="radio"/> No Brent Appel <input type="radio"/> Yes <input type="radio"/> No Mark S. Cady <input type="radio"/> Yes <input type="radio"/> No	<b>District Court 1B</b> Thomas N. Bower <input type="radio"/> Yes <input type="radio"/> No Bradley J. Harris <input type="radio"/> Yes <input type="radio"/> No	<p style="text-align: center;"><b>1</b></p> Shall the following amendment to the Constitution be adopted?  <b>Summary:</b> Changes the language that describes a person who cannot legally vote from "idiot or insane person" to "a person adjudged mentally incompetent to vote."  Section 5 of Article II of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof: <b>DISQUALIFIED PERSONS.</b> SEC. 5. A person adjudged mentally incompetent to vote or a person convicted of any infamous crime shall not be entitled to the privilege of an elector. <input type="radio"/> Yes <input type="radio"/> No
	<b>Court of Appeals</b> Rosemary Shaw Sackett <input type="radio"/> Yes <input type="radio"/> No		
	Larry J. Eisenhauer <input type="radio"/> Yes <input type="radio"/> No Terry L. Huitink <input type="radio"/> Yes <input type="radio"/> No		

Turn the ballot over

BLACK HAWK COUNTY GENERAL ELECTION BACK CARD

Example of Unisyn General Election Ballot:

OFFICIAL BALLOT  
General Election  
Clay County, Iowa - November 6, 2012  
Spencer Ward 1 (0600)

  
Marjorie A. Pitts  
County Auditor & Commissioner of  
Elections  
 Style:20-B

**INSTRUCTIONS TO VOTERS**

Using blue or black ink, completely fill in the oval next to the candidate or question response of your choice like this:

**Write-In:** To vote for a write-in candidate, write the person's name on the line provided and darken the oval.

**The Judicial Ballot is located on the back of this ballot.**

Partisan Offices	Federal Offices	State Offices
<p><b>Straight Party Political Organizations</b></p> <p>Republican Party (REP) Democratic Party (DEM)</p> <p><b>Other Political Organizations</b></p> <p>The following organizations have nominated candidates for only one office:  <b>Constitution Party (CON)</b>  <b>Iowa Green Party (GRN)</b>  <b>Libertarian Party (LIB)</b>  <b>Party for Socialism and Liberation (PSL)</b>  <b>Socialist Workers Party (SWP)</b></p> <p>Other Abbreviations:  <b>Nominated By Petition (NBP)</b></p>	<p style="text-align: center;"><b>For United States President and Vice President</b></p> <p style="text-align: center;"><small>Vote for no more than one team.</small></p> <p><input type="checkbox"/> Mitt Romney Paul Ryan REP</p> <p><input type="checkbox"/> Barack Obama Joe Biden DEM</p> <p><input type="checkbox"/> Virgil Goode James Clymer CON</p> <p><input type="checkbox"/> Jill Stein Cheri Honkala GRN</p> <p><input type="checkbox"/> Gary Johnson James P. Gray LIB</p> <p><input type="checkbox"/> Gloria LaRiva Stefanie Beacham PSL</p> <p><input type="checkbox"/> James Harris Alyson Kennedy SWP</p> <p><input type="checkbox"/> Jerry Litzel Jim Litzel NBP</p> <p><input type="checkbox"/> _____ <small>(Write-in vote for President, if any)</small></p> <p>_____ <small>(Write-in vote for Vice President, if any)</small></p>	<p style="text-align: center;"><b>For Iowa State Representative District 2</b></p> <p style="text-align: center;"><small>Vote for no more than one.</small></p> <p><input type="checkbox"/> Megan Hess REP</p> <p><input type="checkbox"/> Steve Bomgaars DEM</p> <p><input type="checkbox"/> _____ <small>(Write-in vote, if any)</small></p> <p style="text-align: center;"><b>County Offices</b></p> <p style="text-align: center;"><b>For Board of Supervisors at Large</b></p> <p style="text-align: center;"><small>Vote for no more than two.</small></p> <p><input type="checkbox"/> Joe Skow REP</p> <p><input type="checkbox"/> D. R. Del Brockshus REP</p> <p><input type="checkbox"/> Bradley D. Smith DEM</p> <p><input type="checkbox"/> _____ <small>(Write-in vote, if any)</small></p> <p><input type="checkbox"/> _____ <small>(Write-in vote, if any)</small></p> <p style="text-align: center;"><b>For County Auditor</b></p> <p style="text-align: center;"><small>Vote for no more than one.</small></p> <p><input type="checkbox"/> Marjorie A Pitts REP</p> <p><input type="checkbox"/> _____ <small>(Write-in vote, if any)</small></p> <p style="text-align: center;"><b>For County Sheriff</b></p> <p style="text-align: center;"><small>Vote for no more than one.</small></p> <p><input type="checkbox"/> Randy W. Krukow REP</p> <p><input type="checkbox"/> Steven E Koenig NBP</p> <p><input type="checkbox"/> _____ <small>(Write-in vote, if any)</small></p>
<p style="text-align: center;"><b>Straight Party Voting</b></p> <p style="text-align: center;"><small>Vote for no more than one.</small></p> <p><input type="checkbox"/> Republican Party REP</p> <p><input type="checkbox"/> Democrat Party DEM</p>	<p style="text-align: center;"><b>For United States Representative District 4</b></p> <p style="text-align: center;"><small>Vote for no more than one.</small></p> <p><input type="checkbox"/> Steve King REP</p> <p><input type="checkbox"/> Christie Vilsack DEM</p> <p><input type="checkbox"/> Martin James Monroe NBP</p> <p><input type="checkbox"/> _____ <small>(Write-in vote, if any)</small></p>	<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>Rotation required for board of supervisors office if the race is at-large, vote for 2 or more, and the candidates are opposed.</b></p> </div>

**TURN THE BALLOT OVER**



Example of Unisyn General Election Ballot (cont.):

<p><b>Non Partisan Offices</b></p>	<p><b>JUDICIAL BALLOT</b></p> <p><b>Notice to voters:</b> Vote on all names by filling in the appropriate oval below each name.</p>	<p>Nancy L. Whittenburg</p> <p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>County Offices</p>	<p>Shall the following Judges be retained in office?</p>	<p>District Court 3A Associate Judge</p>
<p>For Soil and Water Conservation District Commissioner</p>	<p>Supreme Court Justice</p>	<p>Donald J. Bormann</p>
<p>Vote for no more than three.</p>	<p>Edward Mansfield</p>	<p><input type="checkbox"/> YES</p>
<p><input type="checkbox"/> Julie Christensen</p>	<p><input type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>
<p><input type="checkbox"/> Allen McCarty</p>	<p><input type="checkbox"/> NO</p>	
<p><input type="checkbox"/> Jerry Crew</p>	<p>Thomas D. Waterman</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p><input type="checkbox"/> YES</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p><input type="checkbox"/> NO</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p>David S. Wiggins</p>	
<p>For Agricultural Extension Council</p>	<p><input type="checkbox"/> YES</p>	
<p>Vote for no more than four.</p>	<p><input type="checkbox"/> NO</p>	
<p><input type="checkbox"/> Candace J. Daniels</p>	<p>Bruce B. Zager</p>	
<p><input type="checkbox"/> Kent Thiesen</p>	<p><input type="checkbox"/> YES</p>	
<p><input type="checkbox"/> Linda Foerster</p>	<p><input type="checkbox"/> NO</p>	
<p><input type="checkbox"/> Teresa Steuben</p>	<p>Court of Appeals Judges</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p>Anuradha Vaiteswaran</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p><input type="checkbox"/> YES</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p><input type="checkbox"/> NO</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p>Michael R. Mullins</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p><input type="checkbox"/> YES</p>	
<p><input type="checkbox"/> (Write-in vote, if any)</p>	<p><input type="checkbox"/> NO</p>	
	<p>Mary Ellen Tabor</p>	
	<p><input type="checkbox"/> YES</p>	
	<p><input type="checkbox"/> NO</p>	
	<p>District Court 3A Judges</p>	
	<p>David A. Lester</p>	
	<p><input type="checkbox"/> YES</p>	
	<p><input type="checkbox"/> NO</p>	

**TURN THE BALLOT OVER**

## **Post Election Day**

### **Provisional Ballots**

Post a list of the number of provisional ballots cast in each precinct as soon as possible but no later than 9 a.m. on the Thursday after the election.

[§50.20]

### **ASVP Board**

The board must meet to consider any provisional ballots cast in the election and any absentee ballots with timely postmarks that have been received. The earliest time the board can meet to do this is noon on Thursday after the election.

For additional information about ASVP procedures, see the Absentee Voting chapter.

[§50.21, 50.22]

### **County Canvass**

The county canvass for general elections is held on the Monday or Tuesday after the election. Absentee ballots with a timely postmark can be received until noon on Monday. If the canvass is scheduled before noon on Monday, the auditor must check the post office for any timely ballots.

[§50.24, 53.17(2)]

For more information on the canvass process, see the Post Election Day chapter.

In 2012, if the auditor's office is closed to due Veteran's day on Monday, November 11, the canvass must occur on Tuesday.

### **Write-In Votes in General Elections**

Write-in votes are allowed and the candidate with the most votes is declared elected. There is no "next highest vote-getter" provision in general elections, even if no one filed papers to run for the office. If a person who was elected by write-in votes declines the office, a vacancy is created.

[§50.24, 50.45]

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## General Election Candidate Qualifications – Partisan Offices

Federal Office	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
U.S. Senator [U.S. Constitution, Art. 1, Sec. 3]	At least 9 years when sworn in.	Iowa resident at the time of the election.	30 when sworn in.	6 years	1,500; must collect signatures from at least 10 counties. [§45.1(1)]	Iowa Secretary of State's Office*
U.S. Representative [U.S. Constitution, Art. 1, Sec. 2]	At least 7 years when sworn in.	Iowa resident at the time of the election.	25 when sworn in.	2 years	375 from the congressional district. [§45.1(2)]	Iowa Secretary of State's Office*
State Executive Office	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
Governor & Lieutenant Governor [Iowa Constitution, Art. IV, Sec. 6]	2 years at the time of the election.	Iowa resident for 2 years at the time of the election.	30 at the time of the election.	4 years	1,500; must run as a team; must collect signatures from at least 10 counties. [§45.1(1)]	Iowa Secretary of State's Office*
Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture, Attorney General	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the general election. [§39.26]	18 at the time of the election. [§39.26]	4 years	1,500; must collect signatures from at least 10 counties [§45.1(1)]	Iowa Secretary of State's Office*
Iowa General Assembly	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
State Senator [Iowa Constitution, Art. III, Sec. 5]	Citizen at the time of the election. [§39.26]	1 year in Iowa. 60 days in the district at the time of the general election.	25 when sworn in.	4 years	100 from state senate district. [§45.1(3)]	Iowa Secretary of State's Office*
State Representative [Iowa Constitution, Art. III, Sec. 3-4]	Citizen at the time of the election. [§39.26]	1 year in Iowa. 60 days in the district at the time of the general election.	21 when sworn in.	2 years	50 from state representative district. [§45.1(4)]	Iowa Secretary of State's Office*
County Offices	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
County Supervisor	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter of the county/supervisor district when sworn in. [§39.26, 331.201]	18 at the time of the election. [§39.26]	4 years	Plan 1 and 2 Counties: At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less.  Plan 3 Counties: At least 150 or 1% of registered voters in the supervisor district as of July 1 of previous year, whichever is less.  *Contact county auditor for specific numbers. [§45.1(5-6), IAC 721—21.601(2)]	County Auditor's Office
County Attorney  Must be admitted to the practice of law in the courts of Iowa when sworn in. [§331.751(2)]	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter in the county when sworn in. [§39.26, 331.751(2)]	18 at the time of the election. [§39.26]	4 years	At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less. [§45.1(5)]	County Auditor's Office
County Treasurer, County Recorder	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less. [§45.1(5)]	County Auditor's Office

\*The Iowa Secretary of State's Office is open Monday through Friday from 8 a.m. to 4:30 p.m. The office will be open until 5 p.m. on the last day of the filing period.

## General Election Candidate Qualifications – Non-Partisan Offices

Non-Partisan Office	U.S. Citizenship	Residence	Age	Term	Signatures Needed	Papers Filed In:
Township Trustee	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Trustees must be registered voters of the township when sworn in. [§39.26, 359.17]	18 at the time of the election. [§39.26]	4 years	No petition is required. [§39.22(2)]	County Auditor's Office
County Hospital Trustee	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26-27, 347.9]	18 at the time of the election. [§39.26]	6 years	50 from the county. [§347.25]	County Auditor's Office
Soil and Water Conservation Board	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the conservation district; cannot reside in the same township as any other board member. [§39.26, 161A.5]	18 at the time of the election. [§39.26]	4 years	25 from the conservation district. [§161A.5(3)]	County Auditor's Office
County Agricultural Extension	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter of the district when sworn in. [§39.26, 176A.5]	18 at the time of the election. [§39.26]	4 years	25 from the extension district. [§176A.8(3)]	County Auditor's Office

## General Election Candidate Qualifications - Eligible Electors

In general, candidates must be eligible electors of the jurisdiction and district or ward (if any) they are seeking to represent at the time of the election. See the Candidate Qualifications chart for specific residency requirements for each office.

An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote. An eligible elector must:

- Be a citizen of the United States,
- Be a resident of Iowa, and
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor),
- 
- Be currently judged incompetent to vote by a court, and
- Claim the right to vote in any other place.

[§39.3(6), 39.26, 161A.5, 277.27, 376.4(1)]

## **Signature Requirements**

See the candidate qualifications chart on pages 3-4. Signatures gathered for the 2014 general election must come from within the boundaries of the district (applicable).

### Supervisor Plans 1 and 2 Counties

Petition signers may live anywhere in the county.

### Supervisor Plan 3 Counties

Petition signers must live in the supervisor district.

[§43.15(3), 45.1(5), 45.1(6)]

## **Collecting Signatures**

Eligible electors of the appropriate county or district (if applicable) may sign nomination petitions. An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote. An eligible elector must:

- Be a citizen of the United States,
- Be a resident of Iowa, and
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor),
- Be currently judged incompetent to vote by a court, and
- Claim the right to vote in any other place.

[§39.3(6)]

Candidates may sign their own petitions assuming they are eligible electors of the county or district.

Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number, street name, and city. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

There is no limit on the number of nomination petitions one elector may sign for different candidates.

[§45.5, 45.6]

**Important Note:** Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

### **NPPO Information and Method to Fill Ballot Vacancies**

NPPOs may file the names and addresses of the organization’s central committee and chairperson and secretary. It may also specify the organization’s provisions (if any) for filling vacancies in nomination. If it wishes to make a substitution for a ballot vacancy, the NPPO must file this information.

[§44.17]

# Example 1

## State of Iowa Ballot Record and Receipt & Seal Verification Log

County: \_\_\_\_\_ Election Name and Date: \_\_\_\_\_

Precinct: \_\_\_\_\_ Polling Place Name: \_\_\_\_\_

Polling Place Address: \_\_\_\_\_  
Street Address City Zip

*\*Numbers in fields with an asterisk (\*) must match.*

### Delivered to the Precinct

Ballot Style	# of Ballots Delivered
<b>Total # of All Ballots Delivered</b>	<b>*</b>

Optical Scan Seal #s	AutoMARK Seal #s

**Ballot Delivery:**

Ballot containers sealed?  Yes  No

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_:\_\_\_\_ a.m/p.m.

Delivered by: **X** \_\_\_\_\_  
Signature

Received by: **X** \_\_\_\_\_  
Signature

### Returned from the Precinct

Ballot Style	# Voted & Counted	# Disputed	# Spoiled	# Provisional	# Not Voted	Total # Returned
<b>Totals:</b>						<b>*</b>
# of Absentee Ballots Surrendered (and not counted)						
<b>Total # of All Ballots Returned</b>						

Optical Scan Seal #s	AutoMARK Seal #s

**Ballot Return:**

Ballot containers sealed?  Yes  No

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_:\_\_\_\_ a.m/p.m.

Delivered by: **X** \_\_\_\_\_  
Signature

Received by: **X** \_\_\_\_\_  
Signature

# Example 1

## **State of Iowa Ballot Record and Receipt & Seal Verification Log**

### **Voted and Counted**

Ballots that were counted by the precinct officials without any objections or unresolved disputed are returned in an envelope or container that must be sealed in the precinct. The seal must bear the signatures of all precinct officials. The seal should be placed on the envelope or container so that the package cannot be opened without breaking the seal.

### **Disputed Ballots**

These are ballots that were deposited in the ballot box, but the precinct officials found them to be defective in some way. There are two types of disputed ballots: ballots that were not counted because they were folded together so that they appeared to be cast as a single ballot and ballots that were counted without unanimous agreement of the precinct board.

### **Spoiled Ballots**

Voters who make errors in marking their ballots may return the spoiled ballots to the precinct officials for a new one. A voter may not receive more than three ballots, including the first one delivered. The spoiled ballots are not counted, but must be returned to the commissioner.

### **Provisional Ballots**

Voters whose qualifications to vote have been challenged or voters who cannot prove they are qualified to vote have the right to vote a provisional ballot. The provisional ballot is sealed in an envelope and kept separate from other ballots.

### **Not Voted**

All unused ballots must be accounted for and returned.

### **Total Number Returned**

Add together the number of ballots voted, disputed, spoiled, provisional and not voted for each type of ballot. This number should equal the number of ballots of each type that were delivered to the precinct.

### **Absentee Ballots Surrendered (and not counted)**

Some voters may bring absentee ballots to the polling place, turn them in and vote at the polling place. Keep these ballots separate. Do NOT examine or count them.

## Example 2

**State of Iowa**  
**Affidavit of Voter Requesting Assistance**

I declare that I am unable to vote without help due to blindness, inability to read English, or any other physical disability. I request the help of the two precinct officials designated to help voters in this precinct OR another person of my choice.

**Please note:** Under Federal law, a voter may not be assisted by the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union. [42 USC 1973aa-6]

Print Voter's Name: \_\_\_\_\_

Election Name: \_\_\_\_\_

Election Date: \_\_\_\_\_

Precinct: \_\_\_\_\_

VOTER REQUESTING ASSISTANCE

**X** \_\_\_\_\_ **X** \_\_\_\_\_  
Voter's Signature Signature of any other person assisting voter

**Reminder to precinct election official:** Please note on the election register that this person voted with assistance.

**State of Iowa**  
**Affidavit of Voter Requesting Assistance**

I declare that I am unable to vote without help due to blindness, inability to read English, or any other physical disability. I request the help of the two precinct officials designated to help voters in this precinct OR another person of my choice.

**Please note:** Under Federal law, a voter may not be assisted by the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union. [42 USC 1973aa-6]

Print Voter's Name: \_\_\_\_\_

Election Name: \_\_\_\_\_

Election Date: \_\_\_\_\_

Precinct: \_\_\_\_\_

VOTER REQUESTING ASSISTANCE

**X** \_\_\_\_\_ **X** \_\_\_\_\_  
Voter's Signature Signature of any other person assisting voter

**Reminder to precinct election official:** Please note on the election register that this person voted with assistance.

Prepared by the Iowa Secretary of State's Office

Revised 6/09

## Example 3

STATE OF IOWA OFFICIAL VOTER REGISTRATION FORM		Revised 4/9/2014
<b>In Iowa, you are not qualified to vote if you have been convicted of a felony and have not received a restoration of voting rights. You may apply to the Governor to restore your voting rights.</b>		
<b>Qualifications</b>	1. Are you a citizen of the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No 2. Will you be 18 years of age on or before Election Day? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If you answered "No" to either of these questions, do not complete this form.</b>		
<b>ID Number</b> <small>Provide your Iowa driver's license, non-operator ID number, or the last 4 digits of your Social Security number if you have one.</small>	<input type="checkbox"/> IA driver's license #: _____ <input type="checkbox"/> IA non-operator ID #: _____ <input type="checkbox"/> Last 4 digits of Social Security number: XXX - XX - _____ <input type="checkbox"/> I do not have an IA driver's license, non-operator ID, or Social Security number.	
<b>Additional Information</b> <small>Date of birth and gender are required.</small>	<b>Date of Birth</b> (month, day, year) _____ / _____ / _____ <b>Gender</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <b>Phone and/or Email</b> (optional) _____	
<b>Your Name</b>	<b>Last</b> _____ <b>First</b> _____ <b>Middle</b> _____ <b>Suffix</b> _____	
<b>Address Where You Live</b>	<b>Street Address</b> <small>(include apt., lot, etc.)</small> _____ <b>City</b> _____ <b>Zip</b> _____ <b>County</b> _____ <b>If homeless or you do not have an established residence, describe where you reside:</b> _____	
<b>Where You Receive Mail</b> <small>(if different)</small>	<b>Address/P.O. Box</b> _____ <b>City</b> _____ <b>State</b> _____ <b>Zip</b> _____	
<b>Previous Voter Registration Information</b>	<b>Your name was</b> _____ <b>Your address was</b> _____ <b>Your city and state were</b> _____ <b>Your zip was</b> _____	
<b>Political Affiliation</b> <small>(check only one)</small>	<b>Political Parties:</b> <input type="checkbox"/> No Party <input type="checkbox"/> Democratic <input type="checkbox"/> Republican <b>Non-Party Political Organizations:</b> <input type="checkbox"/> Green <input type="checkbox"/> Libertarian	
<b>WARNING</b> If you sign this form and you know the information is not true, you may be convicted of perjury and fined up to \$7,500 and/or jailed for up to 5 years.	<div style="text-align: center;"><b>Registrant Affidavit</b></div> I swear or affirm under penalty of perjury that: <ul style="list-style-type: none"> <li>▪ I am the person named above.</li> <li>▪ I am a citizen of the United States.</li> <li>▪ I have not been convicted of a felony (or I have received a restoration of rights).</li> <li>▪ I am at least 17 ½ years old.</li> <li>▪ I live at the address listed above.</li> <li>▪ I am not currently judged by a court to be "incompetent to vote."</li> <li>▪ I do not claim the right to vote anywhere else.</li> </ul> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span><b>Signature</b> _____</span> <span><b>Date</b> _____</span> </div>	

## Example 4

### Provisional Ballot Envelope

#### Reason for Provisional Ballot

*To be completed by Precinct Official*

Precinct: \_\_\_\_\_

Election Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Reason for Provisional Ballot (check all that apply):

Voter did not have proper identification

Absentee voter with no ballot to surrender

Voter was challenged by another registered voter (attach the signed challenge to this envelope)

PROVISIONAL LABEL 1

\_\_\_\_\_  
Precinct Election Official's Signature Date

#### Affidavit of Provisional Voter

*To be completed by Voter*

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

Phone (optional): \_\_\_\_\_

PROVISIONAL LABEL 2

I do solemnly swear or affirm all of these things. I am a United States citizen, at least 18 years of age. I believe that I am a registered voter of this county and/or eligible to vote in this election. I have not voted and will not vote in any other precinct in this election. If my current voter registration record indicates another party affiliation or no party affiliation, I swear or affirm that I have in good faith changed my previously declared party affiliation, or declared my party affiliation, and now desire to be a member of the party indicated herein. I understand that any false statement in this declaration is a criminal offense punishable as provided by law.

\_\_\_\_\_  
Voter's Signature Date

*To be completed by Voter*

Complete voter registration form. Mark ballot & seal in envelope. Return completed ballot in envelope to Precinct Official.

In Iowa, you are not qualified to vote if you have been convicted of a felony and have not received a restoration of voting rights. You may apply to the Governor to restore your voting rights.	
<b>Qualifications</b>	1. Are you a citizen of the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No 2. Will you be 18 years of age on or before Election Day? <input type="checkbox"/> Yes <input type="checkbox"/> No
If you answered "No" to either of these questions, do not complete this form.	
<b>ID Number</b> Provide your Iowa driver's license, non-operator ID number, or the last 4 digits of your Social Security number if you have one.	<input type="checkbox"/> IA driver's license #: _____ <input type="checkbox"/> IA non-operator ID #: _____ <input type="checkbox"/> Last 4 digits of Social Security number: XXX-XX-_____ <input type="checkbox"/> I do not have an IA driver's license, non-operator ID, or Social Security number.
<b>Additional Information</b> Date of birth and gender are required.	Date of Birth (month, day, year) ____/____/____ Gender <input type="checkbox"/> Male <input type="checkbox"/> Female Phone and/or Email (optional) _____
<b>Your Name</b>	Last _____ First _____ Middle _____ Suffix _____
<b>Address Where You Live</b>	Street Address (include apt., lot, etc.) _____ City _____ Zip _____ County _____ If homeless or you do not have an established residence, describe where you reside: _____
<b>Where You Receive Mail (if different)</b>	Address/P.O. Box _____ City _____ State _____ Zip _____
<b>Previous Voter Registration Information</b>	Your name was _____ Your address was _____ Your city and state were _____ Your zip was _____
<b>Political Affiliation (check only one)</b>	Political Parties: <input type="checkbox"/> No Party <input type="checkbox"/> Democratic <input type="checkbox"/> Republican Non-Party Political Organizations: <input type="checkbox"/> Green <input type="checkbox"/> Libertarian
<b>WARNING</b> If you sign this form and you know the information is not true, you may be convicted of perjury and fined up to \$7,500 and/or jailed for up to 5 years.	<b>Registrant Affidavit</b> I swear or affirm under penalty of perjury that: <ul style="list-style-type: none"> <li>▪ I am the person named above.</li> <li>▪ I am a citizen of the United States.</li> <li>▪ I have not been convicted of a felony (or I have received a restoration of rights).</li> <li>▪ I am at least 17 ½ years old.</li> <li>▪ I live at the address listed above.</li> <li>▪ I am not currently judged by a court to be "incompetent to vote."</li> <li>▪ I do not claim the right to vote anywhere else.</li> </ul> Signature _____ Date _____

Prepared by the Iowa Secretary of State's Office Revised 4/9/14

### Statement to Person Casting a Provisional Ballot

*(To be completed by Precinct Official and given to Voter)*

Voter's Name: \_\_\_\_\_

Reason for Provisional Ballot (check all that apply):

Voter did not have proper identification (see "What you need to provide" below)

Absentee voter with no ballot to surrender

Voter was challenged by another registered voter  
Reason: \_\_\_\_\_

PROVISIONAL LABEL 3

#### What you need to provide before your ballot will count:

Photo ID that has not expired and contains your name and picture

One of the following that has not expired: Iowa driver's license, out-of-state driver's license, non-driver ID, U.S. passport, U.S. military ID, employer ID card, student ID issued by Iowa high school or college

One of the following showing your name and current address: bank statement, paycheck, utility bill, property tax statement, residential lease, government check, or other government document.

Deadline: \_\_\_\_\_ a.m./p.m., \_\_\_\_\_ (date)

PROVISIONAL LABEL 4

Mail or Deliver Evidence to: \_\_\_\_\_, County Auditor

County Auditor Address: \_\_\_\_\_

If proof of ID or residence is required, your provisional ballot may be counted if you bring a copy of the identification listed above to this precinct before the polls close today or to the county auditor at the above address by the above deadline. If your ballot is not counted, you will be notified by mail of the reason why it was not counted.

PROVISIONAL LABEL 5

Your right to vote will be reviewed by the Special Precinct Board. You have the right and are encouraged to make a written statement and submit additional written evidence to the Board supporting your qualifications as a registered voter.

\_\_\_\_\_  
Precinct Election Official's Signature Date

## Example 5

### State of Iowa Election Day Voter Registration Form

<b>In Iowa, you are not qualified to vote if you have been convicted of a felony and have not received a restoration of voting rights. You may apply to the Governor to restore your voting rights.</b>					
<b>Qualifications</b>	1. Are you a citizen of the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No 2. Will you be 18 years of age on or before Election Day? <input type="checkbox"/> Yes <input type="checkbox"/> No				
<b>If you answered "No" to either of these questions, do not complete this form.</b>					
<b>ID Number</b> <small>Provide your Iowa driver's license, non-operator ID number, or the last 4 digits of your Social Security number if you have one.</small>	<input type="checkbox"/> IA driver's license #: _____ <input type="checkbox"/> IA non-operator ID #: _____ <input type="checkbox"/> Last 4 digits of Social Security number: XXX - XX - _____ <input type="checkbox"/> I do not have an IA driver's license, non-operator ID, or Social Security number.				
<b>Additional Information</b> <small>Date of birth and gender are required.</small>	Date of Birth (month, day, year) _____/_____/_____ Gender <input type="checkbox"/> Male <input type="checkbox"/> Female Phone and/or Email (optional) _____				
<b>Your Name</b>	Last _____ First _____ Middle _____ Suffix _____				
<b>Address Where You Live</b>	Street Address _____ <small>(include apt., lot, etc.)</small> City _____ Zip _____ County _____ If homeless or you do not have an established residence, describe where you reside: _____				
<b>Where You Receive Mail</b> <small>(if different)</small>	Address/P.O. Box _____ City _____ State _____ Zip _____				
<b>Previous Voter Registration Information</b>	Your name was _____ Your address was _____ Your city and state were _____ Your zip was _____				
<b>Political Affiliation</b> <small>(check only one)</small>	Political Parties: <input type="checkbox"/> No Party <input type="checkbox"/> Democratic <input type="checkbox"/> Republican Non-Party Political Organizations: <input type="checkbox"/> Green <input type="checkbox"/> Libertarian				
<b>WARNING</b> <small>If you sign this form and you know the information is not true, you may be convicted of perjury and fined up to \$7,500 and/or jailed for up to 5 years.</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><b>Registrant Affidavit</b></td> <td>                     I swear or affirm under penalty of perjury that:                     <ul style="list-style-type: none"> <li>▪ I am the person named above.</li> <li>▪ I am a citizen of the United States.</li> <li>▪ I have not been convicted of a felony (or I have received a restoration of rights).</li> <li>▪ I am at least 17 ½ years old.</li> <li>▪ I live at the address listed above.</li> <li>▪ I am not currently judged by a court to be "incompetent to vote."</li> <li>▪ I do not claim the right to vote anywhere else.</li> </ul> </td> </tr> <tr> <td>Signature _____</td> <td>Date _____</td> </tr> </table>	<b>Registrant Affidavit</b>	I swear or affirm under penalty of perjury that: <ul style="list-style-type: none"> <li>▪ I am the person named above.</li> <li>▪ I am a citizen of the United States.</li> <li>▪ I have not been convicted of a felony (or I have received a restoration of rights).</li> <li>▪ I am at least 17 ½ years old.</li> <li>▪ I live at the address listed above.</li> <li>▪ I am not currently judged by a court to be "incompetent to vote."</li> <li>▪ I do not claim the right to vote anywhere else.</li> </ul>	Signature _____	Date _____
<b>Registrant Affidavit</b>	I swear or affirm under penalty of perjury that: <ul style="list-style-type: none"> <li>▪ I am the person named above.</li> <li>▪ I am a citizen of the United States.</li> <li>▪ I have not been convicted of a felony (or I have received a restoration of rights).</li> <li>▪ I am at least 17 ½ years old.</li> <li>▪ I live at the address listed above.</li> <li>▪ I am not currently judged by a court to be "incompetent to vote."</li> <li>▪ I do not claim the right to vote anywhere else.</li> </ul>				
Signature _____	Date _____				

1

### Voter's Oath

I, the undersigned Registrant, do solemnly swear or affirm the following: I am the person named below, I live at the address below, I do not claim the right to vote anywhere else; I have not voted and will not vote in any other precinct in this election.

Registrant name: \_\_\_\_\_

Registrant address: \_\_\_\_\_

\_\_\_\_\_

Registrant precinct: \_\_\_\_\_

*I understand that any false statement in this oath is a class "D" felony punishable by no more than five (5) years in confinement and a fine of at least \$750 but not more than \$7,500.*

\_\_\_\_\_  
Registrant signature

\_\_\_\_\_  
Precinct Election Official signature

\_\_\_\_\_  
Date

2

### Attester's Oath

I, the undersigned Attester, do solemnly swear or affirm the following: I am a pre-registered voter in this precinct or I registered to vote in this precinct today, and a registered voter did not sign an oath on my behalf; I have not signed an oath attesting to the identity and residence of any other person in this election; I personally know the above Registrant and that the Registrant is a resident of this precinct.

Attester name: \_\_\_\_\_

Attester address: \_\_\_\_\_

\_\_\_\_\_

Attester precinct: \_\_\_\_\_

*I understand that any false statement in this oath is a class "D" felony punishable by no more than five (5) years in confinement and a fine of at least \$750 but not more than \$7,500.*

\_\_\_\_\_  
Attester signature

\_\_\_\_\_  
Precinct Election Official signature

\_\_\_\_\_  
Date

Prepared by the Iowa Secretary of State's Office Revised 4/9/14

## Example 6

### State of Iowa Challenger's Statement

*Notice to Challenger: A person may not be challenged for reporting a change of address at the polls or registering to vote at the polls on Election Day as permitted by Iowa law. (Iowa Code 49.79)*

#### Voter and Election Information:

Voter name: \_\_\_\_\_

Election date: \_\_\_\_\_

County: \_\_\_\_\_

Deadline: \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ (date)

CHALLENGER'S STATEMENT - LABEL 1

#### Required Challenger Information:

Challenger name: \_\_\_\_\_

Challenger address: \_\_\_\_\_  
\_\_\_\_\_

Challenger phone #: \_\_\_\_\_

CHALLENGER'S STATEMENT - LABEL 2

#### Reason for Challenge: (check all that apply)

- Is not a United States citizen.       Is deceased.  
 Is not a resident at the address where the person is registered.  
 Has falsified information on a registration form or on a declaration of eligibility.  
 Was adjudged incompetent to vote.

CHALLENGER'S STATEMENT - LABEL 3

#### Reason for Challenge, continued:

- Is less than 18 years of age on Election Day.  
 Is not a resident of the precinct where the person is offering to vote.  
 Was convicted of a felony and voting rights have not been restored.  
 Voter status is not active (absentee voter only).

CHALLENGER'S STATEMENT - LABEL 4

Provide details for the reason or reasons checked above:  
\_\_\_\_\_

#### Challenger's Affirmation and Statement:

I challenge the qualifications of this voter to vote at this election, because of the reason or reasons listed herein.

I am a registered voter in \_\_\_\_\_ County, Iowa. I swear or affirm that information contained in this challenge is true.

I understand that knowingly filing a challenge containing false information is an aggravated misdemeanor. I also understand this challenge will be rejected if it does not include all of the Required Challenger Information.

I understand if I wish to withdraw this challenge, I may notify the precinct election officials at this polling place before the polls close on Election Day, or I may notify the County Auditor in writing before the special precinct board meets at the time of the deadline stated herein.

**X** \_\_\_\_\_

Challenger's Signature

#### County Auditor's Office use only:

Keep the original of this form in your office.

Provide notice: If this challenge was made in the Special Voters' Precinct, provide notice of the challenge to the voter. Notice of this challenge was provided to the voter by:

- In Person  
 Mail  
 Telephone  
 Fax

Date and time of notice to voter:

\_\_\_\_/\_\_\_\_/\_\_\_\_ \_\_\_\_:\_\_\_\_ am/pm

Response received from voter:

\_\_\_\_/\_\_\_\_/\_\_\_\_ \_\_\_\_:\_\_\_\_ am/pm

## Example 7

### State of Iowa Poll Watcher Designation Form

Name of Person Filling Out This Form: \_\_\_\_\_

Home Address: \_\_\_\_\_  
House Number and Street Address City Zip Code

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Select one of the following options and sign and date at the bottom of form.

**Appoint poll watcher for a political party**

(This form must be filled out by the county chairperson or a central committee officer.)

Election:  General \_\_\_/\_\_\_/\_\_\_  Primary \_\_\_/\_\_\_/\_\_\_  Special \_\_\_/\_\_\_/\_\_\_  
 City \_\_\_/\_\_\_/\_\_\_  School \_\_\_/\_\_\_/\_\_\_

Name of Political Party: \_\_\_\_\_

Certification: The people named on the attached list are designated to serve as poll watchers for the political party named above for this election. Not more than three have been assigned to any one precinct at a time.

Date these appointments were approved by the executive or central committee: \_\_\_/\_\_\_/\_\_\_

**Appoint a poll watcher for a non-party candidate or non-party political organization**

(This form must be filled out by a candidate whose name appears on the ballot at the election named below.)

Election:  General \_\_\_/\_\_\_/\_\_\_  Primary \_\_\_/\_\_\_/\_\_\_  Special \_\_\_/\_\_\_/\_\_\_  
 City \_\_\_/\_\_\_/\_\_\_  School \_\_\_/\_\_\_/\_\_\_

Name of person I designate as a poll watcher: \_\_\_\_\_

List precinct(s) and hours poll watcher will serve: \_\_\_\_\_  
\_\_\_\_\_

My name will appear on the ballot as a candidate for the office of: \_\_\_\_\_

**Intent to serve as a poll watcher for a public measure appearing on the ballot at the election named below**

(This form must be filled out by the person wishing to serve as a poll watcher.)

Election:  School \_\_\_/\_\_\_/\_\_\_  City \_\_\_/\_\_\_/\_\_\_  Special \_\_\_/\_\_\_/\_\_\_

Public Measure in which I am interested: \_\_\_\_\_

My position on the public measure:  Support  Oppose

Precinct(s) and hours I would like to serve: \_\_\_\_\_  
\_\_\_\_\_

Certification: I would like to serve as an observer at the election listed above. I understand that no more than three people who are interested in ballot questions are permitted to be present in a precinct at one time. If more than three people file notices with the county auditor, the auditor has the authority to appoint three people to serve as observers. The appointees, whenever possible, shall include both supporters and opponents.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Prescribed by the Iowa Secretary of State's Office

Revised 6/09

## Example 8

<b>State of Iowa Voter's Declaration of Eligibility</b>	
I do solemnly swear or affirm that I reside in _____ County, Iowa at the address below. I am a registered voter. I have not and will not vote in any other precinct in this election.	
<b>Primary Elections Only</b> I am affiliated with the _____ party. If my current voter registration record indicates another party affiliation or no party affiliation, I swear or affirm that I have in good faith changed my previ- ously declared party affiliation, or declared my party affiliation, and now de- sire to be a member of the party indicated above.	
<i>I understand that any false statement in this declaration is a criminal offense punishable as provided by law.</i>	
_____ Print Voter's Name	_____ Date
_____ Voter's Address	_____ Phone - optional
_____ City, Zip	_____ Precinct
<b>X</b> _____ Voter's Signature	_____ Precinct Official

<b>State of Iowa Voter's Declaration of Eligibility</b>	
I do solemnly swear or affirm that I reside in _____ County, Iowa at the address below. I am a registered voter. I have not and will not vote in any other precinct in this election.	
<b>Primary Elections Only</b> I am affiliated with the _____ party. If my current voter registration record indicates another party affiliation or no party affiliation, I swear or affirm that I have in good faith changed my previ- ously declared party affiliation, or declared my party affiliation, and now de- sire to be a member of the party indicated above.	
<i>I understand that any false statement in this declaration is a criminal offense punishable as provided by law.</i>	
_____ Print Voter's Name	_____ Date
_____ Voter's Address	_____ Phone - optional
_____ City, Zip	_____ Precinct
<b>X</b> _____ Voter's Signature	_____ Precinct Official

## Example 9

### Notice to Election Day Registrants

#### Convicted Felons

If you have ever been convicted of a felony, your voting rights must be restored by the Iowa Governor before you can register and vote today. If you are not 100% sure your right to vote has already been restored, request a provisional ballot.

Convicted felons who register and vote without receiving a restoration of rights are committing a class “D” felony, punishable by a prison term of up to 5 years and a fine of up to \$7,500.

#### Other Election Day Registration Requirements

To register and vote today, you must also:

- Be at least 18 years of age
- Be a citizen of the United States
- Reside in the precinct where you are registering to vote
- Not claim the right to vote anywhere else

**5. Sort the affidavit envelopes into three piles.**

Pile #1: Rejected

Reject the ballot without opening the affidavit envelope if any of the following conditions exist:

- The ballot arrived too late to be counted
- Affidavit lacks the voter's signature
- Applicant is not a duly registered voter in the precinct in which the ballot was cast
- Voter is inactive/pending and has not provided §48A.8 ID by the time the ASVP board meets to consider provisional ballots
- Affidavit envelope is open or the affidavit envelope has been opened and resealed
- Affidavit envelope contains more than one ballot of any kind
- Voter voted in person at the polls
- Voter submitted an absentee ballot request electronically and the original request form was not postmarked by the Friday before election day and was not received in the auditor's office by the time the polls closed on election day
- Voter did not declare a party affiliation on the affidavit envelope (primary elections only)

[§53.25, IAC 721—21.2(2), 21.354, 21.361]

Pile #2: Challenged ballots

Put all challenged ballots together. A ballot may be challenged by a precinct official or an observer. A ballot may also be challenged by any registered voter in the county if the challenge is received by the auditor no later than the Friday before the election. See "Challenging Absentee Ballots" earlier in this guide.

Pile #3: Ballots that are accepted for counting

Put all ballots that are accepted for counting together. Stack the envelopes with the affidavit facing down.

[IAC 721—21.359(3)]

**6. Complete processing of rejected absentee ballots.**

- a. Flip the affidavit envelope over so the back of the envelope is facing you.
- b. Write the following on the back of the envelope “Rejected because (insert the reason for rejection).”
- c. All rejected ballots must be sealed in an envelope marked “defective ballots.” The envelope must be marked with “absentee precinct.” Include the date of the election at which the ballots were cast. All board members must sign the sealed envelope.
- d. Record the number of rejected ballots on the absentee and provisional ballot chain of custody log. The envelope marked “defective ballots” containing the rejected ballots must be returned to the auditor.  
[§53.25, 53.26, 53.27, IAC 721-21.361]
- e. Prepare rejection notices for voters whose ballots must be rejected. These notices must be prepared by either the auditor or the board but must be initialed by a board member.

A sample rejection notice is available on the SOS website.

Mail the notices immediately. The notices must be sent by the time of the county canvass.

[§53.25]

## **Provisional Ballots and Challenged Absentee Ballots**

The board must review all the information on the provisional ballot envelopes and all of the evidence submitted regarding the qualifications of each provisional and challenged absentee voter. The decision to count or reject each ballot must be made by the ASVP board based on the information on the envelope containing the provisional ballot, the evidence concerning the challenge, and any pertinent voter registration documents.

[§50.22]

All provisional and challenged absentee ballots counted by the board must be counted in the same manner as all other ballots tabulated for the election. If voting equipment was used, these ballots must be run through the ballot scanners.

[IAC 721—26.4]

### **What is a Provisional Ballot?**

A provisional ballot is used by voters whose qualifications to vote were challenged at the polls, by voters who could not prove they are qualified to vote by showing ID when requested, and by some absentee voters at the polls.

### **Absentee Voters with Provisional Ballots**

If you receive a timely absentee ballot and a provisional ballot from the same voter, the absentee ballot should be considered for counting. This means that provisional ballots cast by absentee voters at the polls should be considered by the ASVP board after the absentee receipt deadline or immediately prior to the canvass, whichever is applicable.

If the absentee ballot must be rejected for any reason, the ASVP board should then consider the provisional ballot for counting.

### **Why are Voters Challenged?**

A challenge may be brought against a voter by claiming the voter is one of the following:

- Not a citizen of the United States,
- Less than 18 years of age on Election Day,
- Not a resident at the address where the person is registered,
- Not a resident of the precinct where the person is offering to vote,
- Falsifying information on a registration form or on a declaration of eligibility,
- Convicted of a felony and voting rights have not been restored,
- Adjudged incompetent to vote and no later ruling has found the person once again competent, or

- Deceased.

[§49.79, 49.80, 49.81]

## **Rejecting Ballots**

Provisional and challenged absentee ballots may only be rejected when the:

- Voter did not provide ID and was required to do so,
- Voter was not registered in the precinct on election day,
- Voter already returned an absentee ballot that was counted (provisional voters),
- Voter is not qualified to vote, or
- Voter is inactive/pending and has not provided §48A.8 ID as required by the time the board meets to consider provisional and challenged absentee ballots.

Rejected ballots must be marked “Rejected because (insert reason of rejection).” All rejected ballots must be sealed in an envelope marked “Defective ballots.” The envelope must be marked with “absentee and special voters precinct” and the date of the election at which the ballots were cast. The seal on the envelope must also be signed by the precinct election officials.

The board must record the number of rejected ballots on the absentee and provisional ballot chain of custody log. The envelope with the rejected ballots must be returned to the auditor.

[§53.25, 53.26, 53.27]

The auditor or the board needs to prepare notices to send to voters whose ballots were rejected by the time of the county canvass. A board member must initial or sign the notices. A sample notice is available on the SOS website.

[§53.25]

## **Sealing Ballots**

After counting is completed, seal the counted ballots into containers. A seal must be placed over the opening of the container so the container cannot be opened without breaking the seal. All members of the board must sign across the seal.

[§50.12]

# Filing Officer's Guide

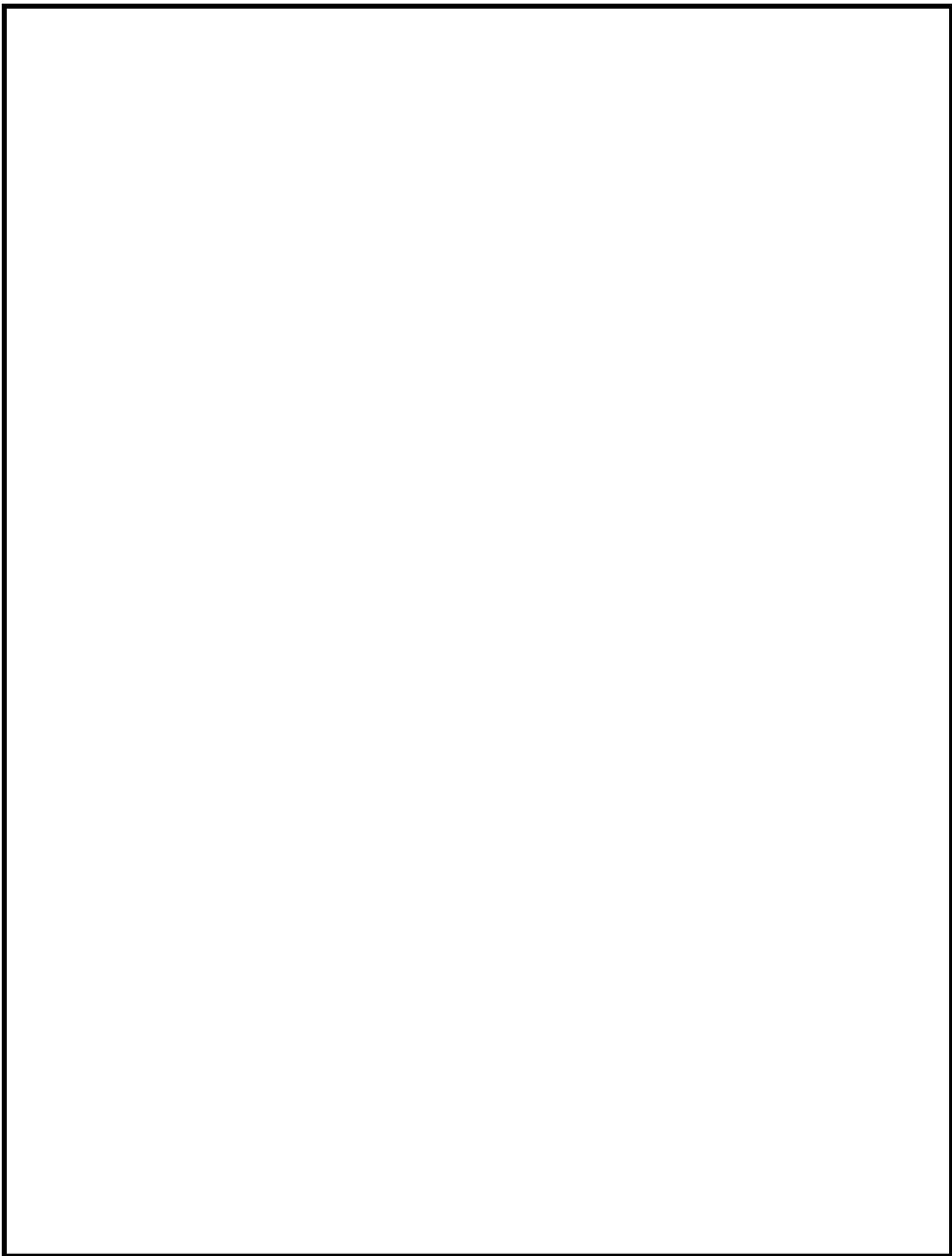
*Revised February 2014*

**Prepared by the Office of the Iowa Secretary of State**

(515) 281-0145  
sos@sos.iowa.gov  
<http://sos.iowa.gov/>

For more information, please contact the Secretary of State's Office or the county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist filing officers in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



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## Overview

### Filing Officer Responsibilities

A filing officer assists with the administration of elections in multiple ways. Some responsibilities include:

1. Distributing nomination papers and candidate guides.
2. Receiving, reviewing, and accepting or rejecting nomination papers during the candidate filing period.
3. Receiving and reviewing petitions requesting special elections.

In schools and cities, the filing officer must also communicate with the county auditor to share election information.

### Filing Officers for Nomination Papers

Election Type	Filing Officer	Code Cite
School	School Secretary	§277.4(1)
Community College	Community College Board Secretary	§260C.15(3)
City	City Clerk	§376.4(1)(a)
Primary	<u>County Offices:</u> County Auditor <u>State and Federal Offices:</u> Secretary of State	§43.11
General	<u>County Offices:</u> County Auditor <u>State and Federal Offices:</u> Secretary of State	§44.4, 45.4

### Special Elections

The term “special election” applies to any item appearing on the ballot that is not automatically required to appear on a ballot (e.g. public measures and elected offices where vacancies have occurred). Special elections may be held in conjunction with the regular school election, the regular city election, the general election, and on other dates as provided by law.

For special elections, the filing officer is the same individual it is for regularly scheduled elections. For example, the city clerk is the filing officer for a special election to fill a vacancy on a city council.

## **Petition Signers and Convention Attendees**

Petition signers and convention attendees must usually be eligible electors. In some situations, petition signers must be registered voters. The *Iowa Code* statute authorizing the special election will indicate the required qualifications of petition signers.

## **Eligible Elector Defined**

An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote. An eligible elector must:

- Be a citizen of the United States,
- Be a resident of Iowa, and
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor),
- Be currently judged incompetent to vote by a court, and
- Claim the right to vote in any other place.

[§39.3(6)]

## **Candidate Qualifications**

Candidates must be eligible electors of the jurisdiction and district or ward (if any) at the time of the election. See the Candidate Qualifications charts for specific residency requirements for each office.

[§39.26, 161A.5, 277.27, 376.4(1)]

## Primary Election Candidate Qualifications

<b>Federal Office</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
U.S. Senator [U.S. Constitution, Art. 1, Sec. 3]	At least 9 years when sworn in.	Iowa resident at the time of the general election.	30 when sworn in.	6 years	Based on votes cast at last general election; refer to signature charts. [§43.20(1)(a)]
U.S. Representative [U.S. Constitution, Art. 1, Sec. 2]	At least 7 years when sworn in.	Iowa resident at the time of the general election.	25 when sworn in.	2 years	Based on votes cast at last general election; refer to signature charts. [§43.20(1)(c)]
<b>State Executive Office</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
Governor & Lieutenant Governor [Iowa Constitution, Art. IV, Sec. 6]	2 years at the general election.	Iowa resident for 2 years at the time of the general election.	30 at the time of the general election.	4 years	Based on votes cast at last general election; refer to signature charts. [§43.20(1)(a)]
Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture, Attorney General	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. [§39.26]	18 at the time of the election. [§39.26]	4 years	1,000, including 50 signatures from at least 10 counties. [§43.20(1)(b)]
<b>Iowa General Assembly</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
State Senator [Iowa Constitution, Art. III, Sec. 5]	Citizen when sworn in. [§39.26]	1 year in Iowa, 60 days in the district at the time of the general election.	25 when sworn in.	4 years	100 from state senate district. [§43.20(1)(c)]
State Representative [Iowa Constitution, Art. III, Sec. 3-4]	Citizen when sworn in. [§39.26]	1 year in Iowa, 60 days in the district at the time of the general election.	21 when sworn in.	2 years	50 from state representative district. [§43.20(1)(c)]
<b>County Offices</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
County Supervisor	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Registered voter of the county/supervisor district when sworn in. [§39.26, 331.201(2)]	18 at the time of the election. [§39.26]	4 years	Plan 1 and 2 Counties: At least 100 or 2% of the party vote in the county at last general election, whichever is less.  Plan 3 Counties: At least 100 or 2% of the party vote in the supervisor district (including election day and absentee) at last general election, whichever is less. [§43.20(1)(d)]
County Attorney  Must be admitted to the practice of law in the courts of Iowa when sworn in. [§331.751(2)]	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Registered voter in the county when sworn in. [§39.26, 331.751(2)]	18 at the time of the election. [§39.26]	4 years	At least 100 or 2% of the party vote in the county at last general, whichever is less. [§43.20(1)(d)]
County Auditor, County Treasurer, County Recorder	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Resident of the county when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	At least 100 or 2% of the party vote in the county at last general, whichever is less. [§43.20(1)(d)]
County Sheriff  Must also meet the requirements in <i>Iowa Code</i> §331.651.	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Resident of the county when sworn in. [§39.26-27]	21 when sworn in. [§331.651(2)(b)]	4 years	At least 100 or 2% of the party vote in the county at last general, whichever is less. [§43.20(1)(d)]

## General Election Candidate Qualifications

<b>Federal Office</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
President/Vice President [U.S. Constitution, Art. 2, Sec. 1]	Natural born citizen.	U.S. resident for 14 years and at time of election.	35 when sworn in.	4 years	1,500; must run as a team; must collect signatures from at least 10 counties. [§45.1(1)]
U.S. Senator [U.S. Constitution, Art. 1, Sec. 3]	At least 9 years when sworn in.	Iowa resident at the time of the election.	30 when sworn in.	6 years	1,500; must collect signatures from at least 10 counties. [§45.1(1)]
U.S. Representative [U.S. Constitution, Art. 1, Sec. 2]	At least 7 years when sworn in.	Iowa resident at the time of the election.	25 when sworn in.	2 years	375 from the congressional district. [§45.1(2)]
<b>State Executive Office</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
Governor & Lieutenant Governor [Iowa Constitution, Art. IV, Sec. 6]	2 years at the time of the election.	Iowa resident for 2 years at the time of the election.	30 at the time of the election.	4 years	1,500; must run as a team; must collect signatures from at least 10 counties. [§45.1(1)]
Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture, Attorney General	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the general election. [§39.26]	18 at the time of the election. [§39.26]	4 years	1,500; must collect signatures from a least 10 counties [§45.1(1)]
<b>Iowa General Assembly</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
State Senator [Iowa Constitution, Art. III, Sec. 5]	Citizen when sworn in. [§39.26]	1 year in Iowa. 60 days in the district at the time of the election.	25 when sworn in.	4 years	100 from state senate district. [§45.1(3)]
State Representative [Iowa Constitution, Art. III, Sec. 3-4]	Citizen when sworn in. [§39.26]	1 year in Iowa. 60 days in the district at the time of the election.	21 when sworn in.	2 years	50 from state representative district. [§45.1(4)]
<b>County Offices</b>	<b>U.S. Citizenship</b>	<b>Residence</b>	<b>Age</b>	<b>Term</b>	<b>Signatures Needed</b>
County Supervisor	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter of the county/supervisor district when sworn in. [§39.26, 331.201]	18 at the time of the election. [§39.26]	4 years	Plan 1 and 2 Counties: At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less.  Plan 3 Counties: At least 150 or 1% of registered voters in the supervisor district as of July 1 of previous year, whichever is less. [§45.1(5-6), IAC 721—21.601(2)]
County Attorney Must be admitted to the practice of law in the courts of Iowa when sworn in. [§331.751(2)]	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter in the county when sworn in. [§39.26, 331.751(2)]	18 at the time of the election. [§39.26]	4 years	At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less. [§45.1(5)]
County Auditor, County Treasurer, County Recorder	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less. [§45.1(5)]
County Sheriff Must also meet the requirements in Iowa Code §331.651.	Citizen at the time of the election. [§39.26]	Iowa resident at time of election. Resident of the county when sworn in. [§39.26-27]	21 when sworn in. [§331.651(2)]	4 years	At least 250 or 1% of registered voters in the county as of July 1 of previous year, whichever is less. [§45.1(5)]

## Non-Partisan Office Candidate Qualifications

Non-Partisan Offices	U.S. Citizenship	Residence	Age	Term	Signatures Needed
Township Trustee	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Trustees must be registered voters of the township when sworn in. [§39.26, 359.17(1)]	18 at the time of the election. [§39.26]	4 years	No petition is required. [§39.22(2)(a)]
Township Clerk	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the township when sworn in. [§39.26-27]	18 at the time of the election. [§39.26]	4 years	No petition is required. [§39.22(2)(a)]
Soil & Water Conservation Board	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Cannot reside in the same township as any other board member. [§161A.5(2)]	18 at the time of the election. [§39.26]	4 years	25 from the conservation district. [§161A.5(3)(a)]
County Hospital Trustee	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the county when sworn in. [§39.26, 39.27, 347.9]	18 at the time of the election. [§39.26]	6 years	50 from the county. [§347.25]
County Agricultural Extension	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Registered voter of the district when sworn in. [§176A.5]	18 at the time of the election. [§39.26]	4 years	25 from the extension district. [§176A.8(3)]
City Offices	Citizen at the time of filing papers and at the time of the election. [§39.26, 376.4(1)(a)]	Resident of the city at time of filing papers. Resident of ward (if any) at time of filing papers and at time of election. [§376.4(1)]	18 at the time of filing papers and at time of election. [§39.26, 376.4(1)]	2 or 4 years	<p>Primary or Runoff Provision Cities: At least 10 or 2% of number of people who voted for the office at last regular city election. [§376.4]</p> <p>Chapter 45 Cities: For cities with a population of 3,500 or greater, at least 25 eligible electors of city or ward. [§45.1(8)(a)]</p> <p>For cities with a population between 100 and 3,499, at least 10 eligible electors of city or ward. [§45.1(8)(b)]</p> <p>For cities with a population of 99 or less, at least 5 eligible electors of city or ward. [§45.1(8)(c), 376.4]</p>
City Hospital Trustee	Citizen at the time of the election. [§39.26]	Iowa resident and resident of hospital service area at the time of the election. [§39.26, 39.27, 392.6(1)]	18 at the time of the election. [§39.26]	4 years	See requirements for regular city offices.
School Board Members	Citizen at the time of the election. [§277.27]	Resident of school district and director district (if any) at time of election. [§277.27]	18 at the time of election. [§277.27]	4 years	Between 10 and 50, depending on the number of registered voters in the district as of May 1. [§277.4, IAC 721—21.500]
Community College Board Members	Citizen at the time of the election. [§39.26]	Iowa resident at the time of the election. Resident of the director district when sworn in. [§39.26, 260C.11(1)]	18 at the time of election. [§39.26]	4 years	At least 50 signatures from director district. [§260C.15(2)]

## Candidate Filing Periods

Candidate filing periods are set by Iowa law. For regularly scheduled elections, filing periods always start on a Monday. Dates are determined by starting at election day, with election day being zero, and counting backwards. Include weekends and holidays when counting days.

**Important Note:** The filing officer's office must be open until 5 p.m. on the last day of the filing period.

Election Type	Candidate Filing Period	
<b>School Election</b> [§260C.15(3), 277.4]	Filing Period Begins:	64 days before the date of the regular school election.
	Filing Period Ends:	40 days before the date of the regular school election.
<b>City Primary Election</b> [§376.4(1)(a)]	Filing Period Begins:	85 days before the date of the regular city election.
	Filing Period Ends:	68 days before the date of the regular city election.
<b>Regular City &amp; City Runoff Elections</b> [§376.4(1)(a)]	Filing Period Begins:	71 days before the date of the regular city election.
	Filing Period Ends:	47 days before the date of the regular city election.
<b>Primary Election</b> State & Federal Offices [§43.11(2)]	Filing Period Begins:	99 days before the date of the primary election.
	Filing Period Ends:	81 days before the date of the primary election.
<b>Primary Election</b> County Offices [§43.11(1)]	Filing Period Begins:	92 days before the date of the primary election.
	Filing Period Ends:	69 days before the date of the primary election.
<b>General Election</b> State & Federal Offices [§43.78(2), 44.4(1), 45.4]	Filing Period Begins:	99 days before the date of the general election.
	Filing Period Ends:	81 days before the date of the general election.
<b>General Election</b> County Offices [§43.78(3), 44.4(1), 45.4]	Filing Period Begins:	92 days before the date of the general election.
	Filing Period Ends:	69 days before the date of the general election.

\*Refer to the election calendars for specific dates.

## Nomination Papers

### Overview

Nomination papers consist of an affidavit of candidacy and either a nomination petition or convention certificate. All candidates must file an affidavit of candidacy. Whether a candidate will file a nomination petition or a convention certificate will depend on which nomination method the candidate uses.

**Exception:** Nomination petitions or convention certificates are not required for township offices.  
[§39.22(2)(a)]

### Availability of Nomination Papers

Nomination papers are prescribed by the Secretary of State's (SOS) Office. Papers for all offices may be obtained on the SOS's website:

<http://sos.iowa.gov/elections/candidates/index.html>

Filing officers should provide copies of the papers and candidates' guides to anyone who asks for them. Candidates may request the papers by mail, email, or in person at the filing officer's office.

**Best Practice:** Provide at least one copy of the candidate's guide, affidavit of candidacy, nomination petition, and convention certificate to a candidate. Filing officers may charge for the cost of reproduction for additional copies.

### Public Information

Filing officers are not required to record the names of persons who have requested nomination papers. However, if the filing officer has recorded those names that information is considered public information.

Filed nomination papers are public records. They may be examined by anyone who wishes to see them. It is not necessary to record the names of persons who examine nomination papers.

**Important Note:** Because filed nomination papers must be available for public inspection during the filing period, city clerks and school secretaries must not deliver the papers to the county auditors before the end of the filing period.

[§44.15, 277.4, 376.4(5)]

### **Best Practices:**

Supervise persons who are examining the filed original nomination papers. A fee may be charged for the supervision. Do not permit anyone to remove nomination papers from the office. Do not allow anyone to alter nomination papers.

[§22.3, 43.16, 44.16, 44.15, 45.5(4)]

Photocopies of nomination papers may be purchased as well. Filing officers may charge a fee for the copies as long as the fee is the same for photocopies of other documents the officer may provide.

[§22.3]

## Preparing for the Filing Period

### **Know the Ballot Contents**

Be sure to know which offices and public measures must appear on the ballot for upcoming elections. This includes offices regularly scheduled to be on the ballot as well as any vacancies that must appear.

**Best Practice:** City clerks and school secretaries should communicate with the county auditor to determine which offices, including vacancies, and public measures must appear on the ballot.

### **Receipts, Logs, and Accounting**

#### **Best Practices:**

Use a log or accounting system to keep track of nomination papers as they are filed. A sample “Nomination Papers Log” is available in the Election Forms Library.

Issue a receipt to all persons who file nomination papers. A sample “Receipt for Nomination Papers” is available in the Election Forms Library.

Keep nomination papers in a secure location (e.g. a locked filing cabinet, the office safe) during the filing period.

## Receiving Nomination Papers

### Overview

There are several steps to the nomination paper filing process:

- Receipt by the filing officer (i.e. transfer of custody of the nomination papers),
- Review by the filing officer, and
- Acceptance or rejection by the filing officer.

The affidavit of candidacy must be filed at the same time as the nomination petitions or convention certificate. If only one part is filed, it must be rejected.

[§43.19, 43.88, 161A.5(3)(b), 260C.15(2) 277.4(2)(b), 376.4(2)(b)]

### Receiving Nomination Papers In-Person

1. Be sure all the petition pages or convention documents are fastened together. If the papers are not bound, ask the candidate to bind them or bind them in the filer's presence.
2. Be sure the correct forms are being filed. Each candidate must file an affidavit of candidacy (no exceptions). Each candidate must also file nomination petitions or convention certificates.

**Exception:** Petitions or convention certificates are not required for township offices.

[§39.22(2)(a)]

3. Review the affidavit of candidacy for blank fields. If required information is missing, ask the candidate to complete a new affidavit of candidacy. To determine what information is required, see the "Reviewing the Affidavit of Candidacy" section in this guide.

**Important Note:** Once notarized, an affidavit cannot be altered. A new affidavit must be completed by the candidate.

4. Ask any questions about the nomination papers while the filer is still in the office.

**Best Practice:** Ask who to contact if there are any questions regarding the filing.

5. Complete the nomination paper log and a receipt. Make a copy of the receipt. Give the original receipt to the filer and attach the copy to the nomination papers. Time-stamp the affidavit and the first page of the petition or certificate to note the time the papers were received.

**Important Note:** Do not "File" stamp the nomination papers until they have been reviewed and accepted.

## **Receiving Nomination Papers in the Mail**

1. Be sure all the petition pages or convention documents are fastened together.

If the papers are not bound, bind them.

2. Be sure the correct forms are being filed.

Each candidate must file an affidavit of candidacy (no exceptions). Each candidate must also file nomination petitions or convention certificates.

**Exception:** Nomination petitions or convention certificates are not required for township offices.

[§39.22(2)(a)]

3. Complete the nomination paper log and a receipt. Attach the receipt to the nomination papers. Time-stamp the affidavit and the first page of the petition or certificate to note the time the papers were received.

**Important Note:** Do not “File” stamp the nomination papers until they have been reviewed and accepted.

## **Faxed Affidavits**

Candidates may fax a notarized affidavit of candidacy to the filing officer if necessary.

If a candidate chooses to do so:

- The faxed copy must arrive before the filing deadline.
- The candidate must also mail the original, notarized affidavit of candidacy to the filing officer.

The affidavit must be postmarked before the filing deadline to be considered on time.

- The filing officer must receive the original affidavit no later than seven days after the filing deadline, regardless of when it was postmarked.

If the original affidavit of candidacy arrives late or is postmarked after the deadline, the nomination papers are void.

Nomination petitions and convention certificates cannot be faxed and must be filed before the filing deadline even if the affidavit of candidacy was faxed.

**Best Practice:** If a candidate needs to fax an affidavit, the candidate should contact the filing officer prior to faxing the document to discuss filing the rest of the nomination papers.

[IAC 721—21.2(3)]

## Reviewing Nomination Papers

### Overview

Nomination papers must be reviewed to ensure they are legally sufficient and can be accepted for filing.

[§44.15, 45.4, 277.4(3), 376.4(4)]

**Important Note:** Clerks and secretaries make the determination to accept or reject nomination papers and must review them once received from candidates. Auditors do not review nomination papers received by city clerks and school secretaries.

**Best Practice:** Work with only one set of nomination papers at a time. A “Checklist for Reviewing Nomination Papers” is available in the Election Forms Library.

### Accepted on Their Face

The *Iowa Code* states that nomination papers must be “accepted on their face” when they appear to be legally sufficient.

[§44.15, 45.4, 277.4(3), 376.4(4)]

This means that filing officers must inspect nomination papers to ensure they are legally sufficient and the required information is included. While doing so, the information presented on the papers must be accepted on its face. This does not mean nomination papers should not be examined.

### **Example:**

In Humboldt City, the office of mayor is on the ballot. Wayne Butler files nomination papers as a candidate for mayor and lists his address on his affidavit of candidacy as: 45 Main Street, Humboldt City. The city clerk knows everyone in Humboldt City, but she has never heard of Wayne Butler. The city clerk also knows there is a Main Street in town, but she thinks someone else lives at that address.

**Q:** Should the clerk get out the Humboldt City phone book to check Mr. Butler’s address?

**A:** No.

The clerk must accept Mr. Butler’s address on its face. Filing officers should assume the candidate is qualified, unless an objection is filed and the objection hearing proves otherwise.

## **Noting Deficiencies**

Filing officers must mark any deficiencies found on nomination papers.

**Best Practice:** Use a highlighter to mark these deficiencies so the nomination papers cannot be altered and resubmitted.

[§43.14(3), 45.5(4)]

### **Example:**

When a candidate turns in a nomination petition with petition headers that do not contain the name of the office the candidate is seeking, no signatures on those pages can be counted. The blank “Office Sought” field in the header should be highlighted before the rejected papers are returned to the candidate.

## **Reviewing the Affidavit of Candidacy**

All candidates must complete and file an affidavit of candidacy.

**Important Note:** For the general election, candidates for president and vice president as well as for governor and lieutenant governor file as a team. However, each candidate must file an affidavit of candidacy.

[§45.1(7), 45.3]

### **Affidavit Elements**

The affidavit should include the following information:

- **Candidate's Name**

- Highlight this field if left blank.

The candidate's name must be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

The phonetic spelling of the candidate's name is suggested information. This is helpful for producing audio ballots for voters who are visually impaired. The candidate should be as clear as possible (e.g. Eisenhower = "EYES-in-how-er").

- **Office Sought and District or Ward (if any)**

- Highlight these fields if left blank.

The name of the office and the congressional, state senate, state representative, supervisor district, city ward or other district (if any) that the candidate is running for must be included.

- **Vacancy Information**

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

- Highlight this field if left blank and it was required.

Candidates should contact the filing officer if they are unsure whether they are running to fill a vacancy.

- Type and Date of Election

- Highlight these fields if left blank.

- Candidate's Affiliation

This is a required field for partisan offices. Candidates for the primary election, candidates nominated by political party conventions, and candidates nominated by NPPOs must provide their party or NPPO affiliation. The name of a NPPO cannot be more than five words and no part or version of the words Democratic or Republican may be used as part of the NPPO's name.

- Highlight this field if left blank and it was required.

**Important Note about "Independent" Candidates:**

The term "independent" is used by candidates and the general public to refer to candidates who are not running under any party or NPPO's ticket. In Iowa, if a candidate writes the word "Independent" on nomination papers, that candidate is indicating membership in the "Independent" NPPO and will be listed on the ballot that way. If a candidate intends to run without any party or NPPO affiliation, the box next to "Not affiliated with any organization" on the nomination petition and affidavit of candidacy should be checked. "Nominated by Petition" will appear on the ballot after the candidate's name.

- Candidate's Home Address

- Highlight this field if left blank.

Candidates must provide their house number, street name, city, and county of residence. Mailing address, phone, and email are optional but do assist the filing officer and the public in contacting the candidate.

- Candidate's Affirmation, Signature, and Notarization

- Highlight if the notarization is left blank or is deficient in some way.

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit, and the notarial officer will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

There are two ways an affidavit can be notarized: by a commissioned notary public or by a person who is allowed by law to witness signatures because of the person's position.

In the case of affidavits of candidacy, the county auditor and the city clerk may witness signatures. School secretaries are not given this authority by the *Iowa Code*. School secretaries can notarize documents only if they are also commissioned notary publics.

### **Notarized by a Commissioned Notary Public**

The notary must complete the verification on the bottom of the affidavit which includes the following:

1. The state the notary is commissioned by (an Iowa notary is not required),
2. The name of the county in which the notarization is taking place,
3. The date of the notarization,
4. The printed name of the candidate, and
5. The seal, signature, and commission expiration date of the notary.

### **Notarized by a City Clerk or County Auditor who is not a Commissioned Notary Public**

If the auditor or clerk is not a commissioned notary public, the auditor or clerk may notarize the affidavit. When notarizing the affidavit, the auditor or clerk must include all of the following in the space for notarization on the document:

1. The auditor's or clerk's signature
2. The title " \_\_\_\_ County Auditor" or " \_\_\_\_ City Clerk," as appropriate.

[§9B.10, 39.22(2)(a) 43.14(4), 44.3(2), 45.5(5), 161A.5(3)(b), 260C.15(2), 277.4(2)(b), 376.4(2)(b)]

### **Rejecting Affidavits**

Affidavits missing the information listed below must be rejected:

- Candidate's name,
- Office sought and district (if any),
- Party affiliation (if filing for a partisan office),
- Candidate's signature, or
- Signature of notary public.

[§43.14(4), 44.3(2), 45.3, 45.5(5)]

## **Reviewing Nomination Petitions**

There are four types of nomination petition forms prescribed by the SOS:

1. Nomination Petition for Primary Election,
2. Nomination Petition for Partisan Office,
3. Nomination Petition for Non-Partisan Office, and
4. Nomination Petition for Community College Trustee.

The nomination petitions are available in the Election Forms Library and in the “Candidates” section on the SOS’s website.

Candidates must file their nomination petitions at the same time the affidavit of candidacy is filed. Be sure the minimum number of signatures has been filed. See the Candidate Qualifications charts for signature requirements.

### **Petition Header Elements**

The petition header should be completed by the candidate before anyone signs the petition.

**Best Practice:** Advise candidates to complete the header on one petition page and make copies of that page so all petition page headings are identical.

The information listed below must appear on each petition header for all offices. Signatures cannot be counted on petition pages missing the following information:

- **Candidate’s Name**

- Highlight this field if left blank.

The candidate’s name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

**Important Note:** For the general election, candidates for president and vice president file as a team. Both candidates must be named on the same petition.

For the general election, governor and lieutenant governor candidates affiliated with a NPPO or without any NPPO or party affiliation file as a team. Both candidates must be named on the same petition.

For the primary election, candidates for governor are listed independently on the nomination petition. The Democratic and Republican candidates for lieutenant governor are nominated by the state political party conventions and must file an affidavit of candidacy before the general election candidate filing period deadline.

[§43.123, 45.1(7)]

- Office Sought

- Highlight this field if left blank.

- Office District or Ward (if any)

- Highlight this field if left blank.

The candidate must provide the district number or ward (if any). Signatures on petition pages that do not provide the applicable district number (when required) cannot be counted.

- Type and Date of Election

- Highlight these fields if left blank.

- Signers' and Candidate's Affirmation of Residence

The following statement must appear on each petition page:

*"We, the undersigned eligible electors of the appropriate county, supervisor, legislative district, city, school district, or school or community college director district in the state of Iowa, hereby make the nomination outlined above. If the candidate named above accepts the nomination, we believe the candidate is or will be a resident of the appropriate county, supervisor, legislative district, city, school district, or school or community college director district within the time frame required by law (60 days prior to the general election for state senate and state house candidates)."*

- Make note on the petition page if this statement is missing.

- Candidate's County of Residence

Primary Election: The candidate's county of residence must be indicated for all offices except for state senator and state representative. Highlight this field if left blank.

Petition headers for state senator and state representative candidates must also include a statement that the candidate will be a resident of the legislative district at least 60 days before the general election. Make note on the petition page if this statement is missing.

All Other Elections: Candidates do not need to provide.

- Candidate's Affiliation

Partisan Offices: Democratic, Republican, "Not affiliated with any organization" or "Name of Non-Party Political Organization" must be marked. The name of a NPPO cannot be more than five words and no part of version of the words Democratic or Republican may be used as part of the NPPO's name. Highlight this field if left blank.

All Other Offices: Candidates do not need to provide.

The following information should also appear on each petition header for all offices:

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

- Highlight this field if left blank and it was required.

Candidates should contact the filing officer if they are unsure whether they are running to fill a vacancy.

- Signers' County of Residence

This is only required on petitions for U.S. senate, U.S. representative, and statewide candidates. Petition pages should only include signatures from one county for these offices.

- Highlight this field if it was left blank and it was required.

[§45.5, 45.6]

## Rejecting Petition Pages

All signatures on petition pages missing the required information cannot be counted.

[§43.14(1), 43.14(2), 45.5(1), 45.5(2)]

## Signature Line Elements

All signers must include the following information:

- Signature of Eligible Elector

- Highlight this field if left blank.

Signatures do not have to be legible and may include printed names.

- Address of Eligible Elector

- Highlight this field if left blank or if the address is obviously outside the applicable district.

This must include a house number, street name, and city. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

Signers may abbreviate the name of a city if it is clear which city the abbreviation stands for.

[§43.14(2), 43.15(2), 45.5(2), 45.6(2), 260C.15(2), 277.4(2)(b), 376.4(2)(a)]

**Important Note:** Petitions signers for community college director candidates must also include the school district in which they reside.

[§260C.15(2)]

## Ditto Marks

Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

## Rejecting Signature Lines

Signature lines missing the signature or complete address or containing an address obviously outside the district cannot be counted.

If the petitions do not contain the minimum number of required signatures, the nomination papers must be rejected.

[§43.14(2), 43.15(2), 45.5(2), 45.6(2)]

## **Qualifications of Petition Signers**

Petition signers must be eligible electors from the jurisdiction and district or ward (if applicable).

### School Districts with Director Districts

In school districts where directors are voted on only by the residents of the director district, petition signers must live in the director district.

In school districts where directors must reside in a specific director district but are voted upon by the entire school district, petition signers may live anywhere in the school district.

[§277.4(2)(a)]

### Cities with Wards

In cities where council members are voted on only by residents of the ward, petitions signers must live in the ward.

In cities where council members represent a ward but are voted on upon by the entire city, petition signers may live anywhere in the city.

[§45.1(8), 376.4(1)(a)]

### Supervisor Plan 2 Counties

Petition signers may live anywhere in the county.

[§43.20(1)(d)]

### Supervisor Plan 3 Counties

Petition signers must live in the supervisor district.

[§43.15(3), 45.1(5), 45.1(6)]

## **Collecting Signatures**

Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

Candidates may sign their own petitions assuming they are eligible electors of the jurisdiction and district or ward.

There is no limit on the number of nomination petitions for different candidates that one eligible elector may sign.

[§43.15(1), 45.6(1), 277.4(2)(b), 376.4(2)(a)]

## **Reviewing NPPO Convention Certificates**

NPPOs can hold conventions to nominate one candidate for each partisan office for the general election as well nominate candidates for offices in Chapter 44 cities. Candidates nominated at a convention must file an affidavit of candidacy and NPPO convention certificate.

### **Convention Attendance Requirements**

Minimum requirements for attendance at nominating conventions are established by law. If the minimum attendance requirements are not met, the nominations made at the convention cannot be included on the ballot. Eligible electors may attend more than one nomination convention.

<b>Office</b>	<b>Minimum Attendance</b>	<b>Number of counties or precincts that must be represented by at least one eligible elector</b>
U.S. Senator, President & Vice President, Governor & Lt. Governor, and Statewide Offices	250 eligible electors	25 counties
U.S. Representative	50 eligible electors	½ of counties in district
State Senator	20 eligible electors	½ of precincts in district
State Representative	10 eligible electors	½ of precincts in district
County Offices	10 eligible electors	½ of precincts in county
Chap. 44 City Offices	10 eligible electors	½ precincts in city

[§44.1]

## **NPPO Convention Certificate Elements**

The convention certificate must include the following information:

- Name of NPPO

- Highlight this field if left blank.

The name of a NPPO cannot be more than five words and no part or version of the word Democratic or Republican may be used as part of the NPPO's name.

- Name of Each Candidate Nominated

- Highlight this field if left blank.

- Office(s) Sought and District or Ward (if any)

- Highlight these fields if left blank.

The name of the office and the congressional, state senate, state representative, supervisor district, ward or other district (if any) that the candidate is running for must be included.

- Home Address of Each Candidate

- Highlight this field if left blank.

Candidates must provide their house number and street name.

- Names and Addresses of NPPO's Executive or Central Committee Members

- Highlight these fields if left blank.

- Method for Filling Ballot Vacancies

NPPOs may specify the organization's provisions (if any) for filling vacancies in nominations. If it wishes to make a substitution for a ballot vacancy, the NPPO must file these provisions.

- Affidavit and Addresses of Chairperson and Secretary

- Highlight these fields if left blank.

The chairperson and secretary of the convention must sign the certification of nomination from the convention. They must also include their places of residence.

- Name and Address of Each Delegate in Attendance at Convention

- Highlight these fields if left blank.

[§44.1, 44.2, 44.3]

The convention certificate should also include the following information:

- Date of Convention
- Type and Date of Election
- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The “yes” box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Candidates should contact the filing officer if they are unsure whether they are running to fill a vacancy.

When more than one candidate has been nominated at the same convention, those nominations may be added to the certificate by including the required information and using a separate sheet of paper.

## Reviewing Political Party Convention Certificates

Political parties may hold nomination conventions to nominate candidates to fill vacancies for special elections held under §69.14 and §69.14A. Also, prior to the general election candidate filing deadline, political parties may hold nomination conventions to fill ballot vacancies caused by:

- No candidate being nominated at the primary election, or
- An inconclusive primary election (no one received 35% of total votes cast), or
- A primary election winner’s withdrawal, death, or failure to qualify (i.e. failure to file an affidavit when nominated by write-in votes).

[§43.77, 43.78]

**Important Note:** The *Iowa Code* does not provide a “start date” for filing nomination papers from political party conventions held after the primary election to fill general election ballot vacancies. The nomination papers must be filed by the general election candidate filing deadline but may be filed anytime after the primary election is certified by the county or state board of canvassers.

## Convention Attendance Requirements

Office	Convention Convened By:	Convention Attendees
U.S. Senator	State Party Chairperson	Party’s state convention
U.S. Representative	State Party Chairperson	Party’s congressional district convention
Governor, Lt. Governor	State Party Chairperson	Party’s state convention
Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture, Attorney General	State Party Chairperson	Party’s state convention <b>Exception:</b> Instead of holding a state convention, the party’s state central committee may fill vacancies.
State Senate, State House	State Party Chairperson	Party precinct committee members whose precincts lie within the district
County Auditor, Treasurer, Recorder, Attorney, Sheriff, Board of Supervisors (at-large)	County Party Chairperson	Party’s county convention
County Board of Supervisors (by district)	County Party Chairperson	Delegates to the party’s county convention who represent the precincts lying within the district

[§43.78(1)]

## Political Party Convention Certificate Elements

The convention certificate for political party nominations must include the following information:

- Candidate's Name

- Highlight this field if left blank.

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- Candidate's Home Address and Mailing Address (if different)

- Highlight this field if left blank.

Candidates must provide their house number and street name.

- Office Sought and District or Ward (if any)

- Highlight these fields if left blank.

The name of the office and the congressional, state senate, state representative, or supervisor district (if any) that the candidate is running for must be included.

- Name of Political Party

- Highlight this field if left blank.

Either Democratic or Republican must be included.

- Signatures of Convention Chairperson and Secretary

- Highlight these fields if left blank.

The chairperson and secretary of the convention must sign the certification of nomination from the convention.

[§43.88]

The convention certificate should also include the following information:

- Date of Convention

- Type and Date of Election

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The “yes” box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

## **Certificate of Presidential Electors**

Along with nomination papers, candidates for president and vice president must file a certificate of presidential electors. The electors must include one person from each of Iowa's four congressional districts and two from the state at-large.

The certificate must include:

- The candidates' names for president and vice president,
- The name of political party or NPPO, and
- The names and addresses of six presidential electors.

[§44.3(1)(e), 45.1(7)(a), 54.1, 54.5]

## Accepting or Rejecting Nomination Papers

### Overview

Nomination papers are filed or rejected as a whole. If the affidavit is rejected, accompanying nomination petitions or convention certificates are also rejected.

[§43.19, 43.88, 161A.5(3)(b), 260C.15(2) 277.4(2)(b), 376.4(2)(b)]

### Accepting Papers

If nomination papers meet all of the legal requirements, accept them for filing:

1. Stamp the papers “filed.”

Stamp the affidavit of candidacy and the first page of the nomination petitions or convention certificate.

[§43.12, 277.4(3), 376.4(4)]

2. Photocopy the affidavit and store the original nomination papers in a secure place in the office.

**Best Practice:** Keep copies of all the affidavits in an easily accessible location in the office for quick reference. Use a log or accounting system to keep track of the nomination papers in your possession. A “Nomination Paper Log” is available in the Election Forms Library.

3. Inform the candidate the nomination papers were successfully filed.

**Best Practice:** Phone the candidate if a phone number was provided. Also provide the candidate with a letter stating the papers submitted appear to meet the basic requirements for filing and the candidate’s name will appear on the ballot at the election. Give the candidate a file-stamped copy of the affidavit with the letter.

Make a copy of the letter sent to the candidate and keep it with the copies of the affidavits and receipts.

### Rejecting Papers

If the papers do not meet all of the legal requirements, they must be rejected. Return the papers to the candidate with a letter stating they do not meet the requirements for filing. In the letter, list the defects found in the papers. If appropriate, explain that the papers may be corrected and re-filed before the filing deadline.

[§43.14(3), 45.5(4), 376.4(4)]

**Best Practice:** When nomination papers that were sent through the mail have been rejected, contact the candidate by telephone or email to see if the candidate would rather pick up the nomination papers instead of having them returned by mail.

## Special Circumstances Affecting Nominations

### Objections to Nomination Papers

Any person qualified to vote for an office may file a written objection to a candidate's nomination papers. The objection may call into question the legal sufficiency of the nomination papers or the eligibility of the candidate.

<b>Election Type</b>	<b>Objection Deadline</b>	<b>Objection Filed With</b>	<b>Code Cite</b>
<b>School Election</b> School Board Members	35 days before the school election	School Secretary	§277.5
<b>School Election</b> Community College Directors	35 days before the school election	Community College Board Secretary	§260C.15(4)(b)
<b>City Primary Election</b>	By 5 p.m. 63 days before the regular city election	City Clerk	§44.4(2), 376.4(6)
<b>Regular City Election</b> including Cities with Runoffs	By 5 p.m. 42 days before the regular city election	City Clerk	§44.4(2), 376.4(6)
<b>Primary Election</b> State & Federal Offices	74 days before the primary election	Secretary of State	§43.24(1)(b)(1)
<b>Primary Election</b> County Offices	64 days before the primary election	County Auditor	§43.24(1)(b)(2)
<b>General Election</b> State & Federal Offices	5 p.m. on 74 days before the general election	Secretary of State	§44.4(2)
<b>General Election</b> County Offices	5 p.m. on 64 days before the general election	County Auditor	§44.4(2)
<b>Special Elections</b> All Offices	See Special Election and Vacancies chapters or call the auditor or SOS	See Special Election and Vacancies chapters or call the auditor or SOS	

**Important Note:** The objection hearing is open to the public. Notice of the time and place of the meeting and an agenda must be published at least 24 hours before the time set for the meeting.  
[§21.4]

## Objections to County Political Party Candidates

### 1. Objection Filed

- All objections must be in writing.
- Objections must state a specific reason why the objection is being filed (e.g. candidate is not old enough to hold the office or there are not enough signatures on the petition).
- Objections to signatures must also be specific (e.g. signature #8 on page 10 contains an address outside of the applicable district).
- All objections must be filed with the filing officer for the election.
- All objections must be filed on or before the objection deadline.

[§43.24, 44.4(2), 45.4]

### 2. Notice to the Candidate

The auditor must notify the candidate by certified mail within 72 hours when an objection is filed. The notice must:

- Be sent to the address on the candidate's affidavit of candidacy,
- State that objections have been made,
- State the nature of the objections, and
- State the time and place of the objection hearing.

[§43.24(2)(a)]

### 3. The Hearing

The chairperson of the board of supervisors appoints three elected county officials to consider the objection. No one whose eligibility is in question may serve on the objection panel. If the chairperson's eligibility is in question, the county auditor appoints the objection board members. A majority vote of the objection panel decides the issue.

[§43.24(3)(b)]

## **Objections to NPPO or Unaffiliated Candidates**

### 1. Objection Filed

- All objections must be in writing.
- Objections must state a specific reason why the objection is being filed (e.g. candidate is not old enough to hold the office or there are not enough signatures on the petition).
- Objections to signatures must also be specific (e.g. signature #8 on page 10 contains an address outside of the applicable district).
- All objections must be filed with the filing officer for the election.
- All objections must be filed on or before the objection deadline.

[§44.4(2)(a), 45.4]

### 2. Notice to the Candidate

The filing officer (i.e. city clerk for city candidates, school secretary for school board candidates, county auditor for county candidates) must notify the candidate right away. The notice must:

- Be sent to the address on the candidate's affidavit of candidacy or certificate of nomination,
- State that objections have been made, and
- State the time and place of the objection hearing.

[§44.5, 277.5]

### 3. The Hearing

#### **County Offices**

The hearing must be held no later than one week after the objection is filed. The county auditor, county treasurer and county attorney consider the objections, unless the objection is to the nomination of one or more of those officers. The chairperson of the board of supervisors, the county sheriff and the county recorder, respectively, must substitute for ineligible officers. A majority decision is final.

[§44.5, 44.7]

#### **City Offices**

In cities where a city primary election will not be held, the hearing must occur no later than one week after the day the objection was filed.

If a city primary election must be held, the hearing must be held within 24 hours after the objection is filed. The first two members of the objection panel are the mayor and city clerk. The third member must be chosen by the city council members by ballot. No one whose eligibility is in question may serve on the objection panel. A majority decision is final.

[§44.5, 44.8]

### **School Offices**

The hearing must be held within two days after the objection is filed. The first two members of the objection panel are the school board president and school secretary. The third member must be chosen by the school board directors by ballot. No one whose eligibility is in question may serve on the objection panel.

[§277.5]

## Candidate Withdrawals

To withdraw, candidates must file a written notice with the appropriate filing officer by the withdrawal deadline.

<b>Election Type</b>	<b>Withdrawal Deadline</b>	<b>Withdrawal Filed With</b>	<b>Code Cite</b>
<b>School Election</b> School Board Members	By 5 p.m. 35 days before the school election	School Secretary	§44.9(3), 277.4(4)
<b>School Election</b> Community College Directors	Not specifically referenced in the <i>Iowa Code</i> . Consult with legal counsel if a withdrawal is submitted.		
<b>City Primary Election</b>	63 days before the regular city election	City Clerk	§44.9(6), 376.4(6)
<b>Regular City Election</b> including Cities with Runoffs	42 days before the regular city election	City Clerk	§44.9(6)
<b>Primary Election</b> State & Federal Offices	76 days before the primary election	Secretary of State	§43.16
<b>Primary Election</b> County Offices	67 days before the primary election	County Auditor	§43.16
<b>General Election</b> State & Federal Offices	<u>Candidates Nominated at Primary:</u> 89 days before the general election  <u>NPPO and Nominated by Petition Candidates:</u> 74 days before the general election	Secretary of State	§43.76(1), 44.9(1)
<b>General Election</b> County Offices	<u>Candidates Nominated at Primary:</u> 74 days before the general election  <u>NPPO and Nominated by Petition Candidates:</u> 64 days before the general election	County Auditor	§43.76(2), 44.9(2)
<b>Special Elections</b> All Offices	See Special Elections and Vacancies chapters or call the auditor or SOS	See Special Elections and Vacancies chapters or call the auditor or SOS	

**Important Note:** There are no withdrawal provisions for candidates nominated at city primary elections or at a regular city election when a runoff election is required.

### **Running for More than One Office Prohibited**

If a candidate files nomination papers for more than one office on the ballot, the candidate must file an affidavit on or before the candidate filing deadline declaring for which office the candidate wants to run. If the affidavit is not filed, the candidate's name cannot appear on the ballot for any of the offices for which the person filed nomination papers.

**Exception:** This prohibition against seeking more than one office does not apply to:

- County agricultural extension council members, or
- Soil and water conservation district commissioners.

[§39.11, 49.41]

### **Holding More than One Office**

Statewide elected officials, state senators, and state representatives cannot hold more than one elective office at a time.

All other elected officials cannot hold more than one elective office at the same level of government at a time. For example, a person could serve on the school board and county board of supervisors, but a person could not serve on the county board of supervisors and serve as county auditor.

**Exception:** This prohibition against holding more than one office does not apply to:

- County agricultural extension council members, or
- Soil and water conservation district commissioners.

[§39.11]

### **Dual Affiliation Nominations Prohibited**

A person cannot run for an office as a candidate of more than one political party or NPPO.

If two or more political parties or NPPOs nominate the same person for the same office, the nominee must designate with which party or NPPO the nominee wants to be listed on the ballot. This designation must be filed with the appropriate filing officer.

If the nominee does not file this designation, the name will appear on the ballot with the name of the political party or NPPO that filed the earliest set of nomination papers.

[§49.38, 49.39, 49.40]

### **NPPO Candidate Substitutions**

Only NPPOs may make ballot substitutions. To make a substitution, a NPPO must file the following information with the appropriate filing officer by the candidate filing deadline:

- The names and addresses of the organization's central committee members, chairperson, and secretary (required on convention certificates), and
- A description of the method the NPPO will follow to fill any vacancies resulting from the death, withdrawal, or disqualification of any of its candidates.

This information can be filed with the convention certificate or as a separate document at the time the candidate's nomination petitions are filed.

If this information is not filed, the NPPO may not make a substitution later.

[§44.3(g), 44.11, 44.17]

### **School District and City Employees as Candidates**

There is nothing in the election statutes of the *Iowa Code* that would prohibit school district and city employees from running as candidates and appearing on the ballot. However, there may be other provisions in the *Iowa Code* that would prevent them from serving the school district or city in both capacities. To determine whether other *Code* sections would prevent the person from taking office if elected, seek private legal counsel.

### **Candidate Relationships**

There is no *Iowa Code* provision prohibiting a husband and wife or parent and child serving as elected officials for the same jurisdiction.

## Public Measures

### Overview

“Public measure” means any question authorized or required by Iowa law to be submitted to the voters at an election. Public measures may appear on ballots at most regularly scheduled elections or at special elections.

**Exception:** Public measures cannot appear on the ballot at primary elections, city primary elections, and city runoff elections.

[§39.2(1), 47.6(1)(a)(1)(b)]

The governing body calling for the measure to be placed on the ballot must submit a copy of the motion, order, or other official action to the county auditor. Even if a petition requesting a special election is received, the governing body must take action on the petition to formally call for the special election. The governing body should consult with its legal counsel and the authorizing *Iowa Code* section to determine what type of official action is required.

### Notice of Election Required

#### Regularly Scheduled Elections

##### County Public Measures

The text of the public measure and the motion, order or other official action calling for the measure to be placed on the ballot must be filed with the county auditor by 5 p.m. on the last day of the candidate filing period.

[§47.6(a)(1)]

##### School and City Public Measures

The text of the public measure and the motion, order or other official action calling for the measure to be placed on the ballot must be filed with the county auditor by 5 p.m. on the day after the candidate filing deadline.

[§47.6(1)(a)(1)]

#### Special Elections

For most special elections for public measures, at least 46 days notice to the county auditor is required. See the authorizing *Iowa Code* section and consult with legal counsel to determine how much notice is required.

The text of the public measure, proposed date of the special election, and the motion, order or other official action calling for the special election must be filed with the appropriate filing officer.

[§47.6(1)(a)(1)]

### **Withdrawing Requests for Public Measure Special Elections**

Public measures cannot be withdrawn from the ballot if the measure was called by a petition or if a special election was called to decide a public measure for a single political subdivision. This includes changing the requested date of the election once the request has been submitted to the auditor.

The public measure may be withdrawn if the measure was placed on the ballot by the governing board for a regularly scheduled election. Notice of the withdrawal must be by resolution of the governing body and filed with the county auditor by the candidate withdrawal deadline.

[§47.6(1)(b)]

## Standards for Reviewing Special Election Petitions

Every time a petition requesting a special election is received:

1. Make sure the petition is legally allowed to be filed in the office.

Check the *Iowa Code* section on the petition form (if the petitioners have listed one). Direct the petitioners to the correct filing officer (board of supervisors, county auditor, city clerk, school secretary, etc.) if the petition was not filed in the appropriate office.

- Most county petitions must be filed with the board of supervisors.

Some county petitions must be filed with the auditor if the *Iowa Code* section authorizing the special election specifically indicates that.

- Most city petitions must be filed with the city clerk.
- Most school district petitions must be filed with the school secretary.

2. Make sure the petition was filed by the deadline for doing so:

- **County petitions pursuant to §331.306:**

If the petition is requesting a public measure to be placed on the general election ballot, the petition must be filed with the board of supervisors at least 82 days before the date of the election.

- **School district petitions pursuant to §278.2:**

If the petition is requesting a public measure to be placed on the regular school election ballot, the petition must be filed with the school secretary at least 75 days before the date of the election.

- **Petitions filed under the authority of other Code sections:**

Check the authorizing *Iowa Code* section and consult with your legal counsel.

3. In all cases, petitions are accepted if they appear to be valid “on their face.” This means that filing officers must inspect the petitions to ensure they are legally sufficient and the required information is included. While doing so, the information presented on the petitions must be accepted on its face. This does not mean the petitions should not be examined.

[§277.7, 331.306, 362.4]

4. Unless the *Iowa Code* section authorizing the petition contains different requirements, in order to count signatures on a special election petition, the signers must have included:

- Their signatures,

- Their statements of place of residence, and
- Date of signing.

[§278.2, 331.306, 362.4]

5. Requirements for the number of signatures vary depending on the jurisdiction:

- **County petitions pursuant to §331.306:**

Petitions must contain signatures of eligible electors of the county equal to at least 10% of the votes cast in the county for president or governor at the last general election.

[§331.306]

- **City petitions pursuant to §362.4:**

Petitions must contain signatures of eligible electors of the city equal to at least 10% of the people who voted at the last regular city election, but not less than 10.

[§362.4]

- **School district petitions pursuant to §278.2:**

Petitions must contain signatures of at least 100 eligible electors or a number equal to 30% of the people who voted at the last regular school election, whichever is greater.

[§278.2]

- **Petitions filed under the authority of other Code sections:**

Check the authorizing *Iowa Code* section and consult with your legal counsel.

6. If the petition lacks the required number of signatures or is invalid in any other way, reject the petition and return it to the filer(s).

[§277.7, 331.306, 362.4]

7. Written objections to petitions must be filed within 5 working days after the petition is filed.

The filing officer for objections and the laws regarding filed objections vary depending on the jurisdiction:

- Objections to §331.306 county petitions must be filed with the auditor. The process outlined in §44.7 is followed when acting on written objections.

[§331.306]

- Objections to §362.4 city petitions must be filed with the city clerk. The process outlined in §44.8 is followed when acting on written objections.

[§362.4]

- Objections to §278.2 school district petitions must be filed with the school secretary. The process outlined in §277.5 is followed when acting on written objections.

[§277.7]

## Filing Officers' Frequently Asked Questions

### 1. Who may file nomination papers?

Anyone may file completed nomination papers on behalf of another person. Candidates do not need to appear in person to file their own papers.

### 2. May citizens sign more than one set of nomination papers or attend more than one nomination convention?

Yes, assuming they are eligible electors for the office for which the candidate is being nominated.

### 3. May candidates sign their own nomination papers or attend their own nomination convention?

Yes, assuming they are eligible electors for the office for which the candidate is being nominated.

### 4. How many "Nominated by Petition" candidates are allowed for each race?

There is no limit on the number of candidates who may be "Nominated by Petition" for any race.

### 5. May non-partisan candidates run for partisan offices?

Yes. Candidates who wish to seek partisan office on a non-partisan basis may circulate nomination petitions stating that the candidate will be "Nominated by Petition." The words "Nominated by Petition" will accompany the candidate's name on the ballot. These candidates should file papers during the general election filing period or during the special election filing period.

### 6. The objection deadline has passed and I think a candidate who filed nomination papers in my office is not qualified to hold the office. What do I do?

Nothing. Nomination papers must be accepted on their face. If no objection was filed, no further investigation on the part of the filing officer is allowed by law.

### 7. After nomination papers have been accepted for filing, may they be returned to the candidate?

No. Nomination papers that have been accepted for filing may not be returned to the candidate or anyone else for any reason (even if the candidate withdraws). Nomination

papers are “election materials” after they are accepted and filed and are subject to document retention pursuant to §50.19.

Only nomination papers that have been rejected may be returned to the filer.

[§43.14(3), 43.16, 44.16]

**8. May school secretaries and city clerks deliver nomination petitions to the auditor before the day after the candidate filing deadline?**

No, papers cannot be delivered early. See *Iowa Code* sections §277.4 and §376.4. Nomination papers must be made available for public inspection at the filing officer’s office during the filing period. Papers cannot be available as provided by law if they are delivered to the auditor early.

**9. If someone is planning to run a write-in campaign, what do they need to do?**

Nothing. In Iowa, write-in candidates do not need to file nomination papers or declarations of intent to be write-in candidates.

## Additional Resources

### 1. County Auditor's Office

Contact your local county auditor's office with questions. You can find contact information for county auditors at the following website:

<http://sos.iowa.gov/elections/auditors/auditorslist.html>

### 2. County, City, or School District Attorney

If you are unsure of the answer to a question, the best place to go for advice is your attorney.

### 3. Secretary of State's Office

The SOS Office is open Monday through Friday from 8:00 a.m. to 4:30 p.m. For questions, call (515) 281-0145 or the toll-free hotline 1-888-SOS-VOTE.

You may also contact the Election Division via email at [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov).

The SOS Office has a website which is set up to serve as a resource for the general public, for candidates, for county auditors, and for city clerks and school secretaries.

The following items are available on the SOS website and will be of assistance to you:

- **Election Calendars**

<http://sos.iowa.gov/elections/auditors/auditorscalendars.html>

The Election Division produces the following calendars:

- Calendars for each election

The calendars are a chronological list of things that must be done to prepare for each election and a chronological list of things that must be done following election day. These include dates for county auditors, city clerks, and school secretaries.

- Three year calendar with dates and deadlines for regularly scheduled elections
- Calendar of the possible special election dates for public measures

- **Election Forms Library**

<http://sos.iowa.gov/elections/auditors/forms/index.html>

The Election Forms Library contains all the forms produced by the SOS Office. The Library is organized by category of uses and alphabetically to help locate specific forms easily.

- **City and School-Specific Web Pages**

Cities: <http://sos.iowa.gov/elections/cities.html>

Schools: <http://sos.iowa.gov/elections/schools.html>

These pages include information specific to cities and schools. They include the guides, calendars, and forms referenced in this guide.

- **Candidate Guides**

<http://sos.iowa.gov/elections/candidates/index.html>

Candidate guides are compiled by the Election Division to assist candidates and the public in meeting the requirements of Iowa's election laws. Filing officers are encouraged to furnish candidate guides and nomination papers to all potential candidates.

- **Additional Guides**

The Election Division also creates guides for use by other people and groups. Some of these other publications were mentioned in this guide:

- Special Elections Chapter

<http://sos.iowa.gov/elections/pdf/auditors/eah/specials.pdf>

- Vacancies Guide

<http://sos.iowa.gov/elections/pdf/auditors/eah/vacancies.pdf>

## Glossary

Below are some commonly used election terms that may be helpful to filing officers.

### **At-Large**

At-large refers to offices that are elected by an entire county or district even though the office may only represent one part of the county or district.

### **Audio Ballot**

An audio ballot means the ability of a voting system to read the contents of a ballot to a voter through the use of headphones.

### **Auditor, County**

A county auditor is the county commissioner of elections and county registrar of voters under Iowa law.

### **Canvass**

The canvass is the process of compiling election results. All elections have at least two canvasses. The first canvass is conducted at the precinct after the polls close on election night. It must be completed before the precinct election officials leave. Ballots cast at the polls are counted only at the polling place. Only precinct election officials count votes. Votes are not counted by the county auditor or the auditor's staff.

The second canvass is conducted by the county board of supervisors. The board compiles election results from all precincts and makes the official report of the outcome of the election within the county.

A third canvass takes place at the state level after the primary election, general election, and special elections to fill vacancies for Congress, state senate, and state representative seats. A third canvass also takes place after school elections for community colleges.

### **Chief State Election Official**

The secretary of state is designated as the chief state election official and the state commissioner of elections.

### **Disqualified Elector**

A disqualified elector is a person who is not qualified to register to vote or to vote. A disqualified elector is either of the following:

- A person who has been convicted of a felony and not had rights restored,
- A person who has been judged by a court incompetent to vote.

### **Eligible Elector**

An eligible elector is a person who meets all of the qualifications to register to vote and to vote.

### **Initiative, Statewide Ballot (referendum)**

A statewide ballot initiative is the process of legislating by direct vote of the people. It is voter-initiated. Citizens petition to include legislative or constitutional changes on the ballot. Statewide ballot initiatives are not currently permitted under Iowa law.

### **Merged Area**

Community colleges are referred to as “merged areas” in the *Iowa Code*.

### **Nominated by Petition**

The phrase “Nominated by Petition” follows a non-partisan candidate’s name for a partisan office on the general election ballot or on a special election ballot.

### **Non-Partisan Candidate**

A non-partisan candidate is a candidate who is not affiliated with a political party or non-party political organization.

### **Non-Partisan Election**

A non-partisan election is an election held without reference to the political party affiliation of any candidate. City elections and school elections are always non-partisan in Iowa.

### **Non-Partisan Office**

A non-partisan office is any office for which a partisan nomination is not permitted. The name of a candidate for this type of office is listed without reference to a political party or non-party political organization.

### **Non-Party Political Organization (NPPPO)**

A non-party political organization is a political organization that is not a political party as defined by Iowa law.

### **Partisan Election**

A partisan election is an election at which the political affiliation of candidates is listed next to the candidates’ names on the ballot.

### **Partisan Office**

A partisan office is any office for which a partisan nomination is permitted. The name of a candidate for this type of office is listed with reference to a political party or organization.

### **Political Party**

Iowa law states that to be a political party in Iowa, an organization must have had a candidate for president or governor who received at least two percent of the total votes cast at the last general election. Then, the organization must apply for political party status in Iowa. Currently, Iowa has two political parties: the Democratic Party and the Republican Party.

### **Precinct**

The precinct is the smallest unit of election geography. All voters in a precinct who vote on election day go to the same polling place to cast their ballots. Precincts are drawn every 10 years after the federal census. No more than 3,500 people can live in a precinct when the lines are drawn.

**Public Measure**

A public measure is any question authorized or required by law to be submitted to the voters at an election.

**Township**

A township is a political subdivision of a county. The boundaries are set by the county board of supervisors and may include incorporated territory.

**Vacancy**

A vacancy is the term used to describe an elective office in need of an officer. Generally, a vacancy is caused when an elected official resigns, dies, or is removed from office.

**Ward**

A ward is a geographic unit of some city governments from which city council members are elected. A ward may be composed of one or more precincts.

**Write-In Vote**

A write-in vote is a vote cast for a person whose name does not appear on the ballot.



# Election Administrator's Dictionary

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voting. Test ballots for optical scan voting equipment must test the reporting of votes for every office and public measure on the ballot at the election. [IAC 721–22.42]

**Third party.** See **nonparty political organizations** and **political nonparty organizations**.

**Ticket.** Is a list of candidates nominated by a political party or group of petitioners. [IAC 721–22.101]

**TGDC.** See **Technical Guidelines Development Committee**.

**Total votes cast.** Sum of votes cast for all candidates and write-ins. Does not include over votes and undervotes. When calculating for vote for more than one races, divide the total votes cast by the number of seats to be filled.

**Township.** A political subdivision of a county. The boundaries are set by the board of supervisors and may, or may not, include incorporated territory. See Chapter 359.

**Turnout report.** Auditors are no longer required to prepare this report. An election canvass summary is used instead.

## U u

**Undervote.** Is to vote for fewer than the permitted number of choices for any office or question on a ballot. [IAC 721–22.101 and 721–26.1]

**Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).** A federal law designed to make sure that military personnel & and their families and other US citizens living outside the US have the opportunity to register and to vote.

**Unofficial canvass of votes.** The state commissioner of elections, in cooperation with the county commissioners of elections, shall conduct an unofficial canvass of election results after the closing of the polls on the day of a **general election**. The unofficial canvass shall report election results for national offices, statewide offices, the office of state representative, the office of state senator, and other offices or public measures at the discretion of the state commissioner. The purpose of the unofficial canvass is to provide the public with a convenient source of general election results before the official canvass.

[IAC 721–Chapter 24]

# Election Administrator's Dictionary

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**Unsealed envelope.** See **affidavit envelope.**

[§53.8]

**Unvoted ballot.** Is a ballot that has not been marked in any way and never issued to a voter. Unvoted ballots may be destroyed once the deadline to contest the election has passed. This is not the same as a **blank ballot.** See also **Record retention.**

[§50.9; IAC 721–26.1]

**US Department of Justice.** See **Department of Justice.**

**US Election Assistance Commission.** See **Election Assistance Commission.**

## V v

**Vacancy.** Generally caused when an elected official resigns, dies, or is removed from office. General provisions: See *Iowa Code* section 69.2 for what constitutes a vacancy and the process to determine whether a vacancy exists. See also **pending election,** and §69.12. *Please note that the general provisions apply only when there is nothing more specific elsewhere in the Code.* [Chapter 69]

**Vacancy, city office, method for filling.** See §372.13(2).

**Vacancy, county office, method for filling.** See §69.14A.

**Vacancy, school board.** Failure to elect at the proper election or to appoint within the time fixed by law or the failure of the officer elected or appointed to qualify within the time prescribed by law; the incumbent ceasing for any reason to be a resident of the district or removing residence from the subdistrict; the resignation or death of incumbent or of the officer-elect; the removal of the incumbent from, or forfeiture of, the office, or the decision of a competent tribunal declaring the office vacant; the conviction of incumbent of a felony, as defined in §701.7, or of any public offense involving the violation of the incumbent's oath of office, shall constitute a vacancy. [§277.29]

**Vacancy, school board, method for filling.** The school board shall fill by **appointment** vacancies occurring among the officers or members of the board. A person so appointed to fill a vacancy in an elective office shall hold office until a successor is elected and qualified pursuant to §69.12. A person appointed to fill a vacancy in an appointive office shall hold such office for the residue of the unexpired term and until a successor is appointed and qualified. Any person so appointed shall qualify within ten days thereafter in the manner required by §277.28. *For more information, go to §279.7 regarding the timing of resignations and filling vacancies by election if the school board fails to appoint within the required time.*

# Poll Watchers Guide

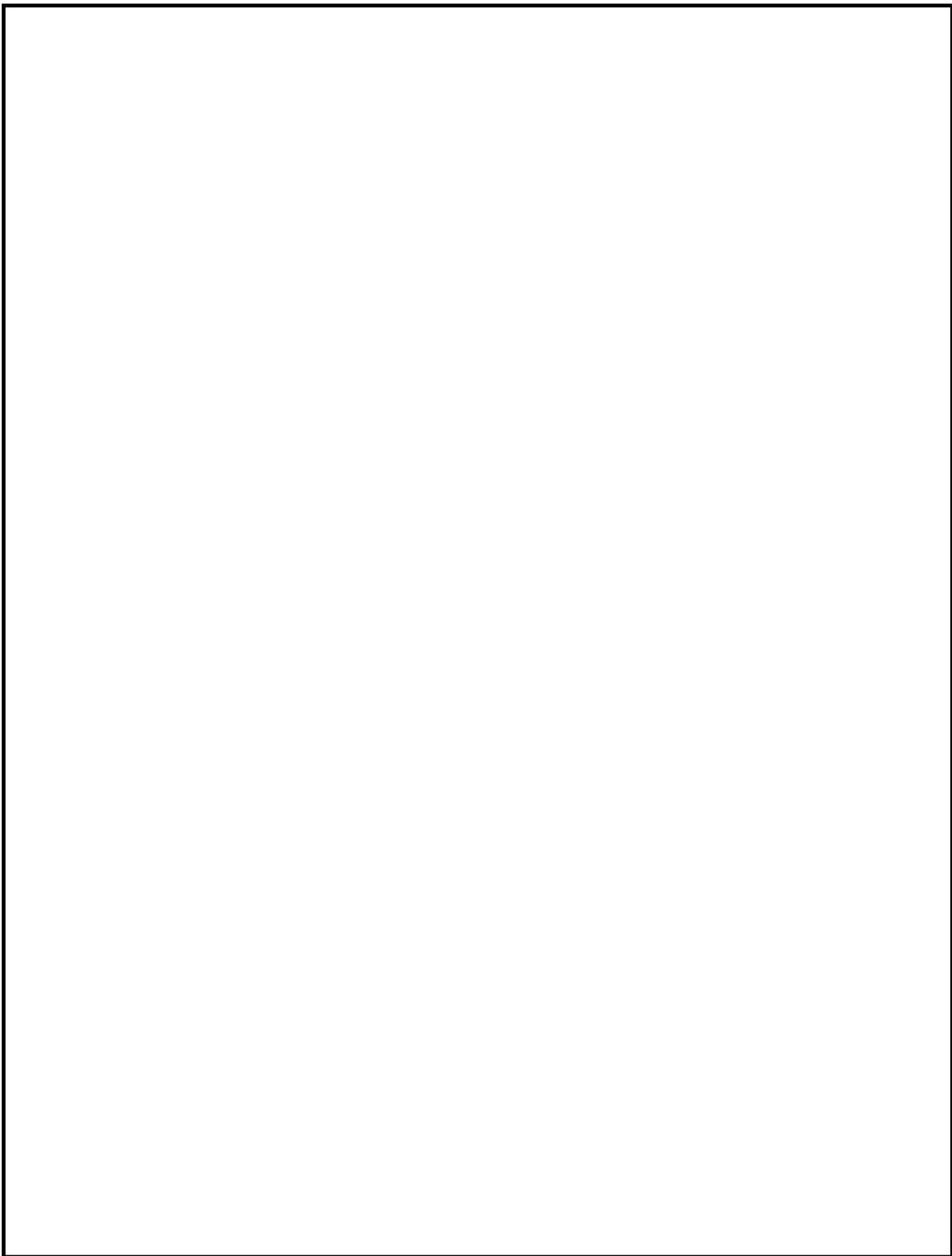
*Revised February 2014*

**Prepared by the Office of the Iowa Secretary of State**

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For more information, please contact the Secretary of State's Office or the county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



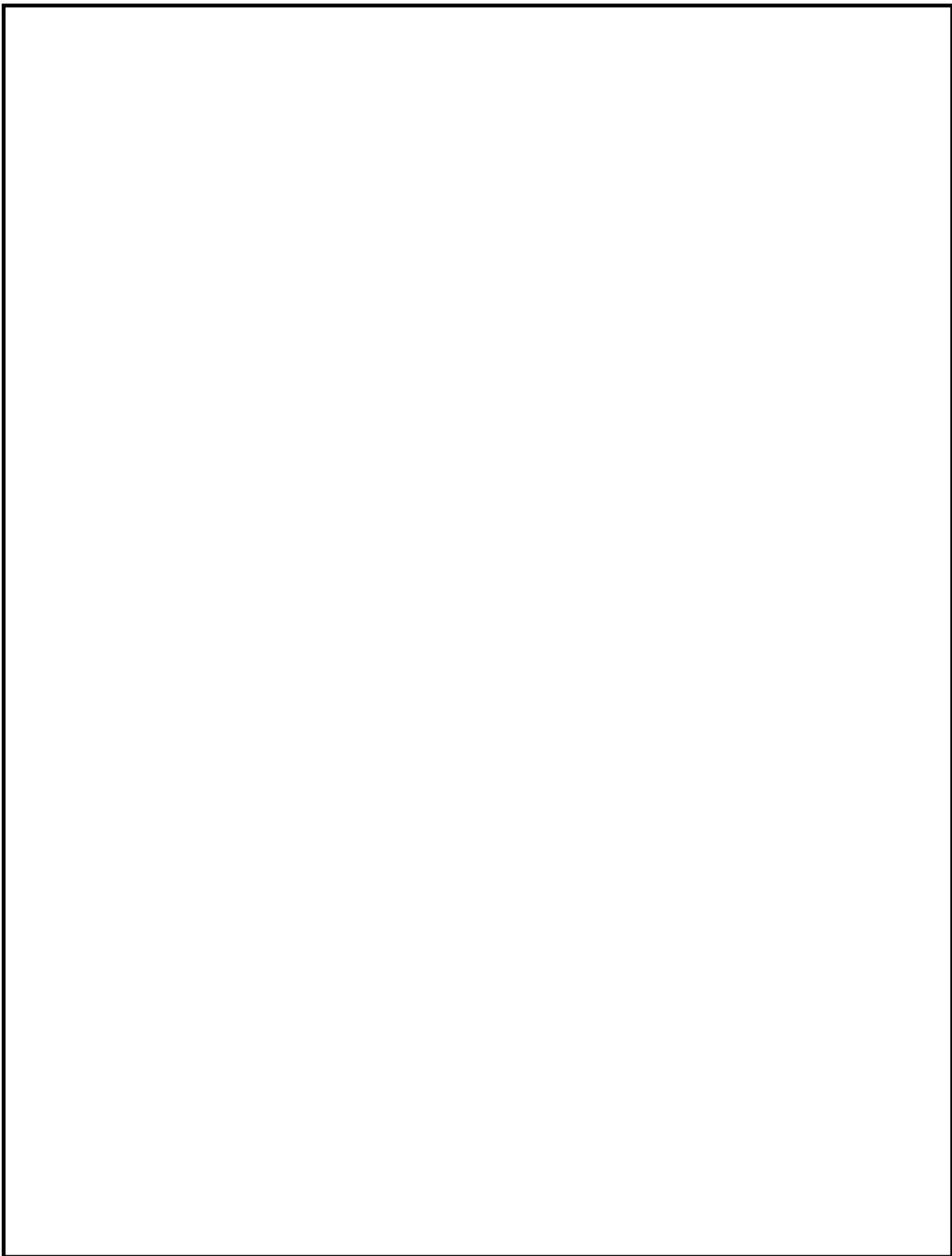
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## Overview

### Who Are Poll Watchers

A poll watcher is a person who has official permission to be at the polling place on election day or in the room where absentee ballots are counted before the polls close.

[§49.104, 53.23]

The following persons cannot be poll watchers:

- A candidate for an office on the ballot,
- An incumbent officeholder, or
- A precinct election official working at the election.

[§39A.4(1)(b)(1), 39A.4(1)(c)(10)]

Poll watchers may also be called challenging committees or observers. Poll watchers acting as challengers must be registered voters in the county where the challenge occurs.

[§49.79]

### Appointing Poll Watchers

Poll watchers may be appointed by the following:

- Political party executive or central committees,
- Non-party political organizations (NPPOs),
- Candidates who are “Nominated by Petition,” and
- Groups opposing or supporting public measures on the ballot

**Exception:** Poll watchers for public measures are not allowed for primary and general elections.

[§49.104]

Poll watchers must provide written permission at the polling place or absentee precinct to show they have been appointed as poll watchers. Candidates nominated by petition and NPPOs appointing poll watchers may use the “Poll Watcher Designation Form” for this purpose. Political parties must provide credentials to observers and challengers but the use of the official form is not required.

[§49.104]

Poll watchers representing groups opposing or supporting public measures must file the “Poll Watcher Designation Form” with the county auditor before election day. The auditor will appoint the poll watchers and notify them of the times they may serve as a poll watcher.

[§49.104(6)]

## **Number Allowed**

### **Polling Place on Election Day**

While the polls are open on election day, there is a limit to the number of poll watchers that can be in a polling place:

- 3 appointed by each political party that has a candidate on the ballot,
- 1 appointed by each NPPO that has a candidate on the ballot,
- 1 appointed by each candidate nominated by petition, and
- 3 for public measures on the ballot (except for primary and general elections).

[§49.104]

After the polls close, the process of counting the ballots is open to the public. However, no one other than the precinct election officials (PEOs) may handle ballots or participate in the count.

[§50.1A, 50.11]

### **Absentee Precinct While Ballots are Counted**

The only poll watchers who are allowed by law to be in the room when the absentee and special precinct (ASVP) board is counting ballots on Monday or Tuesday before the polls close are:

- 1 appointed by each political party,
- 1 appointed by any NPPO that has a candidate on the ballot,
- 1 appointed by a candidate nominated by petition,
- 1 representing support for a public measure on the ballot (except for primary and general elections), and
- 1 representing opposition for a public measure on the ballot (except for primary and general elections).

After the polls close, the process of counting the ballots is open to the public.

[§53.23(4)]

## **Poll Watcher Activities**

### **At the Polling Place**

Poll watchers at the polling place on election day may observe, but not interfere, with the election process. Poll watchers may:

- Look at the eligibility slips or voter rosters,
- Write down the names of people who have or have not voted,
- Challenge a voter's qualifications (see the "Challenges" section of this guide for more information), and
- Report perceived problems in the precinct to the county auditor.

Poll watchers may not:

- Handle the ballots, voting equipment, or election register,
- Disenfranchise voters by encouraging challenged voters to cast provisional ballots in precincts where they do not live,
- Engage in arguments with PEOs, voters, or other poll watchers,
- Interrupt, hinder, oppose, or talk to a voter while in line or while the voter is approaching the polling place,
- Solicit votes for candidates or questions,
- Offer advice or literature to voters,
- Wear buttons, stickers, jewelry, or clothing of a political nature, or
- Use polling place supplies.

[§49.104, 49.105]

### **At the Absentee Precinct**

Observers cannot interfere with the duties of the ASVP board. Interference includes but is not limited to handling ballots and communicating or attempting to communicate information regarding the progress of the count while the board is counting ballots.

Observers may leave the room to report the names of voters whose ballots were rejected without being opened.

[§53.23(3)(b)(1), IAC 721—21.359(5)(a)]

## Challenges

### Challenging Guidelines

A registered voter in the county or a PEO may challenge the qualifications of any person offering to vote.

[§49.79(1)]

Challenges must be made in writing. The challenger must complete a “Challenger’s Statement” form which is prescribed by the Secretary of State. The form must be signed and state the specific reason(s) for the challenge.

A separate form must be used for each challenge made. Blanket challenges are prohibited by Iowa law.

**Exception:** PEOs working at the polls on election day do not need to complete the challenger’s statement.

[§49.79(3)(a), 49.79(4)]

A challenge may be brought against a voter by claiming the voter is one of the following:

- Not a citizen of the United States,
- Less than 18 years of age on election day,
- Not a resident of at the address where the person is registered,
- Not a resident of the precinct where the person is offering to vote,
- Falsifying information on a registration form or on a declaration of eligibility,
- Convicted of a felony and the person’s voting rights have not been restored,
- Adjudged incompetent to vote and no subsequent proceeding has declared the person to be once again competent, or
- Deceased.

Voters cannot be challenged solely because they are changing their address at the polls on election day or they are registering to vote on election day.

[§49.79(2)]

### **Challenges at the Polling Place**

The challenged voter may be asked questions by the PEOs and the challenger (if the PEOs have permitted the challenger to do so) to determine the qualifications of the voter. The voter may be questioned regarding the following information:

- Where the voter maintains a home,
- How long the voter has maintained a home at that location,
- If the voter maintains a home at any other location, and
- The voter's age.

The voter may present evidence to support the fact that the voter is qualified to vote.

[§49.80(2)]

A challenge may be withdrawn at the polling place or at anytime before the ASVP board meets to consider provisional ballots and challenged absentee ballots.

If the challenge is withdrawn at the polling place, the voter may cast a regular ballot. If the challenge is not withdrawn, the voter must be offered a provisional ballot.

[§49.79(5), 49.80(2), 49.81]

### **Challenges at the Absentee Precinct**

Observers and ASVP board members may challenge absentee ballots at any time before the ballots are removed from the affidavit envelopes.

After a challenge is received, the auditor must notify the voter of the challenge and set aside the voter's absentee ballot. The notice must include information about the deadline by which the voter may present evidence to support the voter's qualifications.

[§53.31]

