

July 2014 Handbook Changed Pages

Voter Registration – Chapter 1

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
5-6	Addition of language regarding retention of paper voter registration documents once scanned.	§48A.35(2) 2014 Iowa Acts HF 2366, Sec. 7
11-12	Addition of language regarding inspecting the ID and residency documents for EDR voters.	N/A
13-13a	Addition of information on “Notice to Election Day Registrant.”	N/A
37-38	Addition of administrative rule citations regarding keeping a log of voter list requests. Addition of language regarding logging requests over the phone.	N/A
39-40	Addition of administrative rule citation regarding keeping a log of voter list requests.	N/A
Blank page + 54	Addition of instructions on how to move a DOT registration to a different county.	N/A
79-80	Addition of information on the “County Registration” and “Vote Eligible” dates for previously cancelled voters who are re-registering.	N/A
85-86	Addition of information on the “County Registration” and “Vote Eligible” dates for previously cancelled voters who are re-registering.	N/A

Absentee Voting – Chapter 3

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
5-6	Addition of instructions on how to process absentee requests that are not signed.	N/A
13-14	Addition of administrative rule citation regarding providing absentee voting instructions and what to include when mailing absentee ballots.	N/A
15-16	Addition of administrative rule citation for PEOs confirming a voter’s absentee ballot status with auditor’s office on election day.	N/A
17-18	Addition of language and administrative rule citation regarding posting absentee voting instructions for in-person absentee voting.	N/A
19-20	Addition of administrative rule citation for in-person absentee EDR voters.	N/A

25-26	Addition of administrative rule citations regarding providing absentee voting instructions and where to find a list of suggested satellite supplies.	N/A
35-36	Addition of language and administrative rule citations for securely storing returned absentee ballots.	N/A
69-70	Addition of administrative rule citations regarding providing absentee voting instructions and what to include when sending absentee ballots.	N/A

Election Day – Chapter 4

Page	Change	Bill Sec. # Code Cite
3-3a	Addition of language and administrative rule citation regarding inspecting the ID and residency documents for EDR voters.	N/A
3b-3c	Addition of administrative rule citation for PEOs confirming a voter's absentee ballot status with auditor's office on election day.	N/A
7-8	Addition of administrative rule citation for procedures of counting votes on election day.	N/A
13-14	Addition of administrative rule citation for using the emergency ballot box in the case of a voting equipment malfunction. Addition of administrative rule citations regarding recording information on photocopied ballots.	N/A

Post Election Day – Chapter 5

Page	Change	Bill Sec. # Code Cite
13-14	Addition of administrative rule citation for reporting over and under votes on the election canvass summary.	N/A

Auditor's Calendar to the General Election

Page	Change	Bill Sec. # Code Cite
1-2	Removal of reference to presidential elector filing deadline. Removal of reference to filing deadline for city vacancies.	N/A

Vacancies – Chapter 13

Page	Change	Bill Sec. # Code Cite
TOC	Addition and removal of headings.	N/A
3-4	Addition of language on when appointments must take the oath of office.	N/A
13-14	Revised deadline for making an appointment for a city vacancy. Addition of language regarding what happens if an appointment to a city vacancy is not made by the deadline.	§372.13(2)(a) 2014 Iowa Acts HF 2366, Sec. 8
17-18	Revised information on the filing officer and filing deadlines for special elections to fill city vacancies.	§376.4 2014 Iowa Acts HF 2366, Sec. 9
19-20	Addition of information on intervening special election for a city vacancy. Revised filing deadline information for special elections to fill city vacancies.	N/A §376.4 2014 Iowa Acts HF 2366, Sec. 9

Filing Officer's Guide

Page	Change	Bill Sec. # Code Cite
1-2	Revised information on filing officers for city elections.	§376.4 2014 Iowa Acts HF 2366, Sec. 9
7-8	Removal of information on city clerks as filing officers.	§376.4 2014 Iowa Acts HF 2366, Sec. 9
11-12	Removal of information on city clerks as filing officers.	§376.4 2014 Iowa Acts HF 2366, Sec. 9
29-34	Revised information on filing officers for objections and withdrawals for city elections.	§376.4 2014 Iowa Acts HF 2366, Sec. 9
41-42	Removed reference to city clerks as filing officers.	§376.4 2014 Iowa Acts HF 2366, Sec. 9

Counting Votes Guide

Page	Change	Bill Sec. # Code Cite
1-2	Corrected administrative rule citation regarding counting ballots properly marked.	N/A
3-4	Added administrative rule citation regarding identifying marks on ballots.	N/A

Election Administrator's Dictionary

Page	Change	Bill Sec. # Code Cite
7-8	Addition of definition for ballot style.	N/A

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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 general elections
- 11 days before primary, 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

Voter registration documents may be scanned and stored as electronic documents. If stored electronically, the original paper documents may be destroyed, but the electronic documents must be kept for the prescribed retention period.

[§48A.32, 48A.35(2)]

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), IAC 721—21.302]

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.

PEOs must inspect the photo ID to verify the photograph shows the voter and to verify the voter's name is listed. If the photo ID is also used to prove residency, the PEOs must verify the address listed on the ID is the same address the voter provided.

[§48A.7A(1)(b)(1), IAC 721—21.3(2), 21.7(1)]

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.)

PEOs must inspect the proof of residence document to verify it shows the voter's name and address.

[§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.

Notice to Election Day 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 Registrants” is available in the Election Forms Library.

EDR Registrant Follow Up

All EDR registrants must be sent a nonforwardable voter registration card. If the card is returned as undeliverable, do not make the voter “Inactive” (unlike regular registrants who would be made “Inactive” at this point).

Send the forwardable “EDR Voter Follow Up Notice” available in the Election Forms Library.

If the voter does not respond to that notice within 14 days or the notice is also returned as undeliverable, then make the voter’s record “Inactive.” In addition, notify the SOS and the county attorney. See §48A.26A for more information.

[§48A.26A]

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)]

Provisional Voting and Voter Registration

Processing Voter Registrations for Provisional Voters

On election day, if voter required to show ID pursuant to §48A.8 or an EDR voter cannot prove identity and residence and does not have anyone who can attest for him or her, the voter may vote a provisional ballot and bring in proof of identity and residency at a later time. This must be done before the ASVP board meets to consider provisional ballots.

[§49.81, 50.20, IAC 721—21.3(4)]

If a provisional voter brings in required identification by the deadline to do so and is not registered to vote in your county, you must create a voter registration record in I-VOTERS using the information provided on the voter registration form. The “County Registration” date and “Vote Eligible” date should be the day of the election. Process the voter registration using the I-VOTERS instructions “EDRs Received on Election Day at the Polls.”

If a provisional voter does not bring in required identification but otherwise meets the requirements for voter registration and the voter completed a voter registration form when voting a provisional ballot, you must create a voter registration record or update the voter’s registration record in I-VOTERS using the information provided on the voter registration form. The “County Registration” date and “Vote Eligible” date should be the day after the election.

[IAC 821—2.12(1)]

Exception: A voter registration record cannot be created if the voter did not complete a voter registration form.

Voter Registration List Requests

Public Record

Voter registration records are public records as defined in Chapter 22 of the *Iowa Code* and must be available for public inspection at reasonable times. Original voter registration records should never be removed from the auditor's office except upon request of the auditor, under a court order, or as allowed by §48.32.

[§48A.34, 48A.35]

A log must be maintained of the name, address, and telephone number of every person who reviews registration records or obtains a voter list.

[§48A.38(3), IAC 821—3.3, 3.4]

A history of a voter's participation in elections must be maintained for at least two general, primary, school, and city elections. Absentee voting must be recorded for the previous two general and primary elections. This is completed in I-VOTERS when election registers are updated at the end of each election and the election is posted and closed.

[§48A.37(1)]

Requests for Information from Voter Records

Iowa law allows for the purchase of voter registration lists. Requests can be made with the SOS or auditors.

Information from voter registration records can only be used:

- To request a voter's vote at an election,
- For a genuine political purpose,
- For bona fide political research, or
- For a bona fide official purpose by an elected official.

Using the information for any commercial purpose is a serious misdemeanor under Iowa law.

[§48A.39]

List requests must be handled in the same manner every time a request is received. The auditor should determine whether to process all requests in office or to forward requests to the SOS.

[IAC 821—3.5]

Lists requests for statewide or congressional district voter information must be obtained from the SOS. Auditors may provide voter registration lists for districts that are located in whole or in part within the county.

[IAC 721—28.2(3)]

Lists must never include confidential data such as driver's license numbers, non-operator ID numbers, Social Security numbers, and the agency where the voter registered to vote (if any).

[§48A.38(1)(f), IAC 821—3.8, 3.10]

Log Required

A log must be kept containing information for every person who receives voter registration information, even if the request is over the phone or in person or if the request is for a single record. Logs and voter list requests are also public records.

[§48A.38(3), IAC 821—3.3, 3.4]

The log may consist of copies of fulfilled voter lists requests but must contain the following information at a minimum:

- The name of the requestor,
- The address of the requestor, and
- The telephone number of the requestor.

The requestor must also agree to the following statement:

“I am aware that information from voter registration records may be used lawfully only to request a registrant’s vote, for a genuine political purpose, for bona fide political research, or for a bona fide official purpose by an elected official. I understand that using the information for any commercial purpose is a serious misdemeanor under Iowa law. I agree to pay the cost of the above ordered list upon delivery.”

The requestor must either sign a document with this statement or affirm it over the phone. If the statement is sworn over the phone, make note that the requestor was read the statement.

[§48A.38(3), IAC 821—3.2, 3.3, 3.4]

Best Practice: The “Specifications and Order Form for Voter List” may be used for the purpose of keeping a log. The voter list order form is available in the Election Forms Library.

If a voter requests information about the voter’s own record, be sure you are speaking with the voter directly. Voters have the right to view their own record, including confidential information associated with it. You do not need to keep a log for this type of request.

[IAC 821—3.9]

Voter List Fees

Payment must be made for voter lists before the list can be given to the requestor. The auditor may determine how much to charge for voter lists. The prices must be consistent for all list requests. The auditor may choose to use the same fees as the SOS. See the “Specifications and Order Form for Voter List” for the SOS fee list.

[§48A.38(1), IAC 821—3.7]

Information Over the Phone

The auditor should set a policy for handling requests for information that can easily be given over the phone. If the information is given over the phone, the requestor must still affirm that the information will only be used for a legally authorized purpose and the requestor’s name, address, and telephone number must be collected.

[IAC 821—3.4]

Certified Copies of Voter Registration Records

Overview

The public may request a certified copy of a voter registration form, even if the form was completed in the office the same day. Registrants may wish to use the certified copy for a number of legal, governmental, or personal purposes.

If requested, provide a certified copy of the form. Payment must be made for certified copies before the copy can be given to the requestor. The auditor may determine how much to charge for certified copies. The prices must be consistent for all requests.

[§331.502(2)]

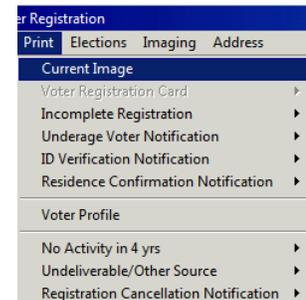
Process for Issuing Certified Copies

If a registered voter is requesting the copy, be sure the person is the registered voter. Ask for an ID or ask the person to verify information on the voter registration record.

If someone is requesting a copy of another person's record, process the request as a list request. The request must be entered in your log.

Make a copy of the form by either photocopying the registration form or printing a copy of the scanned form from I-VOTERS. To print from I-VOTERS:

1. Search for and open the voter's record.
2. From the "Imaging" drop-down, select "Voter Image." Choose the voter's registration form in the "Image" drop-down.
3. From the "Print" drop-down, select "Current Image."
4. Redact the voter's driver's license number and Social Security number if someone other than the voter requests the copy. If the voter made the request, ask the voter if you should redact any information.
5. Follow the certification process used by the office for other documents.



Best Practice: Consult with the county attorney to develop a certified copy form for your county, including a disclaimer if desired. The disclaimer could state that the auditor is certifying that the document is merely a copy of a record on file with the auditor and is not certifying the accuracy or veracity of any of the information contained on the form.

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Processing DOT Registrations

Overview

In general, all applications for driver's licenses or non-driver's ID cards are considered to also be voter registration applications or updates unless the person specifically declines the registration opportunity.

[§48A.18(1), 48A.18(2)]

Voter registrations from the DOT (which has a paperless system) are submitted to the appropriate auditor's office every day.

[IAC 821—8.1]

Processing in I-VOTERS

1. Select **"DOT Registration"** on the main I-VOTERS screen.
2. Click **"Search."** This will display all the records for your county, including processed and unprocessed records.

Recommended Practice: Delete the records you have already processed so they will not appear each time you hit the **"Search"** button. Once a record shows up as **"Processed,"** highlight it by clicking on it and click the **"Delete"** button.

The screenshot shows a web application window titled "DOT Registration". At the top, it says "Number of Records Retrieved 12". Below this is a search form with fields for "Batch ID", "Created From", "Created To", and a "County" dropdown menu currently set to "FABLE". There are "Search" and "Clear" buttons. Below the search form is a table with the following columns: Driver License, Name, DOB, SSN, Party, PartyOrgani..., County, Processed?, and Registration D. The table contains 12 rows of data, including records for John Citizen, Jane Doe, Polly Pollworker, Victor Voter, Joseph Public, Juan Ciudadano, Patricia Pollwatcher, Candace Candidate, Audrey Auditor, Connie Commissioner, Samuel Supervisor, and Regina Registrar. At the bottom of the window, there are buttons for "Process", "Delete", "Print", a "County" dropdown menu (set to "FABLE"), a "Change Voters County" button, and a "Close" button.

Driver License	Name	DOB	SSN	Party	PartyOrgani...	County	Processed?	Registration D
515AA1234	John Citizen	10/04/1981		Democrat		FABLE	No	4/3/2009
525BB4321	Jane Doe	08/10/1952		Democrat		FABLE	No	4/3/2009
535CC2341	Polly Pollworker	05/03/1925		Democrat		FABLE	No	4/3/2009
545DD3412	Victor Voter	09/22/1943		Democrat		FABLE	No	4/3/2009
555EE123	Joseph Public	04/17/1974		Democrat		FABLE	No	4/3/2009
565FF2413	Juan Ciudadano	06/30/1967		No Party		FABLE	No	4/3/2009
575GG3214	Patricia Pollwatcher	08/14/1979		No Party		FABLE	No	4/3/2009
585HH124	Candace Candidate	01/01/1989		Republican		FABLE	No	4/3/2009
595II5432	Audrey Auditor	11/15/1954		Republican		FABLE	No	4/3/2009
505JJ6543	Connie Commissioner	12/23/1963		Republican		FABLE	No	4/3/2009
515KK7654	Samuel Supervisor	07/21/1984		Democrat		FABLE	No	4/4/2009
525LL8765	Regina Registrar	02/19/1935		Democrat		FABLE	No	4/4/2009

3. Click on the first record you want to process and then click **"Process."**

This will take you to the **"Voter Registration"** screen, and I-VOTERS will automatically search for any potential matches with other voter registration, felon, or death records. If any matches are brought up, you will need to consider the information presented and decide if it is a match or not.

If you confirm in the system that the record matches a felony conviction record, I-VOTERS will automatically change the person's status to **"Cancelled"** and the Reason will be **"CF – Convicted Felon."** A cancellation notice will be automatically generated and sent to **"Batch Management"** if the correspondence rule is set up correctly. See the "Voter Correspondence" section.

Wrong County

If the voter should be registered in a different county, select the voter's record so it is highlighted. Select the county the registration should be forwarded to in the **"County"** drop-down, and click **"Change voters county."**

I-VOTERS Issues

Felony Conviction Match Appears When Entering Voter

If a voter is identified as matching a felony record, determine if it is a correct match. Pay attention to the full name and date of birth. (In the screenshot to the right, there is an 80% match between the new registration record and the felony record, but the records are not a match).

Percent	Name	SSN	DOB	County	CaseId
80	JUSTIN MICHAEL SMITH	2541	05/30/1986	Benton	FE-CR009807
80	JUSTIN MICHAEL SMITH	2541	05/30/1986	Benton	FE-CR008815

If you determine the match to be correct:

1. Accept the verification by clicking on **“Yes.”**
2. The voter’s record will automatically be placed on status **“Cancelled”** and with the reason **“Convicted Felon.”**
3. Enter or update the voter’s address information if it is different.
4. Click **“Save.”**

I-VOTERS will generate a cancelled notice to send to the voter. See the “Voter Correspondence” section.

[§48A.30(2), IAC 721—28.4]

Call the Governor’s office at 515-281-5211 with questions about restorations.

Duplicate Voter Window Appears/Voter is Registered in Another County

If the **“Duplicate Voters”** window appears when entering a voter registration, determine if one of the voters listed on the screen appears to match the registrant you are entering. If one matches:

1. Click on the listing so it is highlighted and click **“Select.”**
2. Update the voter’s registration address. Click **“Save.”**

If you discover the voter’s record after registering the voter in your county, merge the records together. See the “Duplicate Records Search” section.

Voter Previously Cancelled

If the voter was previously registered in the state and is currently cancelled, confirm the correct **“County Registration”** and **“Vote Eligible”** dates are listed when processing the voter’s new registration. If the voter was previously cancelled in your county, these dates will not update automatically. These dates should be the date the new registration was received in the auditor’s office or the date it was completed at the DOT or other agency.

[IAC 821—2.12(3)]

DOT Registration with Driver's License that Won't Verify

1. Verify the driver's license number at the Iowa Interactive website: <http://www.iowaccess.net/iowadlr>.
2. If the driver's license number can be verified there, add the date verified in the "Last Verified" field under the "Misc. Info" tab.
3. In the "Comments" field, enter: "Driver's License number verified on Iowa Interactive website."



Registration	Misc Info	Custom
Secondary Lang	<input type="text"/>	Last Verified 08/28/2008
Special Assistance	<input type="text"/>	
Ballot Style	NO APPLICABLE ELECTION	
State Reg Date	10/28/2008	Last Upd. Date 04/08/2009
Source of Update	<input type="text"/>	
Audit Comment	<input type="text"/>	
Comments	Training record- not an actual person.	

If the driver's license number cannot be verified, call the Help Desk at 1-877-442-7670.

Death Records Match

This should not occur. Check to make sure that the voter's information is exactly the same as the information in the death record.

If it is different, do not accept the match by clicking "No" and process the voter normally.

If the information is the same as a death record, contact the SOS immediately.

Homeless Persons and Non-Standard Addresses

Avoid using a non-standard address whenever possible. Almost all rural route designations have been changed to regular street addresses, so consult with the real estate/mapping staff in your office to see what the address should be or contact the post office to see if they can help. A voter's rural route address may be changed to the street address without any action from the voter upon notice from the post office.

[§48A.27(3)(d)]

If a person is homeless or has some other form of non-standard address (such as an RV home or a mobile home parked in a place that is not a usual street address), determine what precinct and split to which to assign the voter.

1. Choose "Non-Standard" as the address type drop-down under the "Residential" tab.
2. Enter the voter's address (description).
3. Manually select the "Precinct" and the "Split."



Residence	Absentee	History	Contacts	Voting History		
Non-Standard	NCOA	CASS	Migration	Election Worker	HCF	Clear
Address	MOBILE HOME, OLD CAPITOL LAWN					
City/St/Zip	IOWA CITY	IA	52245			
County	JOHNSON	Precinct	Iowa City	Split	IC.0!	
Mailing						
Country	UNITED STATES OF AMERICA <input type="checkbox"/> USA Clear					
Address	<input type="text"/>					
City/St/Zip	<input type="text"/>					

- **Suffix**

This suffix field is used if the address has a letter or fraction after the numerical portion of the address (e.g. 123A Main St or 221½ Washington Ave).

- **Unit Type**

If the address contains an apartment number, lot number, room number, etc., enter the type of unit here (e.g. 123 S Main St, Apt 7, enter "APT" in this field).

- **Unnamed Field to the Right of Unit Type**

Enter the number of the unit here (e.g. 123 S Main St, Apt 7, enter "7" here).

- **Mailing**

Enter a voter's mailing address if it is different from the residence address. If the mailing address is outside the United States, see the "Miscellaneous I-VOTERS Instructions" section.

9. Choose the registrant's party affiliation.

Select the party affiliation the voter marked on the registration form. If the voter chose "Green" or "Libertarian," select "**Other**" and then choose "**Iowa Green**" or "**Libertarian**" in the "**Organization**" field.

If the voter did not mark a party affiliation on the registration form, select "**No Party**."

10. Select the "**Transaction Source**."

See the "Transaction Sources, Statuses, and Status Reasons" section for more information.

Registration	Misc Info	Custom
Party	No Party	Organization
Transaction Source		<input type="checkbox"/> DOT Verified
Status	A - Active	<input checked="" type="checkbox"/> SSA Verified
Reason		Verify

11. Select the "**Status**."

See the "Transaction Sources, Statuses, and Status Reasons" section for more information.

Important Note: If the voter is at least 17 ½ years old but not 18, I-VOTERS will automatically assign the voter an "**Active**" status. The "**County Registration**" date and the "**Vote Eligible**" date will automatically default to the voter's 18th birth date.

12. If that registrant’s status is “**Inactive**,” “**Pending**,” or “**Incomplete**,” choose the “**Reason**” for the status designation.

Important Note: If a new registrant does not sign the registration form, assign the registrant a status of “**Incomplete**” with the reason “**Registration Incomplete**” and check the box next to “**No Signature**.”

The screenshot shows a registration form with the following fields and values: Transaction Source: 02 - Mail-in Registration; Status: N - Incomplete; Reason: RI - Registration Incomplete; County Registration: 04/01/2009; Home Tel.No: [empty]. The 'No Signature' checkbox is checked and highlighted with a red box.

See the “Transaction Sources, Statuses, and Status Reasons” section for more information.

13. Confirm the “**County Registration**” date.

If the pre-registration deadline has not passed, this should be the date the registration was received in the auditor’s office as long as the voter is 18 years old. For agency or DOT registrations, the date of the registration is the day they were completed at the agency or the DOT if that day was before the pre-registration deadline.

If the voter is 17½, I-VOTERS will automatically assign the “**County Registration**” date and the “**Vote Eligible**” date to the voter’s 18th birth date.

If the pre-registration deadline has passed, see the “New County Registrant after Pre-Registration Deadline” instructions in this chapter.

- Check the postmark on all by-mail registrations after the deadline to see if they were postmarked 15 days (the worry-free postmark date) or more before election day. If they were, the date of registration is the worry-free postmark date.

Important Note: If the voter was previously registered in the state and is currently cancelled, confirm the correct “**County Registration**” and “**Vote Eligible**” dates are listed when processing the voter’s new registration. If the voter was previously cancelled in your county, these dates will not update automatically. These dates should be the date the new registration was received in the auditor’s office or the date it was completed at the DOT or other agency.

[IAC 821—2.12(3)]

14. Confirm the “**Vote Eligible**” date.

This should default to the same day as the “**County Registration**” date. If it does not, then make it the same as the “**County Registration**” date.

15. Enter the registrant’s home telephone number and email address (if provided) under the “**Contacts**” tab.

The screenshot shows the 'Contacts' tab with the following table:

Contact Type	Value	Unlisted
Home Phone		<input type="checkbox"/>
Office Phone-		<input type="checkbox"/>
Office Phone-		<input type="checkbox"/>
Cell Phone		<input type="checkbox"/>
Email		<input type="checkbox"/>
Pager		<input type="checkbox"/>
FAX		<input type="checkbox"/>
URL		<input type="checkbox"/>

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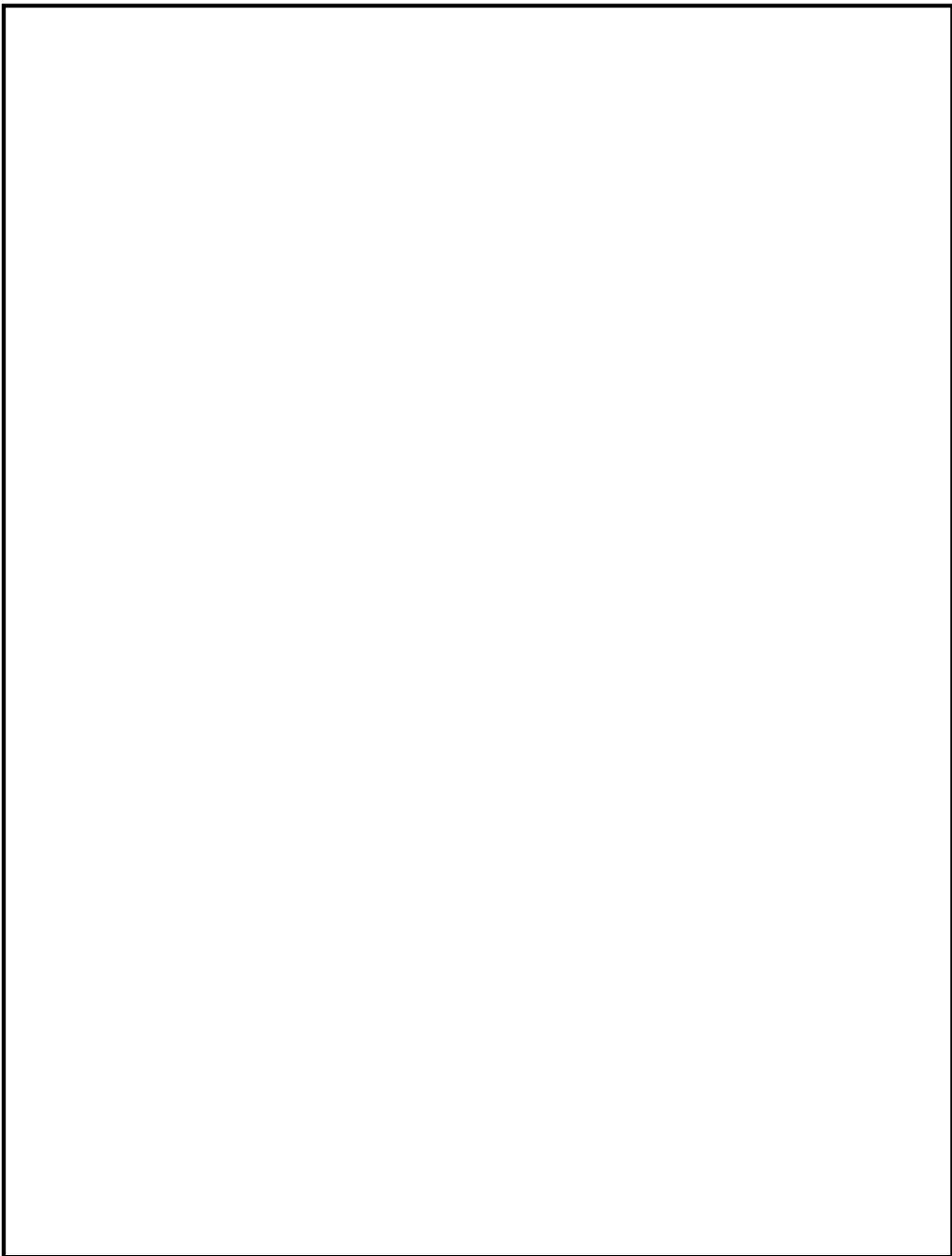
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Reviewing Absentee Ballot Requests

Overview

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.

Request Missing Information or Signature

If required information is missing, obtain it by the best means available.

[§53.2]

Call 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.

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.

If the absentee request is not signed, do not process the request. Send the voter a notice explaining the voter must sign the request form. Include a new absentee request form with the notice. A sample notice “Absentee Request Not Signed” is available in the Election Forms Library.

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.

The return envelope must also have the return deadline statement printed or stamped on the flap or back of the envelope.

Return Deadline Statement:

“This ballot will only be eligible for counting if it is received by the auditor’s office before the polls close on election day or postmarked before election day and received by the deadline listed in the voting instructions included with this ballot.

Postmarks are not guaranteed!

Mail the ballot early to make sure it is received on time. Track the status of your absentee ballot at www.sos.iowa.gov.”

[IAC 721—21.303(5)]

5. Absentee voting instructions

Include the instructions prepared by the SOS for either domestic or UOCAVA absentee voters. The general election instructions include information about straight party voting.

[IAC 721—22.250]

6. Absentee ballot receipt

A blank receipt must be included in case the voter wants to designate someone to return the ballot on behalf of the voter. The absentee voting instructions prepared by the SOS include a receipt and receipt instructions.

7. Delivery envelope

The delivery envelope must be addressed to the voter and be marked with the serial number (i.e. absentee sequence number) used to identify the absentee request in the auditor’s records. All other materials must be enclosed in this envelope.

[IAC 721—21.303]

Copies of the envelopes and absentee voting instructions are available in the Election Forms Library.

Deadline to Return Absentee Ballots by Mail

All ballots must be clearly postmarked before election day. If postmarked on election day, the absentee ballot must be received in the auditor's office by the time the polls close to eligible for counting. Ballots without postmarks or with illegible postmarks received after the polls close cannot be counted.

[§53.17(2)]

For primary and general elections, the ballots must be received by the auditor by noon on the Monday following the election.

Exception: If the USPS is closed on the deadline for ballot receipt, the ballot receipt deadline moves to Tuesday at noon.

[IAC 721—21.12]

For all other elections, if the canvass of votes by the board of supervisors is scheduled on the Monday or Tuesday after the election, the deadline to receive mailed ballots is noon on the Monday following the election.

Exception: If the USPS is closed on the deadline for ballot receipt, the ballot receipt deadline moves to Tuesday at noon.

[IAC 721—21.12]

If the canvass is earlier than noon on the Monday (or Tuesday) following the election, ballots must be received no later than the time the canvass is scheduled.

Contact Post Office

For all elections, if the canvass is scheduled earlier than noon on Monday (or Tuesday if applicable) the auditor must contact the post office at the latest practicable hour before the canvass and arrange for ballots received in the post office but not yet delivered to the office (if any) to be delivered or picked up before the canvass so they can be included in the final canvass totals.

[§53.17]

Ballots Returned to Polling Place on Election Day

The voter has two choices.

1. The voter can surrender the absentee ballot at the polls and vote a regular ballot.
2. The voter can deliver the absentee ballot to the auditor's office before the polls close.

[§53.19]

If the voter's designee delivers an absentee ballot to the polling place, the PEOs must refuse to accept the ballot and inform the designee that the ballot must be delivered to the auditor's office before the polls close. The PEOs cannot return the absentee ballot in time for the ballot to be counted.

PEOs and Absentee Ballot Request Records

The auditor must maintain a list of absentee ballots requested and mark those voters on the election register. PEOs must check the election register at the polls to determine if a voter requested an absentee ballot. If a voter requested an absentee ballot, the voter must cast a provisional ballot at the polling place unless the voter can surrender the absentee ballot or the PEOs can confirm with the auditor that the voter's absentee ballot has not been received by the auditor.

Important Note: When confirming to the PEOs that a person's ballot has not been received by the auditor, the absentee ballot request must be immediately voided in I-VOTERS. Enter "Voted at Polls" in the "Comment" field when voiding the ballot request.

[§49.72, 49.77(3)(c), 53.19, IAC 721—21.305]

Absentee Voting in Person at the Auditor's Office

Auditor's Office Availability

Absentee voting at the auditor's office cannot begin until 40 days before the election, even if the ballots are ready sooner.

[§53.10(1)]

Auditors' offices must be available for absentee voting in person during regular business hours. Additionally, auditors' offices are required to be open for the following circumstances:

- Until 5 p.m. on the Friday before election day (deadline to receive requests for absentee ballots by mail)
- Until 5 p.m. on the Monday before election day if incomplete and/or defective absentee ballot affidavits have been received
- For at least 8 hours for absentee voting on the Saturday before primary and general elections and for special elections called by the governor
- From 8 a.m. until 5 p.m. on the day voter registration closes before each regularly scheduled election
- When the polls open at noon, 8 a.m. until 11 a.m. on election day

[§47.2(5), 48A.9, 53.2(1), 53.18(2)]

Procedures for In-Person Absentee Voting

1. Check the voter's registration status.

If the voter is not registered to vote before the pre-registration deadline, the voter needs to complete a voter registration form.

If the voter is not registered to vote and comes in to vote after the pre-registration deadline, follow EDR procedures.

If the voter's registration status is "Pending," the voter must provide identification pursuant to §48A.8. If the voter does so, change the voter's registration record in I-VOTERS to "active." If the voter cannot provide ID, offer the voter a provisional ballot.

If the voter's registration status is "Inactive," allow the voter to complete an absentee ballot request form. Update the voter's registration record in I-VOTERS to "Active."

Identification is not required from voters between the close of pre-registration and election day if they are already registered to vote in the county and are updating their registration information.

[IAC 721—21.301(53)]

2. Each voter must complete an absentee ballot request form. Review the form to be sure the voter provided all of the required information. Obtain missing information by asking the voter to complete the form.
3. File stamp the request form with the date received.
4. Enter the absentee request in I-VOTERS. (See also the “Processing In-Person Absentee Voters” instructions in this chapter.)

Voters may submit changes of name, telephone number, party affiliation, or changes of registration address (within county) on an absentee ballot request form. You may also update the voter’s driver’s license or Social Security number from an absentee ballot request form. The voter’s registration record in I-VOTERS must be updated to reflect the change at the time the absentee request is entered. Save the changes before adding the absentee ballot request.

[§53.2(7)]

5. Ask the voter to sign the affidavit envelope before giving the voter the ballot.

You are required to examine the affidavit for completeness. Check to be sure the voter signed the affidavit.

[§53.18, IAC 721—21.352(2), 21.354(2)]

6. Initial and issue the appropriate ballot to the voter. Ballots must be voted at the office; they may not be taken from the office.
7. Send the voter to a booth. Each voter must use a voting booth. Voting instructions must be posted in each voting booth.

[IAC 721—22.250]

8. Ask the voter to wait while you review the affidavit envelope when the voter returns the ballot.

Check to be sure the voter:

- Sealed the affidavit envelope, apparently with the ballot inside
- Did not open and reseal the affidavit envelope

[§53.18, IAC 721—21.352(2), 21.354(2)]

9. Store the voted ballot and the request form.

File the request form in a secure place where it can be retrieved for viewing by the ASVP board, if necessary.

Store the voted ballot in a secure location accessible only to members of the auditor’s staff.

Regulations for Campaign Signs and Electioneering at Auditor's Office

During the hours when absentee voting is available at the auditor's office, campaign signs may not be posted within 300 feet of the absentee voting site. In addition, no electioneering shall be allowed within sight or hearing of voters at the absentee voting site.

[§53.10, 53.11, 68A.406]

Processing In-Person Absentee Ballots in I-VOTERS Before the Pre-Registration Deadline

1. Open the voter's record. Ask the voter to verify his or her current residential address (or obtain current address information by looking at the voter's absentee request).
2. If the voter's address is different than the residence address currently in I-VOTERS:
 - a. If the voter is currently registered in the county, use the voter's absentee ballot request to update the residential address in I-VOTERS.
 - b. If the voter is not currently registered in the county, the voter must complete a new voter registration form. Move the voter record to your county by updating the voter's registration address.

Important Note: If any changes are made to the residence address in I-VOTERS, save the changes before adding the absentee ballot request.

3. After the residential address is verified and/or updated, click on the "**Absentee**" tab.
4. Click "**Add**."
5. The request type will default to "**Election Specific**."
6. Verify the correct election appears in the drop-down menu.
7. Choose "**Counter/ Office**" as the "**Absentee Application Source**." The "**Issue Method**" will default to "**In-Person**."
 - a. If the voter wishes to have the ballot mailed to them, change the "**Issue Method**" to "**Mail**."

Important Note: Voters cannot take absentee ballots with them. They must either vote them in-person or have the ballot mailed to them.

8. Click the check box next to "**Use Address on File**" and click on "**Print Now**" or "**Print Later**", whichever your office uses.
9. Record the absentee sequence number on the voter's affidavit envelope and the voter's absentee request. If you print labels from I-VOTERS as you issue the absentee ballots, the absentee sequence number will appear on the labels.

Important Note: Absentees issued in person are automatically received into the I-VOTERS system as they are issued. As soon as you choose "**Print Now**" or "**Print Later**," the system will mark the ballot as prepared, sent and received all at the same time.

Processing In-Person Absentee Voters Who Used EDR Procedures

These instructions apply when:

- A voter who has never been registered in your county comes to your office or a satellite location and wants to register and vote.
- A voter who was previously registered in your county and is now cancelled comes to your office or a satellite location and wants to register and vote.
- A voter wants to vote absentee and his or her record is currently assigned “Incomplete” status.

Follow these steps when registering a voter and issuing the voter an absentee ballot:

1. Ask the voter to fill out the voter registration form contained on the EDR form. Make sure the form is filled out completely.
2. Ask for the voter’s proof of identity and residence.
3. If the voter does not have proof of identity and residence, the attestation procedure may be used.
4. Ask the voter to complete the voter’s oath portion on the EDR form.
 - If using an attester, ask the attester to fill out the attester’s oath portion the EDR form.

[§48A.7A, IAC 721—21.3, 21.302]

5. Open “**Voter Registration**” from the main I-VOTERS screen. Click “**New.**”
6. Enter the voter’s information in the appropriate fields. Tab through the key line so I-VOTERS will automatically identify any statewide duplicate matches.

If you get a duplicate match from a different county, select that record. If I-VOTERS does not identify any duplicates in the system, proceed as usual.

- a. Enter the voter’s address.
- b. Choose the appropriate party from the drop-down menu.
- c. Select “**15 – Election Day**” as the “**Transaction Source.**”



The screenshot shows a portion of the I-VOTERS registration form. It features four dropdown menus with the following values: Party (No Party), Transaction Source (15 - Election Day), Status (A - Active), and Reason (empty). To the right of the Party dropdown is a checkbox labeled 'Organization' which is currently unchecked. A mouse cursor is visible over the Party dropdown menu.

Publishing Notices of Satellites

Notice of the satellite must be published at least seven days before opening. Notice of multiple satellites may be published in a single publication. If a petition for a satellite is received late and a notice cannot be published at least seven days before the satellite opens, the notice must be published as soon as possible.

Each satellite must have a notice posted at the location. The notice shall be posted at least seven days before the satellite opens and it must remain posted as long as the satellite will operate in that location for the election. If the building has more than one public entrance, notices shall be posted on building directories, bulletin board, or doors. Posted notices must be removed immediately after the satellite has ceased operation for the election. If a petition for a satellite is received late and notice cannot be posted at least seven days before the satellite opens, the notice must be posted as soon as possible.

Include the following information in the published and posted notices:

- Name and date of election
- Location(s) of satellite(s)
- Dates and times satellite(s) will be open
- Precincts for which ballots will be available (see page 28)
- Notice that voter registration forms will be available for new registrations and changes to registrations for people already registered in the county

[IAC 721—21.300(2)]

Notifying Political Parties

The auditor must notify the county chairpersons at least seven days before the date absentee ballots will be available at a satellite of the date, time, and place the satellite will be in operation. This requirement applies for **all** elections.

[§53.11(5)]

Observers

No more than two observers from each political party may be present at any one satellite.

Observers do not need to complete a poll watcher designation form.

[§53.11(5)]

Staffing Satellites

Each satellite must be staffed with at least three people. Additional workers may be used if necessary. Satellites can be staffed with staff members from the auditor's office, PEOs, or a combination of both.

At all times, the satellite must have at least two workers present to preserve the security of the ballots.

Satellite workers must be registered voters of the county. For primary and general elections, the workers must be registered with a political party. Workers not affiliated with any political party may work at a satellite as long as no more than one-third of the workers who are not affiliated with a political party are assigned to the same satellite.

For all elections, no more than a simple majority of the workers can be registered with the same political party.

[IAC 721—21.300(3)]

Each worker must take the election official/clerk oath before the first day of operation at a satellite. The election official/clerk oath is available in the Election Forms Library.

[IAC 721—21.300(4)]

Satellite Supplies

Best Practices:

A list of suggested supplies for the operation of the satellite is available in the Election Forms Library. Satellite workers should also be provided with the following items to assist them:

- Instructions for opening the satellite
- A method for satellite workers to verify whether an individual is a registered voter

One possible method is to provide a paper list or a computer loaded with a file of registered voters in the precincts served by the satellite.
- Instructions for issuing absentee ballots to voters
- Place to record the names of voters who vote at the satellite (i.e. absentee voters log)
- Instructions for closing the satellite station

Sample instructions and the absentee voters' log are available in the Election Forms Library.

[IAC 721—21.300(5)]

I-VOTERS Usage at Satellites

Satellite stations may only be connected to I-VOTERS if the processes in IAC 721—21.300 are adhered to and the county applied for and receives permission from the SOS for such use.

[IAC 721—21.300]

Receiving Absentee Ballots

Use of Designee

Voters may send their absentee ballots back with any person the voter chooses. Voters can request a receipt for their ballot from the designee.

A copy of the receipt is included in the absentee voting instructions prepared by the SOS Office and available in the Election Forms Library.

The only restriction on who may serve as a designee is in the case of HCF patients outside the county of residence. See the Absentee Voting and Health Care Facility section of this chapter.
[§53.8(2)]

File Stamp Ballots

File stamp each return or affidavit envelope with the date it was received in the auditor's office.
[§53.18(1), IAC 721—21.351(1)]

Storing Absentee Ballots

Absentee ballots returned must be securely stored. The ballots may be stored in a secured container (i.e. locked ballot box) or in a secured area.

[IAC 721—21.351]

I-VOTERS Instructions

I-VOTERS instructions for receiving absentee ballots can be found on the following pages.

Receiving Absentee Ballots Returned Normally in I-VOTERS

1. Open the “**Receive Absentee Ballots**” module from the main I-VOTERS screen.
2. Choose the current election and click on “**Search.**” Any previously received batches of absentee ballots will appear.
3. Click on “**New**” in the lower lefthand corner of the screen to create a new batch of received absentee ballots.
4. When the new batch screen opens, you may type in a batch description and identifier if that is a process followed in your county.

The screenshot shows the 'Receive Absentee Ballots' window. At the top, there is a search section with a dropdown menu for 'Election' set to '12/04/2012 Test Election'. To the right of this are fields for 'Batch Date From' and 'Batch Date To', and a 'Search' button. Below the search section is a table with columns: 'Batch #', 'Batch Date', 'Receive Date', 'Source', 'Total Count', 'Accepted', 'Rejected', and 'Defective Affid...'. At the bottom of the window, there is a 'New' button highlighted with a red box, along with other buttons like 'Receive Ballot', 'Unreceive Batch', 'File Upload', 'Absentee List', and 'Print Labels'.

You must make a selection in the source pull-down menu under “**Ballot Label.**” The “**Source**” you choose will be the method by which the ballot was returned to your office. “**Mail**” will be the source you use most often.

5. Add your ballot to the batch by either scanning the ballot barcode or typing the ballot tracking number into the “**ID**” field under the “**Ballot Label**” portion of the screen.

If you use your barcode scanner, make sure you click with your mouse in the “**ID**” field before scanning the barcode so the tracking number appears in that field.

Click “**Add.**” After you add your ballot to the batch, it will appear in the list on the bottom half of the screen.

The screenshot shows the 'Receive Ballots' window. The 'Ballot Label' section is highlighted with a red box. It includes a 'Source' dropdown menu set to 'Mail', a 'Date Received' field set to '07/09/2012', and an 'Add' button. To the right, there is a 'Ballot Search in Workspace' section with fields for 'Name', 'Address', 'City', and 'Abs Seq #', and a 'Search' button. Below this is a table titled 'List of Ballots in the Batch' with columns: 'Item #', 'Abs Seq Num', 'Ballot ID', 'Voter Name', and 'Source'. The first row contains the values: '1', '2', '500983710', 'SALLY VOTER', and 'Mail'. At the bottom of the window, there are buttons for 'Details', 'Unreceive', 'Hold', 'Voter Summary', 'Household', 'View Ballots', and 'Close'.

6. Occasionally, a message will pop up when you are adding ballots to your batch. These messages will often include recommendations such as “**Hold this ballot**” or “**Process normally.**” If you encounter a message and you are not sure how to proceed, talk to a supervisor in your office or call the I-VOTERS help desk.

Sending Ballots to UOCAVA Voters

For primary and general elections, ballots must be ready to send to UOCAVA voters at least 45 days before the election.

[§53.39(2)]

By Mail

Ballots must be mailed unless a voter specifically asks for the ballot to be sent electronically. Include the following with each mailed ballot:

1. Public measure text (if any)

Include the full text of any public measures that are summarized on the ballot but not printed in full.

2. Secrecy envelope

Include a secrecy envelope if the ballot cannot be folded to cover all of the voting targets or if you plan to open the affidavit envelopes on Monday before election day.

[§53.8(1), 53.23(3)]

3. Affidavit envelope

The affidavit envelope is the equivalent of the voter's declaration of eligibility. It must be marked with the serial number (i.e. absentee sequence number) used to identify the absentee request in the auditor's records.

Important Note: The affidavit envelope and return envelope may be combined into one envelope.

[§53.8(1)]

4. Return envelope

Important Note: The affidavit envelope and return envelope may be combined into one envelope.

[§53.8(1)]

This envelope must be addressed to the auditor's office and have the appropriate return postage or postal permit guaranteeing that the auditor will pay the return postage. The envelope must be marked with the serial number (i.e. absentee sequence number) used to identify the absentee request in the auditor's records.

The return envelope must also have the return deadline statement below printed or stamped on the flap or back of the envelope:

"This ballot will only be eligible for counting if it is received by the auditor's office before the polls close on election day or postmarked before election day and received by the deadline listed in the voting instructions included with this ballot.

Postmarks are not guaranteed!

Mail the ballot early to make sure it is received on time. Track the status of your absentee ballot at www.sos.iowa.gov.”

[IAC 721—21.303(5)]

5. Absentee voting instructions

Include the instructions prepared by the SOS for UOCAVA absentee voters. The general elections instructions include information about straight party voting.

[IAC 721.22.250]

6. Absentee ballot receipt

A blank receipt must be included in case the voter wants to designate someone to return the ballot on behalf of the voter. The absentee voting instructions prepared by the SOS include a receipt and receipt instructions.

7. Delivery envelope

The delivery envelope must be addressed to the voter and be marked with the serial number (i.e. absentee sequence number) used to identify the absentee request in the auditor’s records. All other materials must be enclosed in this envelope.

[IAC 721—21.303]

Copies of the envelopes and absentee voting instructions are available in the Election Forms Library.

By Electronic Transmission

Auditors may choose to send ballots either through FVAP’s ETS server or directly to the voter’s email or fax.

If voters request for their ballots to be sent electronically, you must honor that request. Voters must indicate this choice on their request and provide their fax number or email address. If a voter does not provide an email address or fax number, send the ballots by postal mail.

[IAC 721—21.320(3)]

Include the following with each e-transmission ballot:

- A ballot
- E-transmission ballot instructions
- Required forms
 - Return envelope form (may be combined with affidavit envelope)
 - Affidavit envelope form (may be combined with return envelope)

The e-transmission ballot instructions and required forms are available in the Election Forms Library.

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.

PEOs must inspect the photo ID to verify the photograph shows the voter and to verify the voter's name is listed. If the photo ID is also used to prove residency, the PEOs must verify the address listed on the ID is the same address the voter provided.

PEOs must inspect the proof of residence document to verify it shows the voter's name and address.

[IAC 721—21.7(1)]

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, IAC 721—21.4(2)]

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.

Confirming a Voter's Absentee Ballot has not been Received/Voter has not Corrected a Defective or Incomplete Affidavit

The auditor may choose to instruct PEOs to call the auditor's office when a voter who has requested an absentee ballot appears at the polling place but does not have an absentee ballot to surrender. Once the auditor has confirmed that the person's absentee ballot has not been returned to the auditor, the auditor can instruct the PEOs to allow the voter to cast a regular ballot.

The same is true for voters with defective or incomplete affidavits who have not completed the affidavit or voted a replacement ballot. Once the auditor makes that confirmation, the PEOs should allow the voter to cast a regular ballot at the polls.

[IAC 721—21.305]

To confirm the status of an absentee ballot in I-VOTERS:

1. Open the voter's record.
2. Go to the "**Elections**" menu at the top of the voter's record and select "**Active Ballot.**"
3. Find the non-voided ballot by looking for a "**NO**" in the "**Ballot Voided**" field.

Ballot Voided	Tracking No	Abs Seq N	Sent Date	Received Date	Print Date	Residential Address	Ballot Style	Precinct Code	Ballot Status
NO	500757746	240	09/17/201	09/17/2010	09/17/2010	1713 11TH ST CORALVILLE, IA 52241	CITY REP30	CV.05	Sent

Follow the instructions below based on whether the ballot has a "Received Date" listed.

Ballot Has Not Been Received

If the non-voided ballot does not have a "**Received Date**" listed:

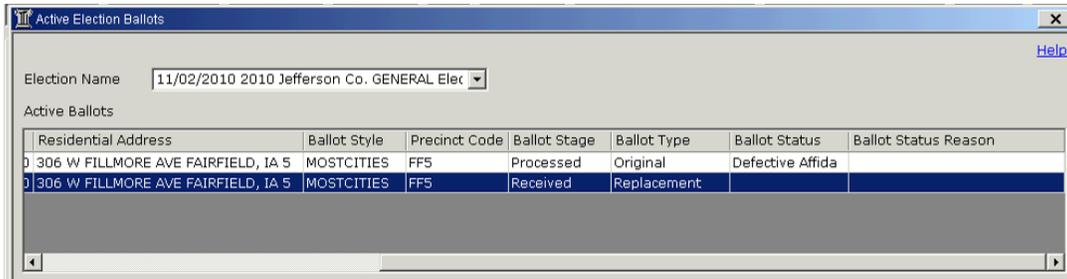
1. Instruct the PEOs to allow the person to vote a regular ballot because you have not received the voter's absentee ballot.
2. Close the "**Active Ballots**" menu.
3. Void the voter's request to ensure that the person's absentee ballot will not be counted if it comes in after election day.
 - a. Open the "**Absentee**" tab on the voter's record.
 - b. Highlight the non-voided request and select "**Void.**" In the void comment box, enter "**Voted at polls.**"

Dates/Elections	Seq Num	Source	Address	County
6/5/2012 Tr...	1	Counter ...	Address on File	Johnson

Ballot Has Been Received

If the non-voided ballot has a **“Received Date”** date listed:

1. Scroll to the right using the scroll bar to see the **“Ballot Status.”**



Residential Address	Ballot Style	Precinct Code	Ballot Stage	Ballot Type	Ballot Status	Ballot Status Reason
306 W FILLMORE AVE FAIRFIELD, IA 5	MOSTCITIES	FF5	Processed	Original	Defective Affida	
306 W FILLMORE AVE FAIRFIELD, IA 5	MOSTCITIES	FF5	Received	Replacement		

2. If the **“Ballot Status”** for the non-voided ballot is blank:

- a. Instruct the PEOs the person must vote a provisional ballot because you have already received a voted absentee ballot from this person.

If the **“Ballot Status”** says **“Defective Affidavit”** or **“Deficient Affidavit/Incomplete”**:

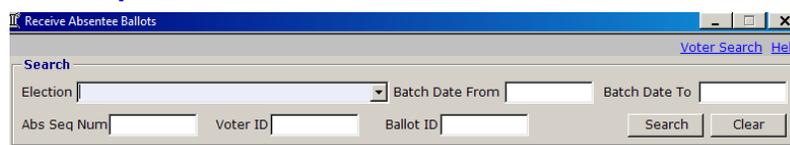
- a. Instruct the PEOs to allow the person to vote a regular ballot because the voter never corrected the defective or incomplete ballot. The defective or incomplete ballot must be rejected by the ASVP board.
- b. Void the voter’s request. To do so, you must first unprocess the ballot as defective or incomplete and then unreceive the ballot.

1. Open the election in **“Election Management”** and click on **“Process Absentee Ballots.”**
2. Search for the voter’s ballot.
3. Change the voter’s **“Ballot Status”** to blank and click **“Save.”**



Ballot Status Save

4. Open **“Receive Absentee Ballots”** from the main I-VOTERS screen.
5. Choose the election from the **“Election”** drop-down. Enter the voter’s **“Abs Seq Num”** and click **“Search.”**



Receive Absentee Ballots

Search

Election Batch Date From Batch Date To

Abs Seq Num Voter ID Ballot ID Search Clear

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.

[IAC 721—26.2(1)]

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]

Possible Situations on Election Day

Voting Equipment Malfunctions

PEOs should notify the auditor immediately and stop using any equipment that appears to be malfunctioning. The PEOs should ask voters to hand their ballots to a PEO after they have marked their ballot. The PEO will insert voted ballots in the emergency ballot bin until the problem can be addressed.

[IAC 721—22.231]

There are two courses of action the auditor can take to resolve the problem:

1. Routine Resolution

If the problem can be resolved by simple instructions and the auditor and the PEOs are able to resolve the problem without replacing the equipment, the PEOs must document the following:

- The nature of the problem
- The time the problem occurred
- How the problem was resolved
- The person who resolved the problem

2. Repair or Replacement

The auditor or the auditor's designee (must be authorized in writing and show ID to the PEOs) can attempt to repair the equipment or the equipment can be replaced. Repairs on election day must be limited. If the problem cannot be easily resolved, the equipment must be replaced as soon as possible. Two PEOs (one from each political party) must witness the repair or replacement of voting equipment or memory cards. The person making the repair and the two PEOs must sign a report of the incident.

The voting equipment can only be used if the malfunction can be corrected. The auditor must keep a written record of all known malfunctions and their resolutions.

If the equipment is replaced, the ballots in the ballot box should be placed in the emergency bin of the new scanner and as time allows, two precinct election officials of different political parties should re-feed the ballots through the new scanner.

[IAC 721—22.52, 22.231]

Precinct Runs Out of Ballots

The PEO chairperson must immediately contact the auditor by telephone (when available) to advise the auditor regarding the low supply of ballots. The auditor must keep a written record of requests for additional ballots made by telephone. If a telephone is not available, a messenger must be sent with a written request for additional ballots. Written requests must be signed by a majority of the PEOs of the precinct.

[§49.66]

A sample “Request for Additional Ballots” is available in the Election Forms Library.

Upon receipt of a request, the auditor must immediately deliver additional ballots to the polling place. If there are not enough official ballots, the auditor or the auditor’s designee may make photocopies of official ballots. The auditor must keep a record of the written request for additional ballots, the number of photocopied ballots made, the name of the person who made the photocopies, and the date, time and location at which the photocopies were made.

[§49.67, IAC 721—21.22]

A sample ballot replication record is included in the “Request for Additional Ballots” available in the Election Forms Library.

Ordering Arrest

A PEO may order the arrest of any person who is acting in such a manner that is disturbing the election, or insults or abuses the PEOs, or commits a breach of the peace. If the person is a registered voter of the precinct and has not yet voted, the person must be permitted to vote before being removed from the polling place.

[§49.105]

Emergencies on Election Day

A declaration of emergency due to a disaster or extreme weather can only be declared by the SOS. If such a situation occurs in a county, the auditor must notify the SOS that an election cannot safely be conducted at that time or in the place where the election is supposed to be held.

A “County Auditor Election Emergency Report” form is available in the Election Forms Library.

The SOS will work with the auditor to order modifications to the method of conducting the election or postpone the date of the election.

Exception: If candidates for federal office are on the ballot, the election cannot be postponed or delayed but other remedies may be available.

Relocation of Polling Place

If the emergency causes the polling place to be relocated, a sign indicating the new location of the polling place must be posted on the exterior door of the former polling place as soon as possible. If it is unsafe or impossible to post a sign on the door, the sign must be posted in some other visible place at or near the site of the former polling place.

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), IAC 721—26.3]

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 'County' is set to Johnson. The 'Election' dropdown is set to '11/08/2011 - 2011 City Election'. The 'Pol Party' and 'Party Org.' checkboxes are both checked. The 'E-019 Official Results Report' is selected in the report list. The interface includes various filters for Precincts, Districts, Rates, Candidate, Absentee Type, and Election Date. The 'E-019 Official Results Report' is highlighted in the report list.

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.

Auditor's Calendar General Election – November 4, 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
+45 after Primary Election	Friday, July 18	Primary Election EDR Acknowledgement Deadline. Last day to mail acknowledgements to voters who registered and voted after the primary election pre-registration deadline.	§48A.26A(1)
-104	Wednesday, July 23	Judges' Filing Deadline. Last day for judges standing for retention to file a declaration of candidacy with the Secretary of State.	§46.20
-99	Monday, July 28	State and Federal Candidates Filing Begins. First day for NPPO candidates and candidates nominated by petition to file nomination papers for state and federal offices with the SOS.	§44.4(1), 45.4
+60 after Primary Election	Saturday, August 2	Deadline to Update Primary Election Voter History. Last day to add voter election participation information for the primary election in I-VOTERS.	§48A.38(2)
-92	Monday, August 4	County Candidate Filing Begins. First day for NPPO candidates and candidates nominated by petition to file nomination papers for county and township offices with the auditor.	§44.4(1), 45.4
-90	Wednesday, August 6	Special Absentee ("Submarine") Ballots. First day for UOCAVA voters who will be outside the continental United States and unable to vote and return a regular absentee ballot by normal mail delivery within the time provided to request a special absentee ballot.	§53.45(1)(b)
-89	Thursday, August 7	Primary Nominee Withdrawal Deadline – State and Federal. Last day for candidates for state and federal offices who were nominated at the primary election to withdraw. Notice of withdrawal must be submitted in writing to the SOS. Last Day for Vacancies – U.S. Senate and Statewide Offices. If a midterm vacancy in U.S. senate or statewide offices (except governor and lt. governor) occurs on or before August 7, the office must be on the ballot to fill vacancy at the general election. Political party nominations must be made by convention.	§43.76(1) §43.6(1), 43.77(4), 43.78(1), 69.13
-81	Friday, August 15 – 5 p.m.	Filing Deadline – State and Federal. Last day to file nomination papers with the SOS. This includes NPPO candidates and candidates nominated by petition, and Democratic and Republican parties' nominations to fill ballot vacancies. Deadline is 5 p.m.	§43.78(2), 44.4(1), 45.4
-76	Wednesday, August 20	Notification Deadline – City Vacancies (if applicable). Last day for cities without primary provisions to notify auditor to place a city vacancy (if applicable) on the general election ballot.	IAC 721— 21.404(2)
-74	Friday, August 22	Last Day for Vacancies – County. If a midterm vacancy in a county office occurs on or before August 22 and no special election is called to fill the vacancy, the office must be on the ballot to fill vacancy at the general election. Political party nominations must be made by convention.	§43.77(5)(b), 43.78(1), 69.14A(1)(b)(2), 69.14A(2)(b)(2)

Continued on next page...

Days from Election	Date	Event	Code Cite
-74	Friday, August 22	Primary Nominee Withdrawal Deadline – County. Last day for candidates for county office who were nominated in the primary election to withdraw. Notice of withdrawal must be submitted in writing to the auditor.	§43.76(2)
		Withdrawal Deadline – State and Federal. Last day for NPPO candidate or candidates nominated by petition who filed nomination papers with the Secretary of State to withdraw. Notice of withdrawal must be submitted in writing to the SOS.	§44.9(1), 45.4
		Substitution Deadline – State and Federal. Last day for NPPOs to replace candidates who withdrew, died or were found ineligible for state and federal offices if the NPPO filed substitution procedures.	§44.11, 44.17
		Objection Deadline – State and Federal. Last day to file written objections to nomination papers with the SOS. Deadline is 5 p.m.	§44.4(2)(a)(1)
-70	Tuesday, August 26 – 5 p.m.	Proxy Requests Begin. First day for family members of UOCAVA voters to submit proxy absentee ballot request forms.	§53.40(1)(b)
-69	Wednesday, August 27 – 5 p.m.	Filing Deadline - County. Last day to file nomination papers for county offices or vacant city offices (if applicable) with the auditor. This includes NPPO candidates and candidates nominated by petition, and Democratic and Republican parties' nominations to fill ballot vacancies. Deadline is 5 p.m.	§43.78(3), 44.4(1), 45.4
		Last day for the SOS to certify names for the general election ballot to the auditor.	§43.73, 46.21
		Auditor's office must be open until 5 p.m.	§47.2(6)
-68	Thursday, August 28	Draw Names – Non-Partisan Office Ballot Order. Auditor draws the names of candidates for non-partisan offices (county hospital trustee, soil and water commissioner, agricultural extension council, and township offices) to determine the order in which the names of those candidates will appear on the ballot.	§49.31(2)(c)
		Notify NPPO candidates if drawing must be held. If multiple nominations for a single office are received from candidates for the same NPPO, lots will be drawn to determine which candidate will have the NPPO's name appear with the candidate's name on the ballot. The other candidate(s) will appear as "Nominated by Petition." The auditor must notify candidates of the time and date of the drawing. Candidates have a right to be present or send a representative to the drawing.	IAC 721— 21.201(2), 21.201(3)
-64	Monday, September 1	Labor Day – State Offices Closed. If the auditor's office is closed, applicable deadlines move to the next business day.	§1C.1, 47.4

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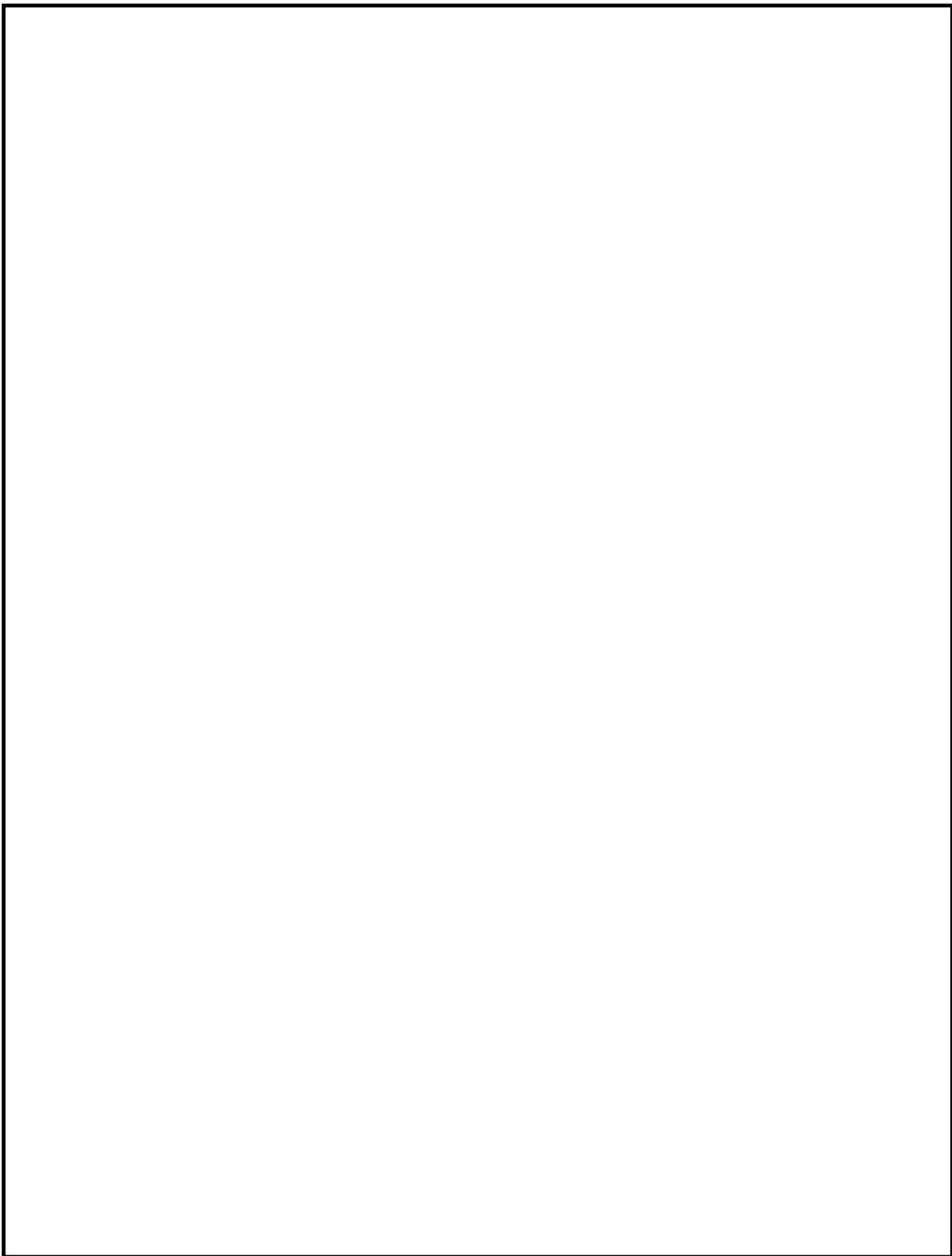
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Length of Appointments

Generally, an individual appointed to fill a vacancy only serves until the next pending election. If the political subdivision has a special election or a regularly scheduled election after an individual is appointed and the term the appointee is serving is not scheduled to end after the next pending election, the office in which the appointee is currently serving must appear on the ballot as “To Fill Vacancy.”

Term Start Date for Certificate of Election

When individuals are elected to fill vacancies, their terms begin as soon as a certificate of election is issued and they qualify for the office. There is no term start date. Instead, the certificate of election should state that the individual is elected for the “residue of the term ending [at the end of the original term].”

[§50.29]

When individuals are not elected to fill vacancies but there is an appointee currently serving in the seat to which they were elected for the succeeding term, the term start date is the first day of the term to which they were elected. However, the individual must qualify for the office before the term start date due to an operation of law.

[§50.29, 69.12, 69.14A]

“Qualify” for Office

“Qualification” for public office means taking the oath of office and giving bond when required.

[§63.1]

Required Oath of Office Language

It depends on the office. Generally, the text of the required oath of office can be found in §63.10. If the statutes governing the election do not contain a different oath of office, use this one.

Exceptions:

- School Officials:

The oath of office for school officials is located in §277.28. The text of this oath differs, depending on whether the oath is taken in front of the board of directors or not.

- Governor/ Lt. Governor:

The oath of office for the governor and Lt. governor is located in §63.5.

- Judges:

The oath of office for judges is located in §63.6.

When Oath of Office Must be Taken

Vacancy Filled by Appointment

The appointee must take the oath of office no later than 10 days after the date the appointment was made.

[§63.8]

Vacancy Filled by Special Election

If the previous officeholder was appointed to the office or there is no previous officeholder, the individual declared elected must take the oath of office within 10 days after the canvass of votes declaring the individual elected. If the seat is on a multimember board to which more than one person is to be elected, the non-incumbent who receives the most votes must qualify within 10 days of the canvass.

The requirement to be sworn in within 10 days of the canvass applies even when the individual declared elected was running to fill vacancy or not. The appointee never serves the rest of the term.

[§63.8, 69.12(2)]

Exception: If it is a special school election to fill a vacancy, the newly elected officer must qualify within 10 days after the election.

[§63.8, 279.7]

Example 1:

Betty Busybody resigned from the office of county sheriff on January 1, 2010. Her term was not set to expire until December 31, 2012. The county supervisors filled the vacancy by appointing Dan Doorknob until the November 2010 General Election. Bill Bustem ran and was elected to fill the vacancy on November 2, 2010. Bill must take the oath of office within 10 days of the county canvass of votes and Dan's appointment is over as soon as Bill takes the oath of office.

Example 2:

Connie Crabtree resigned from the office of county supervisor on January 1, 2010. Her term was set to expire on December 31, 2010. The county committee filled the vacancy by appointing Fiona Firedup until the November 2010 General Election. There were three supervisor seats up for election in November 2010. Sally Sympathetic, a non-incumbent, ran for supervisor and received the most votes. Sally Sympathetic must qualify by taking the oath of office within 10 days after the county canvass of votes. Fiona's appointment is over and Sally will serve the remainder of Connie Crabtree's term, even though Sally did not run to fill a vacancy.

Example 3:

Mike Moveover retired from the office of county auditor on July 1, 2013. His term was set to expire on December 31, 2016. The county supervisors called for a special election on September 10, 2013, to fill the vacancy. Eddie Eager ran and was elected to fill the vacancy. Eddie must take the oath of office within 10 days of the county canvass of votes.

Public Measures

A public measure must be placed on the ballot before a vacancy can be filled at a special election.

[§260C.11]

Filling Vacancy at Special Community College Public Measure Election

The vacancy must be filled at an upcoming special community college election for a public measure if the election was scheduled before the vacancy occurred unless:

- There has already been a special election to fill the vacancy

OR

- The vacancy occurs fewer than 60 days before the next pending election

[§69.12(1)(a)(4)]

Filling Vacancy at Next Regular School Election

The vacancy must be filled at the next regular school election unless:

- The term of the office in which the vacancy occurred is set to expire after the regular school election

OR

- There has already been a special election for a public measure at which the vacancy was filled

OR

- The vacancy occurs fewer than 45 days before the regular school election

If the seat would have been up for election at the next regular school election, then the office must appear on the ballot at the regular school election for the full term, not as “To Fill Vacancy.”

If the vacancy occurs fewer than 45 days before the regular school election the vacancy must be filled by appointment until the next pending election.

Vacancies on City Councils

Laws Related to City Council Vacancies

Iowa Code section 372.13 applies to vacancies in city offices.

Filling Vacancies

The city council must decide whether to fill a vacancy in an elective city office by appointment or by calling for a special election.

[§372.13(2)]

Extra or Special Publication Requirements

There are extra or special publication requirements if the council decides to appoint a replacement. The council must publish notice of its intention to appoint at least four but no more than 20 days before the appointment is scheduled to occur. The publication must also notify city residents of the right to request a special election by filing a petition. The publication must occur once and must be published in a newspaper of general circulation in the city, unless the city has a population of fewer than 200 and has an ordinance designating three public places for posting of such notices.

[§372.13(2)(a), 362.3]

There are no extra or special publication requirements if the council decides to call for a special election.

[§372.13(2)(b)]

Appointing Replacements

Deadline

The appointment must be made within 60 days after the vacancy occurs.

[§372.13(2)(a) as amended by 2014 Iowa Acts, House File 2366]

Appointment not Made Before Deadline

If the city council fails to appoint a replacement within 60 days, the city clerk must give notice of the vacancy to the county auditor. The county auditor must call for a special election at the earliest practicable date but no sooner than 32 days after the notice from the city clerk was received. If the city has a primary election provision, the county auditor must call for a special election at the earliest practicable date but no sooner than 60 days after notice from the city clerk was received.

[§372.13(2)(a)(1) as amended by 2014 Iowa Acts, House File 2366]

Filing Officer

The control county auditor is the filing officer for candidate nomination papers for special elections to fill vacancies on city councils.

[§376.4]

Candidate Filing Deadlines

If the special election is held at the same time as a regularly scheduled election, the filing deadlines are the same as the deadlines for the regularly scheduled election. See the election-specific chapters for more information.

If the special election is not held at the same time as a regularly scheduled election, the filing deadlines are:

Cities with Primary Election Provisions

First Day: As soon as notice is given to the auditor

Last Day: No later than 5 p.m. on the 53rd day before the special election

All Other Cities

First Day: As soon as notice is given to the auditor

Last Day: No later than 5 p.m. on the 25th day before the special election

Nomination papers are filed with the control county auditor.

[§372.13(2)(b), IAC 721—21.403, 21.404]

Withdrawal and Objection Deadlines

Withdrawal Deadline

Primary Cities: No later than 5 p.m. on the 50th day before the election

All Other Cities: No later than 5 p.m. on the 22nd day before the election
[IAC 721—21.403(2), 721—21.404(3)]

Objection Deadline

Primary Cities: No later than noon on the 50th day before the election

All Other Cities: No later than noon on the 22nd day before the election
[IAC 721—21.403(2), 721—21.404(3)]

Public Measures

Public measures may also be placed on the special election ballot.

If the city has a primary election provision, the deadline for the city to provide the full text of the public measure to the auditor's office is 5 p.m. on the 53rd day before the special election.

[§47.6(1)(a)(1)(b)]

For all other cities, the deadline for the city to provide the full text of the public measure to the auditor's office is 5 p.m. on the 32nd day before the special election.

[§47.6(1)(a)(1)(b)]

City Primary and Runoff Elections

The city also needs to hold a city primary election or a city runoff election if the city has primary elections or runoff elections adopted as the city's method of nomination. If necessary, a special city primary election must be held four weeks before the date of the special city election. If necessary, a special city runoff must be held four weeks after the date of the special city election.

If the city has nominations under chapter 44 or chapter 45, a special city primary is never required. If the city has nominations under chapter 44 or chapter 45, a special city runoff election is never required.

See the City Elections chapter for more information.

Filling Vacancy at Special City Public Measure Election

A vacant seat filled by appointment must be filled at an intervening special city election for a public measure.

Important Note: The general election is only an intervening special election for that city if the city places a public measure on the general election ballot.

Exception: Cities with primary provisions cannot fill vacancies at the general election even if a public measure for the city will be on the general election ballot.

Filling Vacancy at Next Regular City Election

The vacancy must be filled at the next regular city election unless

- The term of the office in which the vacancy occurred is set to expire in January immediately following the regular city election

OR

- There has already been a special election to fill the vacancy.

If the term of the office in which the vacancy occurred is set to expire in January after the regular city election, then the office will appear on the ballot at the regular city election for the full term, not as “To Fill Vacancy.”

Calendar of Events

Cities with Primary Provisions

Days Before Election	Event
60 days – Friday	Written notice to auditor due
53 days, 5 p.m. – Friday	Candidate filing deadline
50 days, noon – Monday	Objection deadline
50 days, 5 p.m. – Monday	Withdrawal deadline
28 days – Tuesday	Primary election if needed

[IAC 721—21.403(2)]

All Other Nomination Methods (Not Held in Conjunction with General Election)

Days Before Election	Event
32 days – Friday	Written notice to auditor due
25 days, 5 p.m. – Friday	Candidate filing deadline
22 days, noon – Monday	Objection deadline
22 days, 5 p.m. – Monday	Withdrawal deadline
28 days after – Tuesday	Runoff election if needed

[IAC 721—21.404(3)]

All Other Nomination Methods (Held in Conjunction with General Election)

Days Before Election	Event
76 days – Wednesday	Written notice to auditor due
69 days, 5 p.m. – Wednesday	Candidate filing deadline
64 days, 5 p.m. – Monday	Objection deadline
64 days, 5 p.m. – Monday	Withdrawal deadline
28 days after – Tuesday	Runoff election if needed

[IAC 721—21.404(2)]

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	Control County Auditor	§376.4(1)(a) as amended by 2014 Iowa Acts HF 2366, Sec. 9*
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

*Effective July 1, 2014, city clerks are no longer the filing officer for candidate nomination papers in city elections. City clerks may still collect nomination papers and file them on behalf of candidates. The nomination papers must still be filed by the candidate filing deadline with the county auditor.

Filing Officers for 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 school secretary is the filing officer for a special election to fill a vacancy on a school board.

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)]

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, school secretaries must not deliver the papers to the county auditors before the end of the filing period.

[§44.15, 277.4]

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.

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: School 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 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 School District, the office of school board director is on the ballot. Wayne Butler files nomination papers as a candidate for school board and lists his address on his affidavit of candidacy as: 45 Main Street, Humboldt City. The school secretary knows everyone in Humboldt City, but she has never heard of Wayne Butler. The school secretary also knows there is a Main Street in town, but she thinks someone else lives at that address.

Q: Should the secretary get out the Humboldt City phone book to check Mr. Butler’s address?

A: No.

The secretary 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.

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.

Election Type	Objection Deadline	Objection Filed With	Code Cite
School Election School Board Members	35 days before the school election	School Secretary	§277.5
School Election Community College Directors	35 days before the school election	Community College Board Secretary	§260C.15(4)(b)
City Primary Election	By 5 p.m. 63 days before the regular city election	Control County Auditor	§44.4(2), 376.4(6) as amended by 2014 Iowa Acts HF 2366, Sec. 2
Regular City Election including Cities with Runoffs	By 5 p.m. 42 days before the regular city election	Control County Auditor	§44.4(2), 376.4(6) as amended by 2014 Iowa Acts HF 2366, Sec. 2
Primary Election State & Federal Offices	74 days before the primary election	Secretary of State	§43.24(1)(b)(1)
Primary Election County Offices	64 days before the primary election	County Auditor	§43.24(1)(b)(2)
General Election State & Federal Offices	5 p.m. on 74 days before the general election	Secretary of State	§44.4(2)
General Election County Offices	5 p.m. on 64 days before the general election	County Auditor	§44.4(2)
Special Elections 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. control county auditor 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.

Election Type	Withdrawal Deadline	Withdrawal Filed With	Code Cite
School Election School Board Members	By 5 p.m. 35 days before the school election	School Secretary	§44.9(3), 277.4(4)
School Election Community College Directors	Not specifically referenced in the <i>Iowa Code</i> . Consult with legal counsel if a withdrawal is submitted.		
City Primary Election	63 days before the regular city election	Control County Auditor	§44.9(6), 376.4(6) as amended by 2014 Iowa Acts HF 2366, Sec. 5
Regular City Election including Cities with Runoffs	42 days before the regular city election	Control County Auditor	§44.9(6) as amended by 2014 Iowa Acts HF 2366, Sec. 5
Primary Election State & Federal Offices	76 days before the primary election	Secretary of State	§43.16
Primary Election County Offices	67 days before the primary election	County Auditor	§43.16
General Election 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)
General Election 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)
Special Elections 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]

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 candidates who are nominated by petition without affiliation to a political party or NPPO are allowed for each race?

There is no limit on the number of candidates who may be nominated by petition without affiliation to a political party or NPPO 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. The candidate's name will appear on the ballot without any reference to a party affiliation. These candidates must 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 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. 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.

Getting Started

This is a reference guide for use by precinct election officials, the absentee and special voters precinct board, recount board, and contest courts.

The instructions set forth contain administrative rules from Iowa Administrative Code Chapter 26. Chapter 26 was written to ensure statewide uniformity as ballots are counted. The rules in this guide must be followed because all administrative rules have the full force and effect of law.

The auditor does not have a role in counting ballots. Decisions about whether or not to count a vote are determined by the precinct election officials, the absentee and special voters precinct board, recount boards, and contest courts.

The examples used in this guide all show the voting target as an oval on the left-hand side next to each candidate's name. Use the same rules for other kinds of voting targets.

Example:  CANDIDATE'S NAME
  CANDIDATE'S NAME

[IAC 721—26.11]

Precinct Election Officials and ASVP Board:

The optical scan machine counts ballots as they are inserted. Do not examine ballots accepted and counted by the machine. Follow these instructions only for ballots identified by the optical scanner as including a write-in vote.

Basic Rules

A Voter's Choices Count

Do not reject a vote for any office or question solely because a voter failed to follow instructions for marking the ballot.

- If the choice of the voter is clear, count the vote as the voter has indicated.
- If, for any reason, it is impossible to determine the choice of the voter for any office or question, do not count the vote for that office or question.

[IAC 721—26.15]

A voter's definite choices shall be counted even if the recount board determines that the voter's choices differ from the votes as counted by the tabulating device.

[IAC 721—26.104(3)]

Ballots Properly Marked Still Count

Do not refuse to count any ballot because:

- The ballots were misprinted
- The precinct election official's initials are missing
- The wrong ballots were delivered to the polling place

[IAC 721—26.13]

Standards for Determining a Voter's Choice

Prescribed and Other Marks on the Same Ballot

If a voter used both the prescribed mark and other marks, count only the prescribed marks as votes.

Prescribed mark = the mark shown in the voting instructions as the appropriate way to mark a vote; also includes a close approximation of the mark

Example 1:

The voter used both the prescribed mark (filled in oval) and an "X" in the voting targets within the same office.

For Board of Supervisors

(Vote for no more than two.)

- CANDIDATE 1 (Party A)
- CANDIDATE 2 (Party A)
- CANDIDATE 3 (Party B)
- CANDIDATE 4 (Party B)
- _____
(Write-in vote, if any)
- _____
(Write-in vote, if any)

Count only the prescribed mark, so only the one vote for CANDIDATE 4 should be counted. It is not clear from the voter's mark whether the mark in the oval for CANDIDATE 3 is intended as a vote.

[IAC 721—26.16]

Marks Not Counted

Do not count any of the following marks on ballots as votes:

1. Hesitation mark

Hesitation mark = small mark made by resting a pen or pencil on the ballot

Example: 

2. Identifying mark

Identifying mark = includes a comment or statement that indicates the identity of the voter either individually or as a member of a group; or initials, a printed name, or signature placed on the ballot in any place other than on the lines intended for write-in votes or intended for the initials of the precinct election official who issued the ballot

Example: 

If you find identifying marks on a ballot, the whole ballot must be rejected if ballots are being counted by hand.

If the ballots are tabulated by voting equipment and an identifying mark is found when tallying write-in votes, do not count the write-in votes. Return the ballot as “Objected to” in a disputed ballot envelope and indicate on the ballot that the write-in vote was not counted.

3. Random mark

Random mark = a mark on a ballot (other than prescribed mark) that is used inconsistently, either in or near the voting target or the names of candidates

Examples: 



4. Stray mark

Stray mark = a mark on a ballot that appears to be accidental or appears to be unrelated to the act of filling in the voting target

Example: 

[IAC 721—26.14, 26.17]

Election Administrator's Dictionary

candidates are elected at-large, meaning all voters in the county are eligible to vote for all of their elected supervisors.

Attorney General, informal advice. Written advice to a client from the Attorney General or a deputy or assistant attorney general. Informal advice represents the position of the individual attorney and is not an **Attorney General's Opinion**. See also **Attorney General, opinion**.

Attorney General, opinion. Attorney General (AG) opinions answer legal questions of a public nature that relate to a public official's duties.

An AG's opinion helps interpret laws and guide state and local officials in applying the laws. An opinion is similar to a legal precedent and is binding until a court or later AG opinion overrules it or new legislation is enacted to change the statute in question. Opinions are not binding on a court, but are usually given careful consideration and respect.

The most appropriate questions for AG opinions are questions about inconsistent statutes or legal principles, confusion in the law itself, the constitutionality of a statute or rule, or legal disputes between two government entities.

[<http://www.state.ia.us/government/ag/>]

Audio ballot. "Audio ballot" means the ability of a voting system to read the contents of a ballot to a voter through the use of headphones. [IAC 721–22.1]

Auditor. The County Commissioner of Elections See **Commissioner**. [§47.2]

Auditor's office hours. See **Office hours**.

Australian ballot. An official ballot on which the names of all the candidates and public questions appear.

AutoMARK. An electronic **vote-marking device**. [IAC 721–22.263]

Automatic tabulating equipment. Is optical scan voting equipment. See also **optical scan voting system**. [§52.1(2)(a)]

B b

Ballot includes optical scan and hand-counted ballots. See also **audio ballot**. [52.1(2)(b); IAC 721–22.101]

Ballot marking device. A pen, pencil or similar device for use in marking an optical scan ballot, designed so the mark it leaves may be detected and counted by automatic tabulating equipment. See also **AutoMARK**.

[§52.1(2)(c)]

Election Administrator's Dictionary

Ballot style. A combination of races and order of candidate names applicable to a precinct split for an election.

Benefited district. A special district created to provide a service. There are several in the *Code*. The election provisions for these districts are unusual and vary slightly from one district to another. Read carefully.

Chapter title	Chapter number
City emergency medical services districts	357G
Drainage districts	468
Emergency medical services districts	357F
Fire districts	357B
Law enforcement districts	357D
Real estate improvement districts	358C
Recreational lake and water quality districts	357E
Rural improvement zones	357H
Rural water districts	357A
Sanitary districts	358
Street lighting districts	357C
Water districts	357

Blank ballot means a ballot issued to *and* returned by a voter that contains no votes that can be detected by a tabulating device. Not the same as an **unvoted ballot**.

[IAC 721–26.1]

Blended voting system. Formerly, a term used to describe counties using both optical scan and direct recording electronic voting machines in each precinct. Iowa law now only allows for the use of optical scan voting equipment.

[IAC 721–22.500]

Board of Advisors. The Help America Vote Act (HAVA) of 2002 provides for the establishment of two boards to advise the **Election Assistance Commission (EAC)**: the EAC **Standards Board** and the EAC Board of Advisors.

The Board of Advisors and the Standards Board review proposed voluntary voting system guidelines and EAC technical guidance. They play a role in recommending candidates for the EAC Executive Director. They also may hold hearings and take testimony related to carrying out the provisions of HAVA.

The EAC Board of Advisors is made up of 37 members from various national associations and government agencies that played a role in the implementation of HAVA. In addition, the Board includes members from science and technology-related