

## March 2015 Handbook Changed Pages

### Voter Registration – Chapter 1

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
21, 21a, 21b, 22	Addition of language on processing undeliverable voter registration cards mailed to a voter's mailing address.	N/A
25-26	Addition of language and administrative rule citation regarding the matching criteria for verifying voter's ID information.	N/A
45-46	Addition of language on processing mailing address updates.  Addition of language on updating the county registration and vote eligible dates in I-VOTERS for voters who are re-registering in a county.	N/A
55-56	Addition of reminder on reviewing party affiliations and mailing addresses when processing DOT records.	N/A
75-76	Addition of language on processing mailing address updates.	N/A
77-78	Addition of language on clarifying a voter's registration effective date for voters whose 18 <sup>th</sup> birthdates are after the pre-registration deadline for an upcoming election.  Addition of language on processing undeliverable voter registration cards mailed to a voter's mailing address.	N/A
81-82	Clarified the language regarding the matching criteria for verifying voter's ID information.	N/A

### Pre-Election – Chapter 2

Page	Change	Bill Sec. # Code Cite
TOC	Revision of headings.	N/A
9-9a	Addition of information on how handle polling place changes in I-VOTERS.	N/A
27-28	Revised code citation.	N/A
33-34	Added reference to ballot proofing checklist.	N/A
41-42	Clarified language on how to tabulate ASVP results, including for community college special elections.	N/A
54-blank page	Addition of language on following voting equipment programming settings.	N/A
67, 68, 68a, 68b	Revised instructions on adding races to "Districts and Precincts" in I-VOTERS.	N/A

### Absentee – Chapter 3

Page	Change	Bill Sec. # Code Cite
TOC	Revision of headings.	N/A
13-14	Revised code citation.	N/A
35-36	Clarified language on storing absentee ballots. Clarified I-VOTERS instructions on receiving absentee ballots.	N/A
43, 43a, 43b, 44	Clarified I-VOTERS instructions on processing spoiled ballots and issuing replacement ballots.	N/A
45, 46, 46a, 46b	Revision of I-VOTERS instructions on processing a deceased voter with a returned absentee ballot.	N/A
49-50	Addition of code citation.	N/A
65, 66, 66a, blank page	Revision of I-VOTERS instructions on handling a UOCAVA voter who submits another request after an absentee ballot was sent.	N/A
79, 79a, 79b, 80	Clarified language on handling FWABs.	N/A
81-82	Addition of code citations.	N/A
91-92	Clarified language on political parties appointing observers for ASVP board process.	N/A
113-114	Clarified I-VOTERS instructions on printing mailing labels.	N/A

### Post Election Day – Chapter 5

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
23, 24, 24a, blank page	Revision of I-VOTERS instructions on processing defective affidavits after election day.	N/A
31-32	Revision of website address.	N/A

**School Elections – Chapter 10 – entire chapter**

**Auditor’s Calendar to School Elections – entire calendar**

**Candidate’s Guide to School Elections – entire guide**

**School Secretary’s Guide – enter guide**

**City Elections – Chapter 11 – entire chapter**

**Auditor’s Calendar to City Elections – entire calendar**

**Candidate’s Guide for Cities with Primary Election Provisions – entire guide**

**Candidate’s Guide for Cities without Primary Election Provisions – entire guide**

**City Clerk’s Guide – entire guide**

**Special Elections – Chapter 12**

<b>Page</b>	<b>Change</b>	<b>Bill Sec. # Code Cite</b>
10-11	Revision of filing officer for candidate nomination papers for special city elections.	N/A
12-13	Revision of candidate filing period deadlines and filing officer for candidate withdrawals for special city elections.	N/A
14-15	Revision of filing officer for objections for special city elections.	N/A
16-17	Addition of information tabulating ASVP results.	N/A
24-25	Clarification of Code citations.	N/A
28-29	Clarification of special requirements for franchise elections for utilities.	N/A
34-37	Clarification of Code citations and addition of extra publication notice for sanity district establishment elections.	N/A

### Vacancies – Chapter 13

<b>Page</b>	<b>Change</b>	<b>Bill Sec. # Code Cite</b>
TOC	Addition of headings.	N/A
28 + blank page	Addition of information on city hospital trustees.	N/A

### ASVP Board Guide

<b>Page</b>	<b>Change</b>	<b>Bill Sec. # Code Cite</b>
1-2	Addition of Code citations.	N/A

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## **Statuses and Status Reasons**

Each voter's record is assigned a registration "Status" and a "Status Reason." No reason code is required for registrations on "Active" status.

### **Active**

All new, complete registrations must be entered with this status. This status indicates there are no problems with the voter's registration, the voter's identification number has been verified, and no notices sent to this voter have been returned as undeliverable.

The names of "Active" voters will appear in the election register.

[IAC 821—2.14(1)]

### **Inactive**

If one of the following mailings is sent and it is returned as undeliverable by the post office, the voter's status must be changed to "Inactive":

[IAC 821—2.14(2)]

- Voter registration card

[§48A.26(6)]

#### **Exceptions:**

##### **Voter Registration Card Mailed to Mailing Address**

If a voter registration card was mailed to a mailing address on a voter's registration record and the card is returned as undeliverable by the post office, remove the mailing address from the voter's registration record.

Mail another voter registration card to the voter's residential address. If that card is returned as undeliverable by the post office, make the voter's status "Inactive."

[IAC 821—7.2]

##### **Voter Registration Card Mailed to EDR Registrant**

If a voter registration card for an EDR registrant is returned undeliverable by the post office, send the voter the "Notice to Election Day Registrant" before making the voter's records "Inactive." The notice is available in the Election Forms Library.

If the EDR follow up notice is returned undeliverable or the voter does not respond to the notice within 14 days, make the voter's status "Inactive." Also notify the SOS and county attorney. See the "Election Day Registration" section of this chapter for information.

[§48A.26A]

- NCOA card

[§48A.29]

- No Activity in 4 Years card [§48A.29]
- Countywide mailing postcard for counties that do not use NCOA [§48A.29]
- Absentee ballot [IAC 821—2.14(2)]

**Exception:** Do not change a UOCAVA voter’s status to “Inactive” if the voter’s ballot is returned undeliverable. Other follow up procedures are required. See the Absentee Voting chapter for more information.

[§48A.5A(3)]

**Important Note:** Do not inactivate a record if something you mailed to a voter is returned due to lack of postage.

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“Inactive” status also includes the following:

- Voters who have been identified in the NCOA process as having moved outside the county.  
[§48A.27(4)(c)]
- Voters who are mailed an NCOA, a countywide mailing, or a No Activity notice and a third party responds to the notice indicating the voter does not live at that address anymore. This is the only time you can take action on a voter’s record based on a third party notice.  
[§48A.29(3)]
- Voters identified by county registrars during the cross state match as having more recent voter registration activity in another state.  
[IAC 721—28.3]

See the “Voter Correspondence” section of this chapter for more information on setting up automatically generated correspondence for “Inactive” voters.

The names of “Inactive” voters will appear on the election register. They will be required to show an approved form of ID listed in §48A.8 before they can cast a regular ballot. If they are unable to provide identification when voting, they must be offered a provisional ballot.

“Inactive” voters are made “Active” when they:

- Request an absentee ballot,
- Vote at an election after showing an ID from §48A.8 or use EDR procedures,
- Register to vote again, or
- Report a change of name, address, telephone number, or party affiliation.  
[§48A.37(2), IAC 821—2.14(2)]

**Exception:**

Change the voter’s status to “Pending” if an “Inactive” voter with the reason “Pending – Returned Mail/ Third Party” does one of the following:

- Submits a registration form and the voter’s ID still cannot be verified, or
- Submits absentee ballot request.

Use the previous pending “Status Reason” found in the voter’s audit log. The voter will be required to show a form of identification listed in §48A.8 to an election official before voting or at the time of casting an absentee ballot.

Absentee voters by mail must provide a copy of their identification if they have not already done so. If they do not provide identification, the ASVP board must challenge the ballot. The ASVP board can only count the ballot if ID is received.

[IAC 721—21.301(3)]

## Incomplete Status Reasons

- **NE – Not Eighteen**

Do not use this status reason. Voters who are not 18 but who are 17 ½ should be assigned “Active” status with a “County Registration” date and “Vote Eligible” date of their 18<sup>th</sup> birthday. Voters who are less than 17 ½ currently cannot be entered into I-VOTERS. See the “What to Do If” section for more information.

A screenshot of a software interface showing a dropdown menu for the 'Reason' field. The 'Status' field is set to 'N - Incomplete'. The 'Reason' dropdown is open, showing two options: 'NE - Not Eighteen' and 'RI - Registration Incomplete'. The 'Vote Eligible' field is also visible, showing 'RI - Registration Incomplete'. There are checkboxes for 'SSA V' and 'Verit'.

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

- **RI – Registration Incomplete**

Use this reason code if the voter did not provide a name, gender, date of birth, or residential address on the registration form.

Use this if the voter left the ID field blank on the form and did not indicate they do not have an Iowa driver’s license or Social Security number.

A screenshot of a software interface showing a dropdown menu for the 'Reason' field. The 'Status' field is set to 'N - Incomplete'. The 'Reason' dropdown is open, showing 'RI - Registration Incomplete' selected. Other fields include 'Old Voter ID' (0), 'County Registrati', 'Vote Eligible', 'Last Voted', and 'Home Tel.No 5:'. A checkbox labeled 'No Signature' is highlighted with a red box. There is a link 'Print Later VRC'.

Also use this reason code if the voter did not sign the registration form. If they voter failed to sign the form, be sure to check the “No Signature” box when entering the voter’s information in I-VOTERS.

[§48A.11(8), 48A.37(2)]

## Pending

Use “Pending” for any new voter registering in the county whose ID information cannot be verified. The voter’s ID number, name, and date of birth (month, day, and year), must match for the voter to be assigned “Active” status.

Also use “Pending” for any voters who check the box next to “None” on the voter registration form indicating that they do not have an Iowa driver’s license, Iowa non-driver’s ID, or a Social Security number.

The names of “Pending” voters will appear on the election register. They will be required to show a form of ID listed in §48A.8 or use EDR procedures in order to cast a regular ballot. If they provide identification when voting, they must be made “Active.” If they are unable to provide identification, they must be offered a provisional ballot.

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

See the “Voter Correspondence” section of this chapter for more information on setting up automatically generated correspondence for “Pending” voters.

### Pending Status Reasons

- **D – No DL or SSN**

Use this reason code for registrants who indicate they do not have an Iowa driver’s license, Iowa non-driver’s ID, or a Social Security number by checking the box next to “None” on the voter registration form.

Status	P - Pending	<input type="checkbox"/> SSA V
Reason		Verif
Old Voter ID		
Vote Eligible	D - No DL or SSN NV - Not Verified	

If the voter leaves the ID field blank on the form without any indication that the voter does not have any of the required IDs, assign the voter a status of “Incomplete” with the reason “Registration Incomplete.”

[IAC 821—2.14(3)(a)]

- **NV – Not Verified**

Use this reason code for voters whose ID numbers cannot be verified. This is the most common reason code for “Pending” status.

These voters must show or mail a copy of a form of identification listed in §48A.8 before being allowed to vote for the first time in the county. After showing or mailing identification, the voter should be made “Active.”

[IAC 821—2.14(3)(b)]

- **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 the mailing address if the voter submitted a registration form with a mailing address listed and it is different than the mailing address currently on the registration record or if no mailing address is currently listed on registration record.
- Remove the mailing address if the voter submitted a registration form with no mailing address listed but a mailing address is currently listed on the registration record.
- Do not change or remove the mailing address if the voter submitted a registration form with no change to the residential address and mailing address.

[IAC 821—7.1]

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.

The screenshot shows a web form with a tabbed interface. The 'Registration' tab is active. It contains several fields: 'Party' is a dropdown menu with 'No Party' selected; 'Organization' is a dropdown menu; 'Transaction Source' is a dropdown menu; 'Status' is a dropdown menu with 'A - Active' selected; and 'Reason' is a dropdown menu. To the right of these fields are two checkboxes: 'DOT Verified' (unchecked) and 'SSA Verified' (checked). A 'Verify' button is located at the bottom right of the form.

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 18<sup>th</sup> 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: Transaction Source (02 - Mail-in Registration), Status (N - Incomplete), Reason (RI - Registration Incomplete), Old Voter ID, County Registration (04/01/2009), Vote Eligible, Last Voted, Home Tel.No, and a Verify button. A red box highlights the checkbox for "No Signature".

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.

**Important Note:** If the voter was previously registered in your county and is currently assigned “Cancelled” status, be sure to change the “County Registration” and “Vote Eligible” dates to the correct date when processing the new registration. These dates will not update automatically.

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

[IAC 821—2.12]

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 of a registration system. It contains a table with columns for Contact Type, Value, and Unlisted. The rows are: Home Phone, Office Phone-, Office Phone-, Cell Phone, Email, Pager, FAX, and URL.

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"/>

4. Select **“Clear”** to clear out the voter’s current address information.

The screenshot shows the 'Voter Registration' application window. At the top, there are menu options: Voter, Print, Elections, Imaging, Address. Below that is a toolbar with buttons: New, Save, Clear, Search, Process Batch. The main form contains fields for Voter ID (750084718), Driver License (123AB4568), SSN, Birth Date (09/09/1899), Age (109), Gender (Male), Last Name (CITIZEN), First Name (JOHN), MI (A), and Suffix (IV). The 'Residence' section has tabs for Absentee, History, Contacts, and Voting History. A 'Clear' button is visible in the Residence section. A red arrow points to this button. The 'Voter Polling Locations' window is open and highlighted with a red box, showing: FULL NAME: JOHN A CITIZEN IV, SSN: , DATE OF BIRTH: 09/09/1899, RES.ADD: 123A N MAIN ST APT 7 NORTH LIBERTY 52317-00000. Below this is the 'Election Type' table:

Election Type	Polling Place
School	NL01 NL COMMUNITY CENTER
City Election	NL02 N LIBERTY COMMUNITY CENTER
General/Primary General	NL02 N LIBERTY COMMUNITY CENTER

5. Update the voter’s record with the information in the DOT registration. The information transmitted by the DOT will be on the upper right hand of the screen underneath **“Voter Polling Locations.”**
  - a. Enter the voter’s address (or update it to the current address) and the other information. To see the rest of the information, use the scroll bar on the right-hand side of the window.

**Important Notes:**

  - If the DOT record is a match to an existing record in I-VOTER, be sure to review the party affiliation and mailing address information provided in the DOT record with the voter’s registration record. Make sure the party affiliation and mailing address information was updated in the voter’s registration record correctly.
  - b. The **“Transaction Source” “01 – Department of Transportation”** should be pre-selected. Change the **“Status”** field to **“Active”** if it is not already.
  - c. Click **“Save”** at the top left of the screen to return to the **“DOT Registration”** window.
6. The voter’s record you just processed should now show **“Yes”** under the **“Processed”** field. You may delete it from the list by selecting the record and clicking the **“Delete”** button.

**Best Practice:** Process DOT registrations as you process any other voter registrations, at least once a week.

## Exploring a Voter Record

### Voter Menu

The following items are available under the “Voter Menu”:

- **Voter Moves**

Check to see how many voters have moved to your county or from your county in any given date range.

- **Precincts and Districts**

This generates a list of the voter’s precinct and districts to which the voter is assigned. This is the same information that is displayed on the main screen.

- **Elected Officials**

This will generate a list of the elected officials for each of the voter’s districts based on data in “Election Management.” This only works correctly when the positions holders are kept up to date in “Districts and Precincts.”

**Important Note:** This information is not official or up-to-date. Do not use this function to give information to the public.

- **Previous Voter**

Selecting this or using the command Ctrl+P will take you to the previous record you viewed.

- **Linked Non-Duplicate Voter and Add Non-Duplicate Voter**

These are not used in Iowa.

- **Audit Log**

This contains data about the transactions that have taken place on a voter’s record.

#### How to Interpret the Data in Audit Log

The audit log shows when certain data in the voter’s record was changed, what it was changed from, and by whom it was changed.

Modified	Effective	Type	Value Before	Value After	User	County	Comment
08/25/2008...	08/25/2008	Absentee Addr...	Election Specific	Election Specific	johnson...	Johnson	
08/25/2008...	08/25/2008	Absentee Addr...		Election Specific	johnson...	Johnson	
08/25/2008...	08/25/2008	Absentee Addr...		Election Specific	johnson...	Johnson	
08/25/2008...	08/25/2008	Voter Registrat...		Voter Registrat...	johnson...	Johnson	
08/25/2008...	08/25/2008	Residential Add...	Std:	Std:	johnson...	Johnson	
08/25/2008...	08/25/2008	Effective Date	05/03/2000	08/25/2008	johnson...	Johnson	
08/25/2008...	08/25/2008	Voter Status	Cancelled	Active	johnson...	Johnson	
08/25/2008...	08/25/2008	Voter Status R...	Moved Out of Ju...		johnson...	Johnson	
08/25/2008...	08/25/2008	Residential Add...	Std:	Std:	johnson...	Johnson	Address range e...
08/25/2008...	08/25/2008	Voter Registrat...		Registration Ca...	johnson...	Johnson	
08/25/2008...	05/03/2000	Voter Status	Active	Cancelled	johnson...	Johnson	
08/25/2008...	05/03/2000	Voter Status R...	Moved Out of Ju...		johnson...	Johnson	
01/04/2007...	05/03/2000	Absentee Addr...		Election Specific	johnson...	Johnson	
10/13/2006...	05/03/2000	Absentee Addr...		Election Specific	johnson...	Johnson	
07/20/2006...	07/20/2006	District	10.2 - Kirkwood...	10.2 - Kirkwood...	edwards	Johnson	
01/25/2006...	01/25/2006	Split	Districts Added:...		edwards	Johnson	

## What to do If...?

### Processing Voter Registrations

#### **Voter Registration Form Missing Required Information**

##### Registered in County

If the voter is already registered in your county, accept the updated information as a written notice to the auditor, as long as it is signed.

[§48A.27(2)(a)]

##### Not Registered in County

If the voter is not already registered in your county and did not provide his or her ID number (and failed to indicate “None”), date of birth, gender, address, name, or signature, assign the voter “Incomplete” status with the reason “Registration Incomplete.” Send the voter a notice of incomplete registration and a voter registration form.

If the voter did not provide an ID number or did not sign the registration form, an incomplete registration notification will be added to “Batch Management” if the correspondence rule is configured correctly. See the “Voter Correspondence” section.

If the voter did not provide date of birth, sex, address, or name, a sample notice “Incomplete Registration” is available in the Election Forms Library.

[§48A.11(8), 48A.26(3), 48A.37(2)]

#### **Voter Registration Form with Mailing Address Changes**

##### Mailing Address Provided on Registration Form, No Mailing Address or Different Mailing Address Listed on Registration Record

Enter the mailing address if the voter submitted a registration form with a mailing address listed and it is different than the mailing address currently listed on the registration record or if no mailing address is currently listed on registration record.

##### No Mailing Address Provided on Registration Form, Mailing Address Listed on Registration Record

Remove the mailing address if the voter submitted a registration form with no mailing address listed but a mailing address is currently listed on the registration record.

##### Registration Form Submitted with No Change to Residential and Mailing Addresses

Do not change or remove the mailing address if the voter submitted a registration form with no change to the residential address and mailing address.

[IAC 821—7.1]

## Voter Registration with No Address

You must make a reasonable effort to determine where the notice of incomplete registration should be sent.

**Best Practice:** Use the phone book, student directories, city directories, or other governmental or non-governmental search databases (sometimes a web search works) to which you have access to find an address to use to mail the notice.

If you find an address which appears to be correct, you cannot make the voter “Active” without the voter’s confirmation. Send the voter a notice of incomplete registration and a voter registration form. A sample “Incomplete Registration Form” is available in the Election Forms Library.

**Best Practice:** Make a note on the registration form indicating where the notice was mailed. [§48A.26(3)]

### Cannot Find an Address for Voter

Make a note on the registration form indicating that you could not find an address after making a reasonable effort. Store the form for 22 months after the next general election, at which time it may be destroyed if the person never completed the registration process.

[IAC 821—2.8(5)]

To make note of this in the voter’s record in I-VOTERS:

1. Enter “**No Residential Address Provided**” in the address field as a “**Non-Standard Address.**”
2. Choose the courthouse/administration building as the “**Precinct.**”
3. The voter’s status should be “**Incomplete**” with reason “**Registration Incomplete.**”
4. A blank incomplete notice will generate in I-VOTERS that cannot be mailed.

## **Voter Not 18**

### At Least 17 ½ Years Old

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

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

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

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

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

### Not 17 ½ Years Old

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

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

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

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

[§48A.26(8)]

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

## **Voter Registration Card Mailed to Mailing Address**

If a voter registration card was mailed to a mailing address on a voter's registration record and the card is returned as undeliverable by the post office, remove the mailing address from the voter's registration record. Mail another voter registration card to the voter's residential address. If that card is returned as undeliverable by the post office, make the voter's status "Inactive."

[IAC 821—7.2]

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

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

[§48A.26(4)]

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

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

[§48A.26(5)]

### **Registration Form Not Signed**

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

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

[§48A.11(8), 48A.37(2)]

### **Registration Form Signed POA**

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

[§39.3(17), 48A.11(7)]

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

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

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

## Verification Problems

### **ID Will Not Verify**

A variety of things can cause ID numbers not to verify either with the automated process in I-VOTERS or manually on the Iowa Interactive website.

- Double check to make sure the information is entered correctly.
- If the person's name begins with "Mc" or "Mac," try entering the name as "Mc-" or "Mac" (e.g. "Mc-Donald" instead of "McDonald").
- If the person has a hyphenated last name, try using only one of the names to see if that will work (e.g. "Tina Smith-Johnson," try either "Smith" or "Johnson" for the last name).
- Some people with Hispanic last names may have two last names, and those last names may or may not be hyphenated. Some people do not have traditional "middle names," so what looks like a middle name may actually be part of the person's last name. For example, Juan Alvarez Flores' last name might be listed as "Alvarez-Flores," "Alvarez Flores" or just "Alvarez" or just "Flores." Try all of these combinations.
- If the voter provided a phone number or email, contact the voter and ask the voter to confirm the spelling of the voter's name on the Social Security card. Most of the time, an error is caused by a typographical error made by the Social Security Administration. The voter may need to contact the Social Security Administration to correct errors.

If the voter's ID number, name, and date of birth (month, day, and year) do not match, assign the voter a status of "**Pending**," and send the voter a notification. Voters on "**Pending**" status will have to show ID when voting for the first time in the county.

[§48A.25A(1)(a), 48A.37(2), IAC 821—2.12(3), 2.15(3)]

I-VOTERS will generate a notice to send to the voter if the correspondence rule is configured correctly. See the "Voter Correspondence" section.

### Absentee Voter at Counter/Satellite

Ask the voter to show an acceptable form of identification listed in §48A.8. Change the voter's status to "Active" if the voter shows ID.

If the voter cannot show ID, treat the voter's absentee ballot as a provisional ballot. The voter must send in a copy of an ID or bring one to the office before the ASVP board meets to consider provisional ballots or the ballot will be rejected. See the Absentee Voting chapter for more information.

[§48A.8, 49.81]

### Voter at Counter, Not Casting an Absentee Ballot

Assign voters a status of "Active" upon seeing the voter's identification as listed in §48A.8 or upon verification of the ID number provided by the voter.

### **Voter Move Notifications**

If you receive a notification from another state that a voter registered to vote there, cancel the voter's registration in your county. Use transaction source "10 – Moved Out of Jurisdiction" and reason "10 – Moved Out of Jurisdiction."

[§48A.30(1)(b)]

### **Fraud is Suspected**

If you suspect that any information on a voter registration form is fraudulent or believe that any criminal activity is taking place, contact the SOS and the county attorney.

### **Checked Voting Rights Not Restored and Not a Felony Conviction Match in SCA Search**

On the voter registration form, if a registrant checked "no" in response to the question "Have your rights been restored?" and the voter does not match a felony conviction record that has not been restored in Office of SCA Search, process the registration application. Send the voter a registration card along with the notice "Checked Voting Rights Are Not Restored" available in the Election Forms Library.

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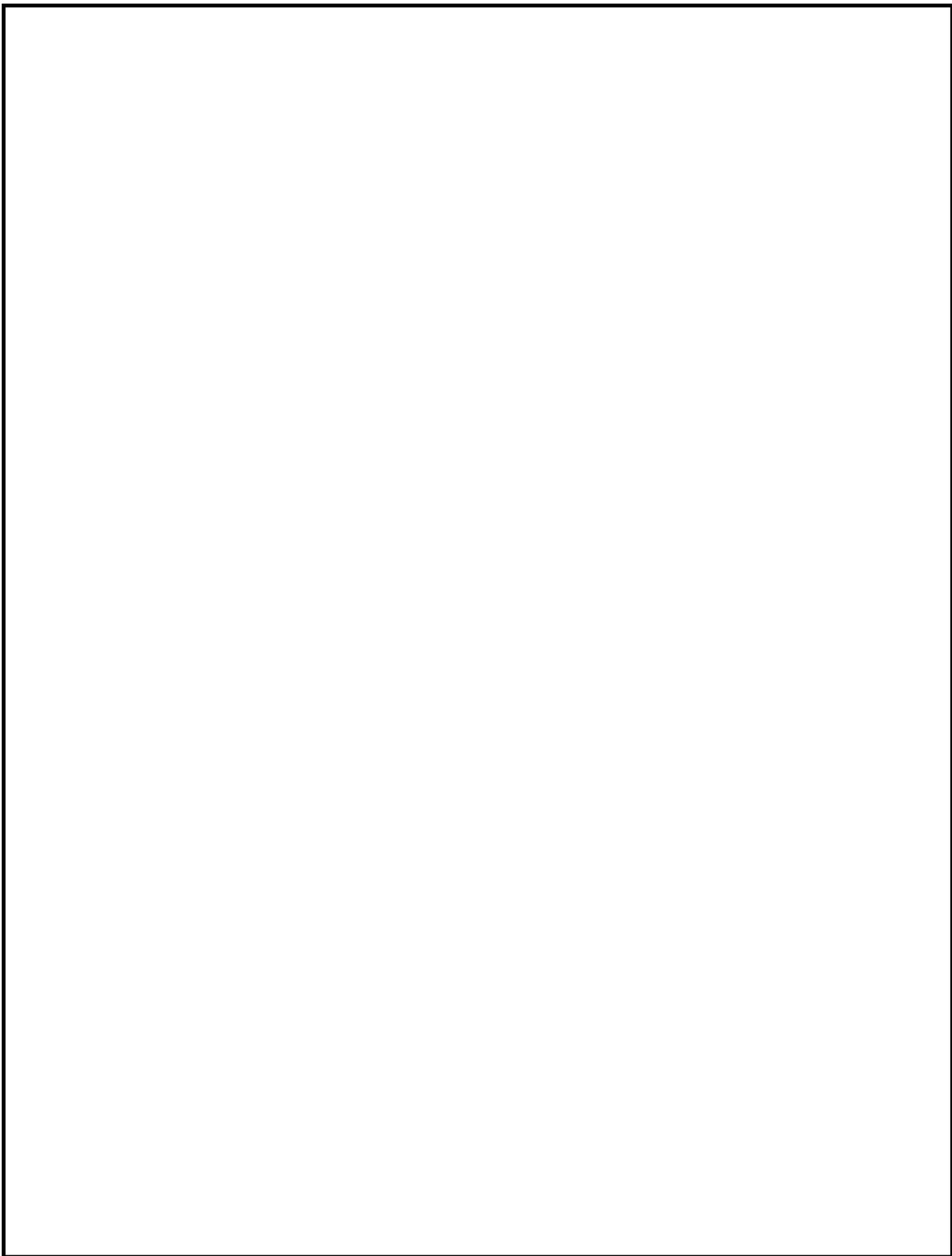
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There may be precincts in your county that have no accessible place to use for a polling place. This can happen because of two reasons:

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

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

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

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

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

### **Dividing Precincts**

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

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

### **Combining Precincts**

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

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

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

[§49.11(3)]

## Changing Polling Places

### Temporary Changes

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

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

Contact the I-VOTERS Help Desk at 1-877-442-7670 with questions on how to handle these types of changes in I-VOTERS.

### Permanent Change

For instructions on making permanent polling place changes in I-VOTERS, see “Managing Polling Places” in the I-VOTERS instructions section.

### Primary and General Elections

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

[IAC 821—12.1]

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

[§49.23]

### School and City Elections

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

## **High School Students as PEOs**

High school students who are not yet qualified to be registered voters can serve as PEOs. They must:

- Be U.S. citizens
- Be at least 17 years of age
- Be a student in “good standing” at an Iowa public or private secondary school
- Be receiving credit in at least four subjects and be passing all coursework. In-depth requirements and exceptions are outlined in §49.13(5)(a)(3).
- Have the written approval of the school’s principal
- Have the written approval of the student’s parent or guardian
- Have satisfactorily completed the training course for PEOs
- Meet all the other qualifications for being a member of the election board except the requirement to be a registered voter

The auditor must certify to the school 14 days after the election the following:

- The name of each student who served as a PEO
- The number of hours the student served
- The precinct number and polling place location where the student served
- Any other information the auditor deems appropriate
- Any other information requested by the school

**Important Note:** Students who serve as PEOs are not eligible to receive class credit for their service unless it qualifies as meeting the requirements of a class assignment imposed on all students in the class.

[§49.13(6)]

## **Making Substitutions**

There are almost always times when a PEO you appoint is not available to work. You (or the political parties or city councils/school boards) can place alternates or substitutes on the election board panel when it is drawn up every two years. If any of the people on your election board panel cannot work, you can replace them with the alternates.

For partisan elections, the *Iowa Code* only allows substitutions if:

- You appointed alternates when drawing up the election board panel (as outlined above).

OR

- You notified the county political party chairs 30 days prior to the election that you intend to appoint substitute officials. The county chairs then have 10 days to provide additional names of people who can work as substitute officials. If they don't give you any names, you can appoint people known to be members of the political party.

## **Removing an Official from the Panel**

The *Iowa Code* does not explicitly set forth a process for removing a PEO from the election board panel, but it does imply that it can happen. §49.16 says that all officials will remain available for appointment until a new panel is drawn up “unless the person’s name is sooner deleted from the panel by the commissioner.” §49.13(3) also grants the auditor the discretion to decline to appoint a designee of a county chairperson for good cause if that chairperson is notified and allowed two working days to designate a replacement.

**Best Practice:** Always make sure you have documentation (supervisory files, personnel files, etc.) to support your decision to remove someone from future appointment.

## **Scheduling PEOs for Election Day**

Based on estimated turnout, determine how many PEOs will be needed at each polling place.  
[§49.12, 49.20]

Appointments must be finalized no later than 15 days before the election.

You must have a minimum of three PEOs at each polling place.

Make sure the election board you appoint meets all the requirements outlined in the previous section (party balance in partisan elections, no relatives of opposed candidates, etc.).

Notify PEOs of the election date, the date of the school of instruction, and any other relevant details about the election.

[§49.124, 49.125]

## **Ballot Production**

### **Ballot Anatomy for All Elections**

All ballots produced for elections in Iowa must always have the following items:

- The words “Official Ballot”
- Date of the election
- Name of the election
- A facsimile of the auditor’s signature
- Unique identification number or name assigned to the ballot style (if any)  
[IAC 721–22.102(2), §49.57(6)]
- PEO’s initials

A PEO or election official must endorse each ballot, including absentee ballots. Print a space for this endorsement on the ballot.

[IAC 721–22.102(5), §49.50, 49.82]

- Instructions for how to mark the ballot (see sample instructions on ballots in the election-specific chapter for the election you are conducting).  
[IAC 721—22.261(3)(b)]

#### ***Best Practice:***

Use the “Ballot Proofing Checklist” available in the Election Forms Library to proof the ballots for required elements, including sample language for instructions on how to mark the ballot.

#### ***Best Practice:***

Though the following items are not required by law to be printed on the ballot, they are recommended:

- Name or number of the precinct  
  
This may be the same as the required unique identification number or name assigned to the ballot style.
- County name
- Name and title of the auditor (e.g. “John Doe, BLANK County Auditor and Commissioner of Elections)

## Offices on the Ballot

Any time offices are on the ballot, the ballots must have the following:

- **“Vote for no more than....”**

Under each office title indicate the maximum number of candidates to be voted for by using this exact language.

[§49.31(4), 49.57A]

- **Candidates’ Names** (unless none have filed)

[§49.57(3)]

Each name must be printed:

- In upper and lower case letters
- At least 10-point type. **This is 10 point type.**
- The same size type must be used for every candidate’s name.
- Always print the names according to what is on the affidavit of candidacy. For state and federal offices, use the SOS certification.
- Do not print parentheses, quotation marks, or titles, even if the candidate used them in the affidavit. Print the name on the ballot exactly as the candidate wrote it but disregard those items. (Ex: Robert “Mack” Jackson would be listed on the ballot as: Robert Mack Jackson. Dr. Margaret Smith would be listed on the ballot as Margaret Smith.)

[§49.31(6)]

- Suffixes, such as Sr., Jr., III, etc. are allowed if they are a part of the person’s name. (Ex. Howard Mitchell Jr.)
- Nicknames are allowed on the ballot as long as the candidate has listed his or her name that way on the affidavit of candidacy. (Ex: Susan Johnson lists her name as Susie Johnson on the affidavit of candidacy).

- **Write-in vote, if any**

Include as many write-in positions as there are seats to be filled. (Ex. If you can vote for no more than two candidates, there must be two write-in positions.)

[§49.31(5)]

## **Ballot Preparation**

### **Step 1: Count Ballots by Voting Equipment or by Hand**

Decide whether the ballots will be counted by voting equipment or by hand.

See the voting equipment section of this chapter for guidelines on when voting equipment is required and when hand-counted paper ballots may be used.

### **Step 2: Reporting ASVP Results**

Decide whether the ASVP results will be reported as a single precinct or whether ASVP results will be reported by the resident precincts of the voters.

For all elections, results from the ASVP must be reported separately from the results of the ballots cast at the polls on election day.

#### **All Elections Except General Elections**

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

The auditor may decide whether to program by precinct or whether to program by ballot style. If the decision is made to program by ballot style, there can be a single ASVP for purposes of rotation and results cannot be reported by residence precincts.

**Important Note About Community College Special Elections:** For community college special elections, the results must be tabulated by school district, including the absentee and special precinct results. The auditor may program the voting equipment to tabulate the ballots in this manner or may manually sort and tabulate the ballots by school district.

[IAC 721—21.204]

#### **General Elections**

For general elections, ballots must be programmed so that results from the ASVP (including provisional ballots) can be reported by the voters' resident precincts. Each absentee voter receives the ballot he or she would receive at the precinct on election day whether he or she votes at the polling place on election day or by absentee ballot. There cannot be a single absentee precinct for purposes of rotation.

[§53.20(2)]

### Step 3: Make a Chart of the Ballot

Make an “X-chart” to know what is going on the ballot and where. List each precinct in alphabetical order.

Across the top of the page, list each office and public measure that will appear on the ballot at the election.

Then, place an “x” underneath each office or public measure to indicate that it should appear on that precinct’s ballot. If a precinct is not inside an office or public measure’s jurisdiction, leave it blank.

The chart might look something like this:

	A	B	C	D	E
1		State Rep Dist. 104	State Rep. Dist 105	Board of Supervisors At-Large	Grape City Pub Meas. E
2	Apple Township	x		x	
3	Banana Township	x		x	
4	Banana City 1	x		x	
5	Banana City 2	x		x	
6	Banana City 3	x		x	
7	Cantaloupe Township		x	x	
8	Date City	x		x	
9	Fig Township 1		x	x	
10	Fig Township 2		x	x	
11	Grape City		x	x	x

From this chart, you can see what needs to be on the ballot in every precinct. This will be helpful for proofing ballots and ensuring that all of the required races and measures are listed on the ballot.

#### Check for Vacancies

Make sure you check to see if any vacancies must be included on the ballot and note those offices on the X-chart. Any office in a jurisdiction voting at the coming election in which a vacancy exists and any office held by a person who was appointed must be on the ballot.

- If the office would have normally been on the ballot at this election, “To Fill Vacancy” is not listed on the ballot or on nomination papers.
- If the office would NOT have normally been on the ballot at this election, “To Fill Vacancy” needs to be listed on candidates’ nomination papers and on the ballot.

See the Vacancy chapter for more information.

### **Prepare Voting Equipment**

Refer to the manuals provided from your vendor for specific instructions. If you normally have the vendor prepare or program your equipment, schedule this with them well in advance. Check to see if any maintenance or repairs are needed on any of your voting equipment.

Be sure to follow the programming settings prescribed in *Iowa Administrative Code Chapter 721—22* for the voting equipment used.

### **Race and Candidate IDs**

For primary, general, and special elections conducted pursuant to §69.14, tabulating devices must be programmed using the unique race and candidate ID numbers assigned by the SOS. These ID numbers will be included with the candidate certification.

[IAC 721—22.202]

### **Test Optical Scan Ballots**

Test a sampling of the ballots for each precinct to be sure they can be read by your voting equipment. Test ballots before sending out any absentee ballots (if possible).

### **Delivery of Voting Equipment**

Arrange for delivery of voting equipment to the polling places once all necessary programming and testing is complete.

### **Security Policy**

Every county must have a written security policy, including detailed plans to protect election equipment and data from unauthorized access. See IAC 721—22.50 for more information.

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The rest of the fields are set automatically based on the “**Election Date**” that you entered.

**Important Note:** The fields that I-VOTERS automatically generates for items such as “**Filing Deadline**,” “**Certification Deadline**,” or “**Poll Hours**” may not be correct. It’s not necessary to change the dates/times, although you can if desired. Keep in mind that the auditor’s calendar should be your resource for election-related dates.

4. Once all of this information is entered, click the “**Save**” button in the lower right-hand part of the screen. The election is now set up.

At this point, you can enter absentee requests for this election regardless of how early they are received. You can set up each election to this point far in advance for this purpose. Keep in mind that the election with the latest date will appear at the top of every menu, including the absentee entry menu.

## Adding Races, Candidates, and Public Measures

Once the candidates file and you receive the text of any public measures for the election, you can proceed with setting up the election in the “**Election Management**” module:

1. Select “**Include Certified Contests**” if you need contests from another control county. Choose “**Select All**” and then “**Save**” to add contests to your “**Measures & Races**.” You may have to contact the control county if the information does not appear.
2. Select “**Election Template**” from the left-hand navigation menu in the “**Election Management**” module for the election.
3. Under the “**Districts-Positions**” heading you will see a window that displays the information from the last similar election.
4. Choose the appropriate “**District-Positions**” and mark any of the “**Incumbent Candidates**” that are involved in this election. Once all of the correct choices are displayed under “**Summary**,” click “**Save**.”

For special elections, skip this step.

5. Choose “**Measures & Races**” to verify and edit or add additional information.
  - **Races:** Enter any races that need to be included by clicking “**New**” and selecting the appropriate information from the fields.
  - **Candidates:** Enter any candidates who have filed papers for the position by clicking “**New**” and entering the appropriate information. You may also edit and delete any of the candidate information by selecting a listed candidate and choosing “**Details**” or “**Delete**.”
  - **Measures:** Select “**New**” and enter the public measure information in the appropriate fields and select “**Save**” when completed.
6. If you need to add a race to fill a vacancy, open “**Districts & Precincts**.”
  - Under the “**Districts**” tab, choose district type from the drop-down menu and click “**Search**.”
  - Highlight the district and click “**Detail**.”
  - A new window will appear. Under the “**Positions**” tab, click “**New**.”

The screenshot shows the 'Edit District' window with the following details:

- District Type: CITY
- Parent District: [Empty]
- District Code: 002
- District Name: Bridgewater
- Control County: Adair

Below the form is a table with tabs for 'Precinct', 'Splits', 'Positions', 'Contact', and 'Sharing'. The 'Positions' tab is active, showing a table with two columns: 'Positions' and 'Position Holder'.

Positions	Position Holder
Bridgewater City Council Member - City of Bridgewater	KRISTI BURG ; LEO M...
Bridgewater City Council Member - City of Bridgewater	DEAN GRIFFITH ; MAR...
Bridgewater City Council To Fill Vacancy -	MERRILL BOWER
Bridgewater City Mayor - City of Bridgewater	STEVE FRESE

At the bottom of the window are buttons for 'New', 'Copy...', 'Detail', and 'Delete'.

At a minimum, the “**Position Name**,” “**Election Year**,” “**Term Year**,” and “**Election Type**” must be entered. The “**# of Positions**” should also be entered. Check the “**Write-in Allowed**” box.

**Best Practice:** Include “To Fill Vacancy” in race name.

Click “**Save**.” The race information will now appear when you try to add a new race under “**Measures & Races**” in the election setup.

Edit Position

Voter Search Help

District 002 - Bridgewater

Position Details

Position Name Bridgewater City Council To Fill Vacancy

Description

# of Positions 1 Ballot Position

Show Party on Ballot  Write-in Allowed

Re-election Eligibility Requirements Position Holder

Term Years 2 Election Year 2013

Election Type City

Pre-election

Partisan Preelection

Qualifying District

Comments

Save Close

7. Select “**Post Shared Contests**” if you are a control county and need to share contests with another county. Once you verify the information, choose “**Select All**” and then “**Save**” to share the information to the non-control counties.

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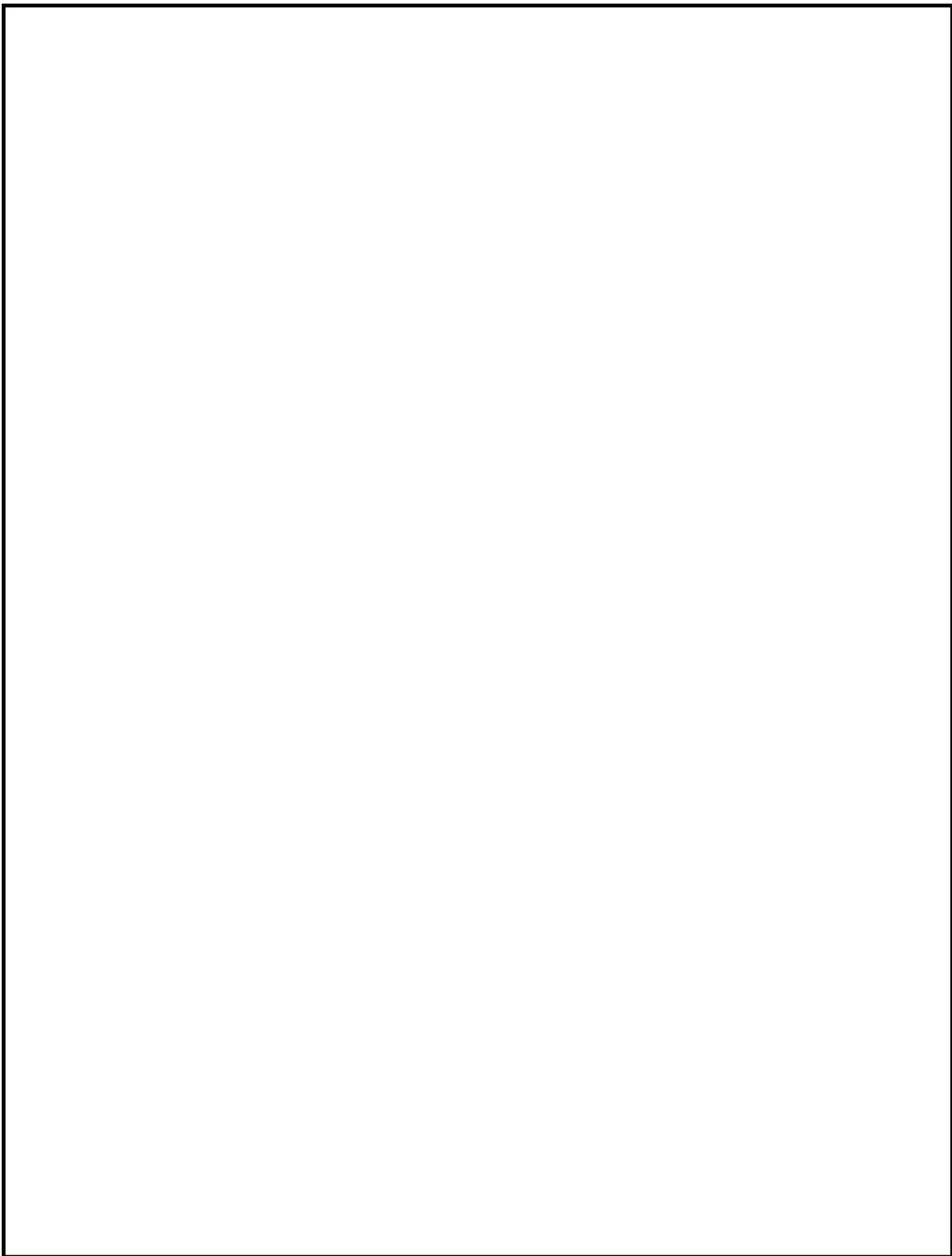
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The return envelope must also have the return deadline statement printed or stamped on the flap or back of the envelope.

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](http://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.

[§53.17]

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.

## 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.

Separate the ballots into the following categories for storage:

- No defects and affidavit is complete
- Incomplete

Incomplete affidavits requiring voter correction must be available for quick retrieval when a voter comes to make corrections.

- Defective

Attach defective affidavits to the original ballot request, replacement ballots request (if any), and replacement ballot (if any) for review by the ASVP board.

[§53.18(3), IAC 721—21.351]

### I-VOTERS Instructions

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



## Spoiled Ballots

### Received by Mail

Spoiled ballots returned by mail can only be replaced if they are returned in a return envelope clearly marked "Spoiled Ballot." If a return envelope arrives in the mail without any indication that it contains a spoiled ballot, you cannot replace it.

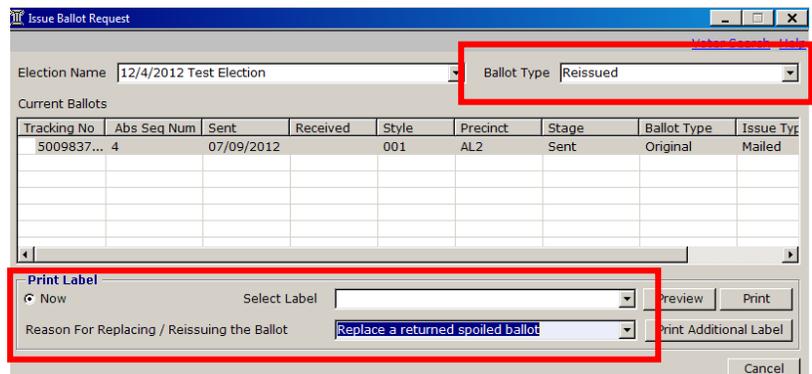
Replace a spoiled ballot by following the instructions below. This procedure will enable you to use the same serial number assigned to the records of the original absentee ballot request.

[§53.21]

1. Do **NOT** receive the ballot in the "Receive Absentee Ballots" module.
2. Open the voter's record.
3. Select the "Elections" menu at the top of the screen and click "Issue Ballot."



4. Choose the appropriate election and choose "Reissued" from the "Ballot Type" drop-down menu.
5. From the "Reason for Replacing/Reissuing the Ballot" menu choose "Replace a returned spoiled ballot."



The screenshot shows the 'Issue Ballot Request' form. At the top, there are fields for 'Election Name' (12/4/2012 Test Election) and 'Ballot Type' (Reissued). Below this is a table titled 'Current Ballots' with columns: Tracking No, Abs Seq Num, Sent, Received, Style, Precinct, Stage, Ballot Type, and Issue Type. The table contains one row with the following data: Tracking No: 5009837..., Abs Seq Num: 4, Sent: 07/09/2012, Received: (empty), Style: 001, Precinct: AL2, Stage: Sent, Ballot Type: Original, Issue Type: Mailed. At the bottom of the form, there is a 'Print Label' section with a 'Select Label' dropdown (set to 'Now') and a 'Reason For Replacing / Reissuing the Ballot' dropdown (set to 'Replace a returned spoiled ballot'). There are also buttons for 'Review', 'Print', 'Print Additional Label', and 'Cancel'.

Choose the mailing labels used in your county from the "Select Label" drop-down menu. Be sure you have mailing labels in your printer and click on the "Print" button. There is no option to print re-issued ballot labels later.

6. Store the "Spoiled" ballot in a separate secure area.

## Spoiled In-Office or at Satellite

1. Open **“Receive Absentee Ballots”** from the main I-VOTERS screen.
2. Search for the defective ballot. Highlight the batch the ballot is in by clicking on it. Click **“Receive Ballot.”**

Batch #	Batch Date	Receive Date	Source	Total Count	Accepted	Rejected	Defective Affid...
1	07/09/2012	07/09/2012	Mail	1	0	0	0

3. Highlight the voter's ballot by clicking on it. Click **“Unreceive.”**

Item #	Abs Seq Num	Ballot ID	Voter Name	Source
1	2	500983710	VOTER, SALLY	Mail

4. Click **“Yes.”**

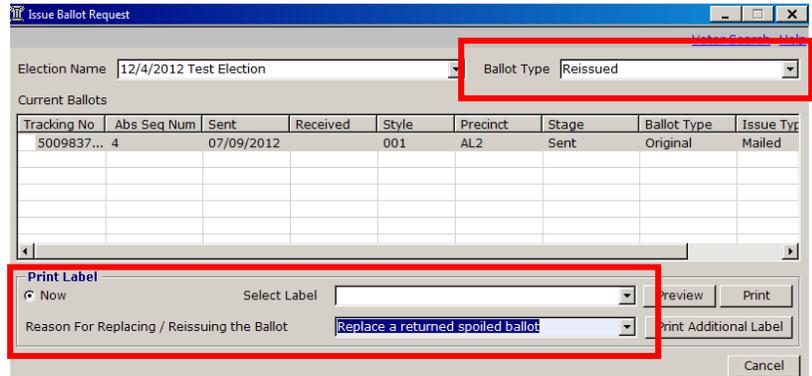
Are you sure you wish to remove this ballot from the batch?

5. Open the voter's record.

6. Select the “**Elections**” menu at the top of the screen and click “**Issue Ballot.**”



7. Choose the appropriate election and choose “**Reissued**” from the “**Ballot Type**” drop-down menu.
8. From the “**Reason for Replacing/Reissuing the Ballot**” menu choose “**Replace a returned spoiled ballot.**”



Choose the mailing labels used in your county from the “**Select Label**” drop-down menu. Be sure you have mailing labels in your printer and click on the “**Print**” button. There is no option to print re-issued ballot labels later.

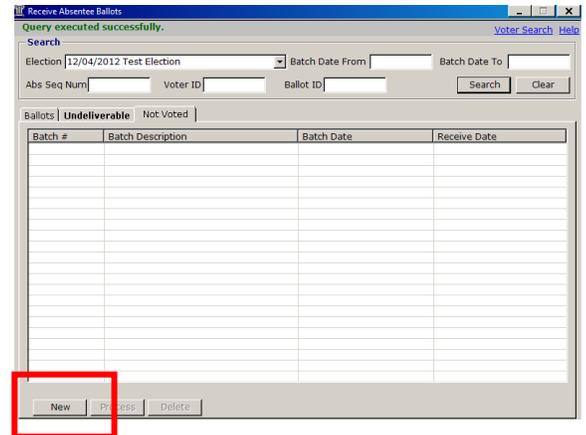
9. Store the “**Spoiled**” ballot in a separate secure area.

## Not Voted and Surrendered Ballots

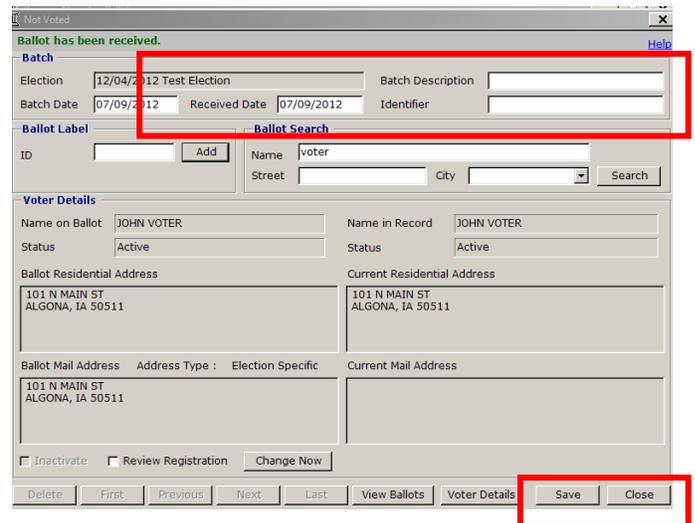
If a person returns an absentee ballot to the auditor's office, satellite station, or at the polls on election day with an indication that the voter has not marked the ballot or does not want to vote by absentee ballot, make sure the ballot is included with the envelopes. Then, follow the I-VOTERS procedures below.

If the ballot is not enclosed in the envelopes returned, do not follow the I-VOTERS procedures below to take them off the absentee list.

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



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



6. The **"Received Date"** should be the date the ballot was returned not voted.
7. Add the ballot(s) to the new **"Not Voted"** batch by scanning the barcode in the **"Ballot Label"** field or typing the voter's name in the **"Ballot Search"** field.
8. After you choose the correct ballot (if more than one option appear) the voter's information will appear on the screen.
9. Click the **"Save."** The information for this voter will disappear. Either add a new **"Not Voted"** ballot to the batch by searching for the voter as instructed above or close the batch by clicking **"Close."**
10. Store your **"Not Voted"** ballots together in a secure place.

### Notes about this I- VOTERS procedure:

Following this procedure will update the election registers to reflect this absentee voter returned a “Not Voted” ballot. There will NOT be an “**A**” printed in the election register by the voter’s name so the voter will be able to vote normally at the polling place and will not need to vote a provisional ballot.

You cannot add additional ballots to a previously created “Not Voted” batch. Once the batch is closed, you can only delete ballots from the batch, you cannot add new ones. To add additional “Not Voted” ballots, you need to create a new batch.

## Deceased Voters with Absentee Ballot Request or Returned Absentee Ballots

### Deceased Voter with Absentee Ballot Request

If you receive notification of a voter death and the voter has an active absentee ballot request, void the absentee ballot request before cancelling the voter's registration record.

1. Open the voter's record and click on the "**Absentee**" tab.
2. Highlight the absentee request by clicking on it. Click "**Void.**"

The screenshot shows a web interface with tabs: Residence, Absentee, History, Contacts, and Voting History. The 'Absentee' tab is active, displaying a table with columns: Dates/Elections, Seq Num, Source, Address, and County. The first row contains: 12/4/2012 ..., 2, Mail, Address on File, Kossuth. Below the table are buttons: Special Absentee, Active Ballots, Add, Details, and Void. The 'Void' button is highlighted with a red rectangular box.

3. Click "**Yes**" when asked if you are sure. Add the comment "Deceased Voter" in the "**Audit Comment**" field. Click "**Save.**"
4. Change the voter's registration "**Status**" to "**C – Cancelled**" with "**Reason**" "**DEC – Deceased.**" Be sure to update the "**Transaction Source**" with the appropriate source.

### Deceased Voter with Returned Absentee Ballot

If the auditor receives proof that a voter who has marked and returned a ballot died before the affidavit envelope was opened, set the absentee ballot aside with evidence of the voter's death and instruct the ASVP board to mark the ballot "Rejected because voter is dead." The accidental counting of a ballot of a deceased voter does not invalidate the election.

[§53.32]

To cancel the voter's registration, the ballot must be unreceived and the request voided in I-VOTERS:

1. Open "**Receive Absentee Ballots**" from the main I-VOTERS screen.
2. Search for the defective ballot. Highlight the batch the ballot is in by clicking on it. Click "**Receive Ballot.**"

The screenshot shows a window titled "Receive Absentee Ballots". It has a search area with fields for Election (12/04/2012 Test Election), Batch Date From, Batch Date To, Abs Seq Num, Voter ID, and Ballot ID. Below the search area is a table with tabs: Undeliverable, Not Voted. The 'Ballots' tab is active, showing a table with columns: Batch #, Batch Date, Receive Date, Source, Total Count, Accepted, Rejected, Defective Affid... The first row contains: 1, 07/09/2012, 07/09/2012, Mail, 1, 0, 0, 0. At the bottom of the window are buttons: New, Receive Ballot, Unreceive Batch, File Upload, Absentee List, and Print Labels.

- Highlight the voter's ballot by clicking on it. Click **"Unreceive."**

Item #	Abs Seq Num	Ballot ID	Voter Name	Source
1	2	500983710	VOTER, SALLY	Mail

- Click **"Yes."**

Are you sure you wish to remove this ballot from the batch?

- Open the voter's record and click on the **"Absentee"** tab.

- Highlight the absentee request by clicking on it. Click **"Void."**

Dates/Elections	Seq Num	Source	Address	County
12/4/2012 ...	2	Mail	Address on File	Kossuth

- Click **"Yes"** when asked if you are sure. Add the comment "Voter deceased" in the **"Audit Comment"** field. Click **"Save."**

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## Incomplete and Defective Affidavit Envelopes

### Affidavit Review Process

Review the affidavit envelope if the ballot was received before 5 p.m. on the Saturday before the election for general elections and before 5 p.m. on the Friday before the election for all other elections.

[§53.18(2)]

**Do not review affidavit envelopes received after this time.** Instead, any absentee ballots received on the days immediately before the election should be received into I-VOTERS and stored in a secure location for delivery to and review by the ASVP board.

1. Open the return envelopes (if a combined return/affidavit envelope was not used).

The auditor can direct a staff member to open the return envelopes. Only a trained reviewer may remove the contents of the envelope.

[IAC 721—21.353(53)]

Only open one return envelope at a time.

[IAC 721—21.354(53)]

2. Remove affidavit envelopes (if a combined return/affidavit envelope was not used).
3. Store the return envelopes (if a combined return/affidavit envelope was not used) for the six or 22 month time period required. Do not throw away any envelopes.
4. Review each affidavit envelope to see if it is incomplete or defective.
5. Separate the ballots into the following categories for storage:

- No defects and affidavit is complete
- Incomplete

Incomplete affidavits requiring voter correction must be available for quick retrieval when a voter comes to make corrections.

- Defective

Attach defective affidavits to the original ballot request, replacement ballot request (if any), and replacement ballot (if any) for review by the ASVP board.

[§53.18(3), IAC 721—21.354(5)]

## **Incomplete Affidavits**

An incomplete affidavit is missing the voter's signature.

[IAC 721—21.354(4)]

## **Defective Affidavits**

A defective affidavit occurs when the:

- Affidavit envelope is missing
- Affidavit envelope is not sealed
- Affidavit envelope has been opened and resealed
- Absentee ballot is not enclosed in the affidavit envelope
- Affidavit envelope was not signed and voter cannot come to the office to sign it
- Voter moved to a new precinct after submitting a voted absentee ballot

[IAC 721—21.354(4)]

## **Defect Due to Voter Move**

If a voter registers to vote in a different precinct or county and the voter has already returned an absentee ballot, the ballot must be treated as defective. The voter may correct the defect by registering to vote in the precinct where the absentee ballot was cast if the voter is still able to claim residence for voter registration purposes in that precinct.

- If the pre-registration deadline has passed, the voter must use EDR procedures to re-register.
- If the voter is not eligible to re-register in the precinct where the absentee ballot was cast, the ballot must be set aside and challenged by the ASVP board.

[§48A.5, 48A.5A, IAC 721—21.355(2)(b)(3)]

If the voter moved to a new precinct within the county and has not submitted an additional absentee ballot request, see the "Processing Defective Affidavits" instructions for information on processing the ballot.

If the voter moved to a different county and also requests an absentee ballot in the new county,

1. Contact the county in which the voter was previously registered and ask the county to void the voter's ballot in I-VOTERS.  
That county must send the voter a notice of defective affidavit.

## **Ways to Submit Requests for UOCAVA Voters**

Requests may be submitted to the auditor's office by mail, fax, email, or personal delivery by the voter or a person designated by the voter.

If a request was sent by fax or email, UOCAVA voters do not have to send the original request to the auditor. The signed affidavit envelope is used as the voter's original signature for voter registration purposes.

[§53.40, IAC 721—21.320(2)(c)]

An electronic request must include an image of the voter's written signature.

[§39.3(17), IAC 721—21.320(2)]

## **Request Deadlines for UOCAVA Voters**

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

By mail UOCAVA voters may request absentee ballots at any time before an election.

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

[§53.40(1)(a)]

### **E-transmission UOCAVA Voters**

UOCAVA voters requesting to receive unvoted balloting materials by either fax or email may request absentee ballots at any time before an election.

The last day for a UOCAVA voter to request an absentee ballot by either fax or email is the day before the election at the close of business.

[§53.40, IAC 721—21.320]

### **Proxy Request for UOCAVA Voters**

Proxy requests may be submitted by certain family members of UOCAVA voters, only for the **general election**. These requests may not be submitted more than 70 days before a general election.

The last day for a family member to submit a proxy request on behalf of a UOCAVA voter is the Friday before the election at 5:00 p.m. if the request is for a mailed ballot or the Monday before the election at the close of business if the request is for an e-transmission ballot.

[§53.40(1)(b)]

## Special State Write-In (aka Submarine) Ballot Requests by UOCAVA Voters

Requests for special write-in ballots may be submitted by UOCAVA voters only for the **general election**. These requests may not be submitted more than 90 days before the general election.

The last day to request a special state write-in (submarine) ballot is the day regular absentee ballots become available.

[§53.45]

### Possible UOCAVA Voter Request Issues

#### UOCAVA Voter Submitted Multiple Requests Before Ballots are Sent

The last request received must be honored. If you receive both a proxy request and a request directly from the voter, honor the request from the voter.

[§53.41(2), IAC 721—21.320(2)(e)]

#### UOCAVA Voter Submits Another Request After Ballot was Sent

You may only send another ballot if the voter submitted a change of mailing address, email address, or fax number to which the ballot should be sent. If the voter did not submit a change, do not send another ballot.

If the voter submitted a change, void the original absentee ballot request and include a comment noting the serial number of the original and that a replacement ballot was sent to an updated address.

To void:

1. Open the voter's record and click on the **"Absentee"** tab.
2. Highlight the absentee request by clicking on it. Click **"Void."**
3. Click **"Yes"** when asked if you are sure. In the **"Audit Comment"** field, add:

"Voter reported change in mailing address/email address/fax number.

Original ballot serial number: \_\_\_\_\_.

New request entered and replacement ballot sent on \_\_\_\_\_."

4. Enter a new request for the replacement ballot and print the labels following the instructions on page 67.

Dates/Elections	Seq Num	Source	Address	County
12/4/2012 ...	2	Mail	Address on File	Kossuth

If the original ballot is returned voted, it can only be counted if the replacement ballot does not arrive before the deadline for receiving absentee ballots.

[IAC 721—21.320(2)(f)]

**Important Note:** An FCPA cannot be voided if the voter already voted a ballot at a previous election with the same FPCA request. Follow these instructions to issue a new ballot:

1. Open the voter's record and click on the "Absentee" tab.
2. Highlight the absentee request by clicking on it. Click "Details."
3. Change the "To" date to the day before the new request was received.
4. In the "Comments" field, note a new request was received and that a replacement ballot was sent to an updated address. Include the serial number of the original ballot in the "Comments."
5. Click "Print Later" to save the changes.

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

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

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

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

[§53.40(1)(c)]

### No Signature on FPCA

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

[42 USC 1973ff-1(d)]

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

[39.3(17), 53.40, IAC 721—21.320(2)]

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## FWAB Submitted Electronically

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

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

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

**No** If all of the required voter registration information is provided on the declaration/affirmation and it was signed, enter the voter's registration as "Active" in I-VOTERS.

If the FWAB was not signed, enter the voter's registration as "Incomplete" and check the "No Signature" box in I-VOTERS for lack of a signature. Send an "Incomplete Registration" notice to the voter and explain a signature on the FWAB or the Iowa voter registration form is required by the ballot receipt deadline. The signature may be on a scanned document. If a signature is not received, the ASVP board must reject the ballot, send a ballot rejection notice, and leave the voter on "Incomplete" status.

[IAC 721—21.320(5)(b)]

### **Yes Did the voter already request a regular or special write-in ballot?**

**No** Enter an absentee ballot request in I-VOTERS, print the labels, and receive the ballot. Print the FWAB, place the ballot in an envelope, seal the envelope, and attach the voter's declaration/affirmation form to the outside.

#### **The FWAB can be considered for counting unless:**

The voter submits an FPCA or Iowa absentee voting ballot request form after 14 days prior to election day. If this happens, the ASVP board must reject the voter's FWAB and send the voter a ballot rejection notice. The reason is the voter falsely attested to the statement on the FWAB. A sample notice "Rejected Absentee" is available in the Election Forms Library.

[§53.53]

**Yes** Print the FWAB, place the ballot in an envelope, seal the envelope, and attach the voter's declaration/affirmation form to the outside.

#### **The FWAB can be considered for counting unless:**

The voter's regular ballot or special write-in ballot is returned by the ballot receipt deadline for the election. Count the regular ballot but do not send a ballot rejection notice for the FWAB. If the voter's regular ballot is not properly postmarked or not returned by the ballot return deadline, the FWAB can be counted and the voter's absentee ballot should be accepted in I-VOTERS so the voter receives vote credit.

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

[IAC 721—21.320(4)]

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## FWAB Submitted by Mail

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

- No** Enter the voter's registration in I-VOTERS. If all of the required information is provided on the voter's declaration/affirmation, make the voter "Active" and follow the instructions listed under "Yes" below.

**Important Note:** UOCAVA voters are not subject to identification number or verification requirements.

[§48A.25A(3), 53.38]

If all of the required voter registration information is not provided on the declaration/affirmation, assign the voter a status of "Incomplete" and send the voter an "Incomplete Registration" notice explaining the missing information on the FWAB or an Iowa voter registration form is required by the ballot receipt deadline. If the missing information is not received by the auditor by the ballot receipt deadline, the ASVP board must reject the ballot and leave the voter on "Incomplete" status.

### **Yes Did the voter already request a regular or special write-in ballot?**

- No** Enter an absentee ballot request in I-VOTERS, print the labels, and receive the ballot.

#### **The FWAB can be considered for counting unless:**

The voter submits an FPCA or Iowa absentee voting ballot request form after 14 days prior to election day. If this happens, send ASVP board must reject the voter's FWAB and send the voter a ballot rejection notice. The reason is the voter falsely attested to the statement on the FWAB. A sample notice "Rejected Absentee" is available in the Election Forms Library.

[§53.53]

#### **Yes The FWAB can be considered for counting unless:**

The voter's regular ballot or special write-in ballot is returned by the ballot receipt deadline for the election. Count the regular ballot but do not send a ballot rejection notice for the FWAB. If the voter's regular ballot is not properly postmarked or not returned by the ballot return deadline, the FWAB can be counted and the voter's absentee ballot should be accepted in I-VOTERS so the voter receives vote credit.

## **Challenging Absentee Ballots**

Any eligible elector, ASVP board members, and observers allowed to be present pursuant to §53.23 may challenge the qualifications of a person who cast an absentee ballot.

Challenges by eligible electors must be written and filed with the auditor by 5 p.m. on the Friday before the election.

ASVP board members and observers may challenge absentee ballots at any time before the ballots are removed from the affidavit envelopes.

ASVP board members must challenge the absentee ballot of any person the board members know or suspect is not duly qualified.

[§53.31(1)]

### **Challenges in Writing**

Challenges must be in writing. The challenge must state the reason(s) for the challenge and the challenger must sign the form.

A challenger's statement is available in the Election Forms Library.

[§49.79(3)(a)]

### **Notify Voter**

Upon receiving a written notice of a challenge, you must immediately send a written notice to the voter. A sample "Notice to Challenged Absentee Voter" is available in the Election Forms Library. Send the notice to the voter's registration address. If the absentee ballot was mailed to an address other than the voter's registration address, also send the notice to that address.

[§53.31(2)]

## **Absentee and Special Voters Precinct (ASVP) Board**

### **Absentee and Special Voters Precinct (ASVP)**

This precinct includes the entire county. It is established for the counting of all absentee and provisional ballots for all elections and for delivering absentee ballots to residents and patients in health care facilities and hospitals.

[§53.20]

### **Board Responsibilities**

Members must take the election official/clerk oath available in the Election Forms Library. The oath is required the first time the board meets before each election, but it does not have to be administered each day the board meets to process ballots for the same election.

### **Board Membership**

The number of members must be at least three and sufficient to complete the counting of absentee ballots by 10 p.m. on election day. The auditor must appoint members in the same manner prescribed by §49.12 and §49.13 for regular PEO appointments.

See the Pre-Election Day chapter for more information.

For partisan elections, the board as a whole must have an equal number of Democrats, Republicans, and no-party or NPPO affiliated workers. The board cannot be out of balance by more than one.

If the board is divided into smaller groups to consider ballots, the groups must consist of no fewer than three officials and cannot be out of party balance by more than one.

[§50.22, 53.23(1)]

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

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

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

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

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

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

[§53.24(4)]

### **Political Party Observers**

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

If a county party chairperson fails to make an appointment, the state party chairperson may make an appointment.

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

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

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

## Processing Absentees After Counting

### Process Absentees in I-VOTERS

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

### Incomplete Affidavits Not Corrected

Reject incomplete affidavits that were not corrected.

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

The screenshot shows the 'Election Management' software interface. At the top, it says 'Ballot status saved successfully.' Below that, the election details are: Election Date: Dec-04-2012, Election Type: School, Description: Test Election. The 'Ballot Search' section has fields for Barcode, Abs Seq #, Name (voter), and Address, with a City dropdown and Search/Clear buttons. The 'Ballot Details' section shows Voter ID: 500266725 and Address: 101 N MAIN ST, ALGONA, IA 50511. A red box highlights the 'Ballot Status' dropdown menu, which is currently set to 'Rejected - Affidavit not complete'. A 'Save' button is visible at the bottom right of the form.

### Defective Affidavits

#### Replacement Ballot Issued and Returned

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

#### Replacement Ballot Issued but Not Returned

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

[§53.25]

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

This screenshot is identical to the one above, showing the 'Election Management' software interface with the 'Ballot Status' dropdown menu highlighted in red, set to 'Rejected - Affidavit not complete'.

## Printing Mailing Labels

Mailing labels are printed in “**Election Management.**” Follow these steps to print mailing labels for your absentee ballots:

1. Go into “**Election Management**” and select the correct election.
2. Select “**Print Absentee Labels**” from the menu on the left side of the screen.
3. Click on “**Label Printing**” at the bottom of the screen.
4. If you have any labels you want to print first, enter the appropriate search criteria in the “**Selection Criteria**” tabs.

For example, if you have UOCAVA voters who requested to receive their ballots by fax or email, you can select “**fax**” and “**email**” under the issue method tab and print labels for these ballots first so you don’t inadvertently send these voters more than one ballot.

5. If you are printing labels before you are mailing the ballots, enter the sent date in the “**Mailing Date**” field.
6. Choose the sort order used in your county.

For example, you can click on “**Ballot Style**” in the sort order menu and move “**Ballot Style**” to the top of the sort order list using the up and down arrows so your labels are listed in ballot style order when they print.

7. Choose your output type by selecting either “**Print Now**” or “**Print to File.**”
8. If you select “**Print Now**” in the previous step, you will need to select a label. Select the label used for mailing absentee ballots in your county.
9. Click on “**Print**” at the bottom of the screen.
10. A PDF document will be generated containing the mailing labels you chose.

## Processing In-Person Absentee Ballots 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.

The screenshot shows the 'Residence' tab in the I-VOTERS system. Below the tab are several sub-tabs: 'Absentee', 'History', 'Contacts', and 'Voting History'. A table is displayed with the following columns: 'Dates/Elections', 'Seq Num', 'Source', 'Address', and 'County'. The table is currently empty. At the bottom of the table, there is a row of buttons: 'Special Absentee', 'Active Ballots', 'Add', 'Details', and 'Void'. The 'Add' button is highlighted with a red rectangular box.

The screenshot shows the 'Voter Registration - Absentee Detail' form. The 'Absentee Type' section includes a dropdown for 'Election Specific' set to '12/04 2012 Test Election', a dropdown for 'Absentee Application Source' set to 'Counter / Office', and a dropdown for 'Issue Method' set to 'In-Person'. Below this, there are radio buttons for 'Election Type' (Federal, School, City, Special, All). The 'Date Requested' is '07/09/2012' and 'Date Sent' is '07/09/2012'. The 'ReIssue Method' dropdown is set to 'Use Address on File', which is checked. The address is 'ALGONA, IA 50511'. At the bottom, there are buttons for 'Unsend Ballot', 'Print Now', 'Print Later', and 'Close'. The 'Print Now' button is highlighted with a red rectangular box.

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**Close Election in I-VOTERS**

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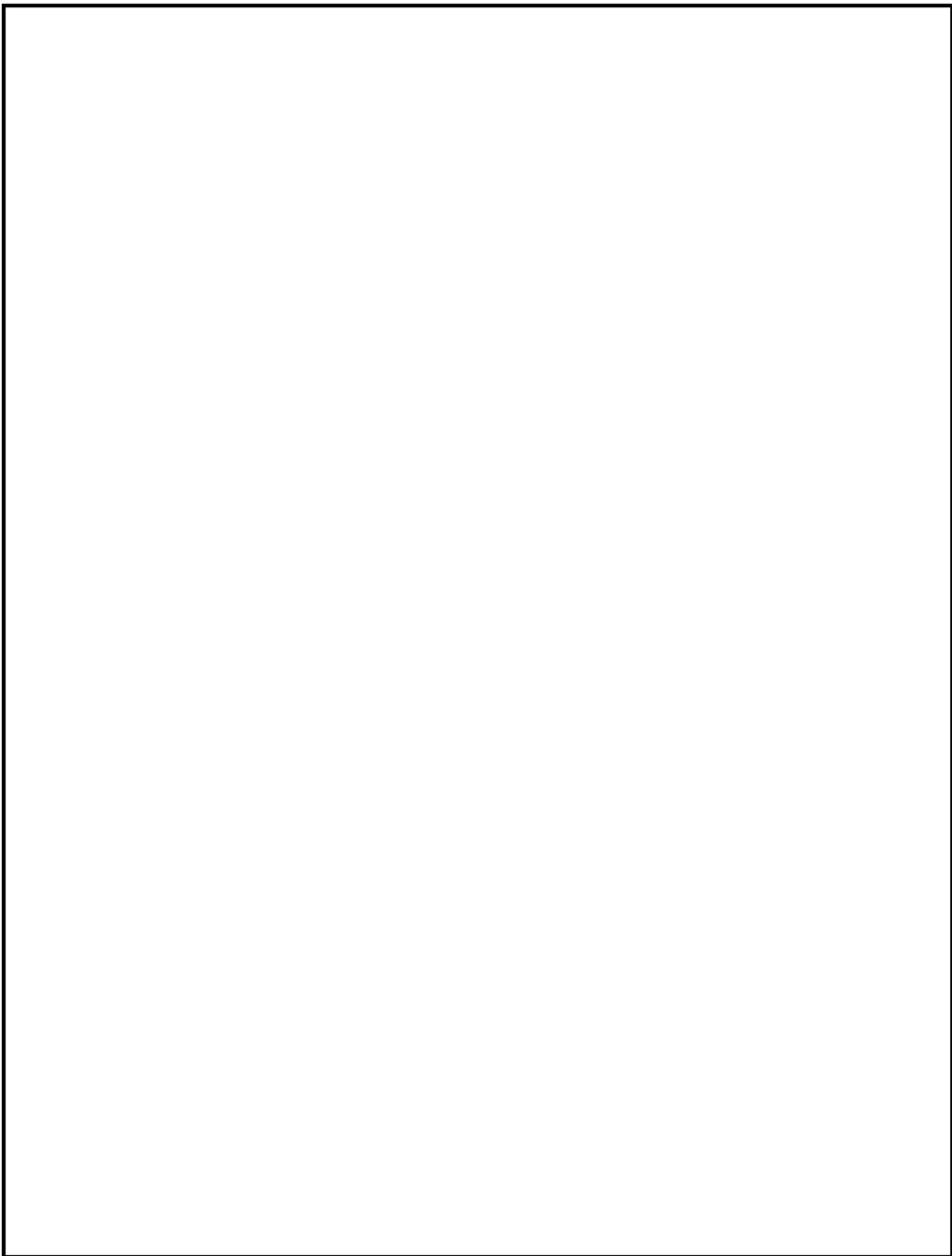
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## Process Absentees

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

### Incomplete Affidavits Not Corrected

Incomplete that were not corrected by voters must be rejected.

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

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

### Defective Affidavits

#### Replacement Ballot Issued and Returned

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

#### Replacement Ballot Issued but Not Returned

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

[\$53.25]

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

This screenshot is identical to the one above, showing the 'Election Management' application window. It displays the same navigation menu, status message, election details, sidebar, ballot search fields, and ballot details for voter MIKE VOTER. The 'Ballot Status' dropdown menu is highlighted with a red box and set to 'Rejected - Affidavit not complete'. A 'Save' button is visible at the bottom right.

## No Replacement Ballot Issued but Did Not Vote at Polls

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

[§53.25]

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

## No Replacement Ballot Issued and Voted at Polls

1. Open voter’s record and click on the **“Absentee”** tab.
2. Highlight the request by clicking on it. Click **“Void.”**
3. Click **“Yes”** when asked if you are sure you want to void the ballot. Add the comment **“Defective affidavit – voted at polls”** in the **“Audit Comment”** field. Click **“Save.”**

Dates/Elections	Seq Num	Source	Address	County
12/4/2012 ...	2	Mail	Address on File	Kossuth

## **Rejected Absentees**

Process rejected absentee ballots.

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

## Accepted Absentees

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

The screenshot displays the I-VOTERS interface for processing absentee ballots. On the left is a navigation menu with links such as 'Measures & Factors', 'Post Shared Contests', 'Ballot Styles', 'Ballot Review', 'Print Absentee Labels', 'Election Register', 'Election Expenses', 'Election Results', 'Process Election Register', 'Process Absentee Ballots', 'Duplicate Ballot Report', 'Post History & Close Election', and 'Exit'. The main area is titled 'Ballot Details' and shows information for Voter ID 500266725, Voter Name MIKE VOTER, and Address 101 N MAIN ST, ALGONA, IA 50511. The Ballot Status is 'Rejected - No signature'. Below this is a table titled 'Ballots Sent' with columns for Abs Seq #, Barcode, VoterName, Source, Date Sent, Date Received, Ballot Style, and Ballot Type. A single row is visible with Abs Seq # 5, Barcode 50098..., VoterName MIKE VOTER, Source Mail, Date Sent 07/12/2012, Date Received 07/12/2012, Ballot Style 001, and Ballot Type Original. At the bottom, there are two sections: 'View Absentees' with radio buttons for 'All Absentees', 'UnProcessed', 'Processed', 'Accepted', and 'Rejected', and a 'View Absentees' button; and 'Finish Processing' with a checked radio button for 'Mark Unprocessed as Accepted' and a 'Process Remaining Ballots' button. A red box highlights the 'Finish Processing' section.

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

## Absentees Not Returned

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

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## Swear In Officers

Most elected officials will take and subscribe the oath of office no later than noon on the first day of the term in January which is not a Sunday or legal holiday.

[§39.8, 63.1, 63.10]

### Exceptions:

- County agriculture members must take the oath of office within 15 days after the county canvass of votes.

[§176A.14(5)]

- Terms of new members for school boards begin at the first regular meeting of the school board held after the canvass of votes.

[§277.28]

- Vacancies

Officials who were elected or appointed to fill a vacancy or were elected to an office where an appointee is currently serving must qualify within 10 days of the county canvass.

**Exception:** School board members who were elected to fill vacancies at a special election must qualify within 10 days of the special election.

See the Vacancies chapter for more information.

[§63.8, 279.7(3)]

For specific term start dates, see the “Terms of Office” webpage on the SOS website here: [www.sos.iowa.gov/elections/electioninfo/officeterms.html](http://www.sos.iowa.gov/elections/electioninfo/officeterms.html).

## Filing of Bonds and Oaths

The official oath and bond must be filed with the appropriate public officer:

Elected Office	Filing Official
County Officers	County Auditor <b>Exception:</b> County auditor files with the county treasurer.
Township Trustees and Clerks*	County Auditor
City Officers*	City Clerk
School Board Members*	School Secretary

[§63.10, 63.11, 64.23, 277.28]

\*Bonds are not required for township trustees, city council members, and school board members.

[§64.1A]

## **Storing Election Materials**

Tally lists and abstracts must be kept forever unless electronically recorded. Other documents pertaining to the election are kept for six months for non-federal elections and 22 months for federal elections. See the election document retention record in the Election Forms Library.

[§50.19]

## **Cost of Election**

Determine the costs of the election and bill other jurisdictions (if needed).

Certify to the board of supervisors the costs of the election. The board will bill the appropriate jurisdictions, if needed.

The following items may be included in the bill:

- Ballot printing [§47.3, 49.56]
- Absentee balloting costs (postage, envelopes) [§47.3]
- Polling place rental [§49.21, 49.24]
- Election registers and lists of registered voters [§47.3]
- Publication of election notice (and any other required publications)  
[§47.3, 49.23, 49.53, 49.54]
- Declaration of eligibility slips and other forms [§49.74]
- Compensation of precinct election officials [§47.3, 49.20, 49.125]
- Canvass materials (tally lists and canvass books) [§47.3]
- Preparation and installation of voting equipment [§47.3]
- Other costs, NOT including: costs of voter registration, administration, clerical costs, and rent for voting equipment [§47.3]

## **Pay Precinct Election Officials**

Precinct election officials cannot be paid until after the county canvass of votes is complete.

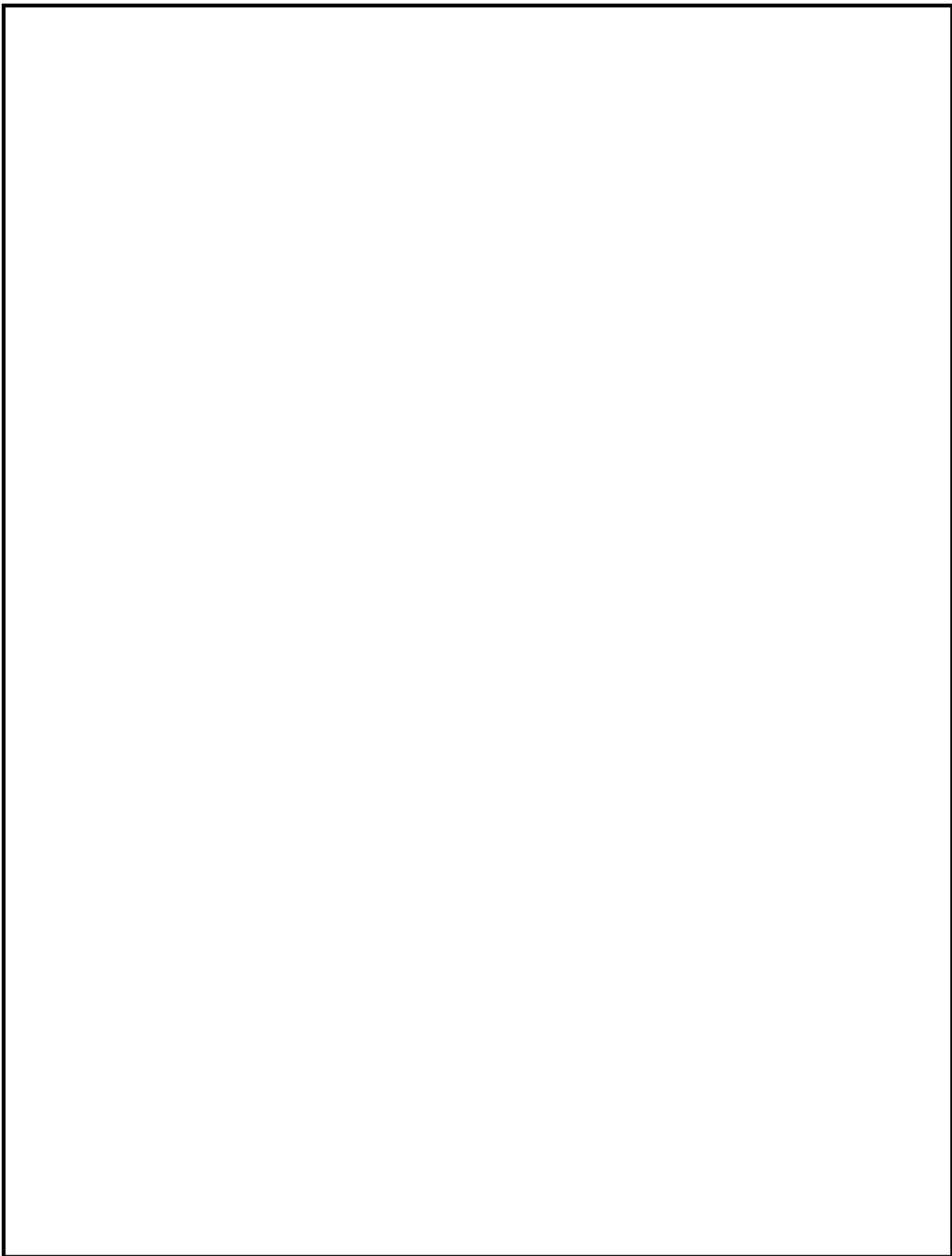
[§49.20]

## Chapter 10

# School Elections

This chapter of the handbook applies only to school elections.

When planning for a school election, also refer to the other chapters of this handbook for information that applies to all elections, including school elections.



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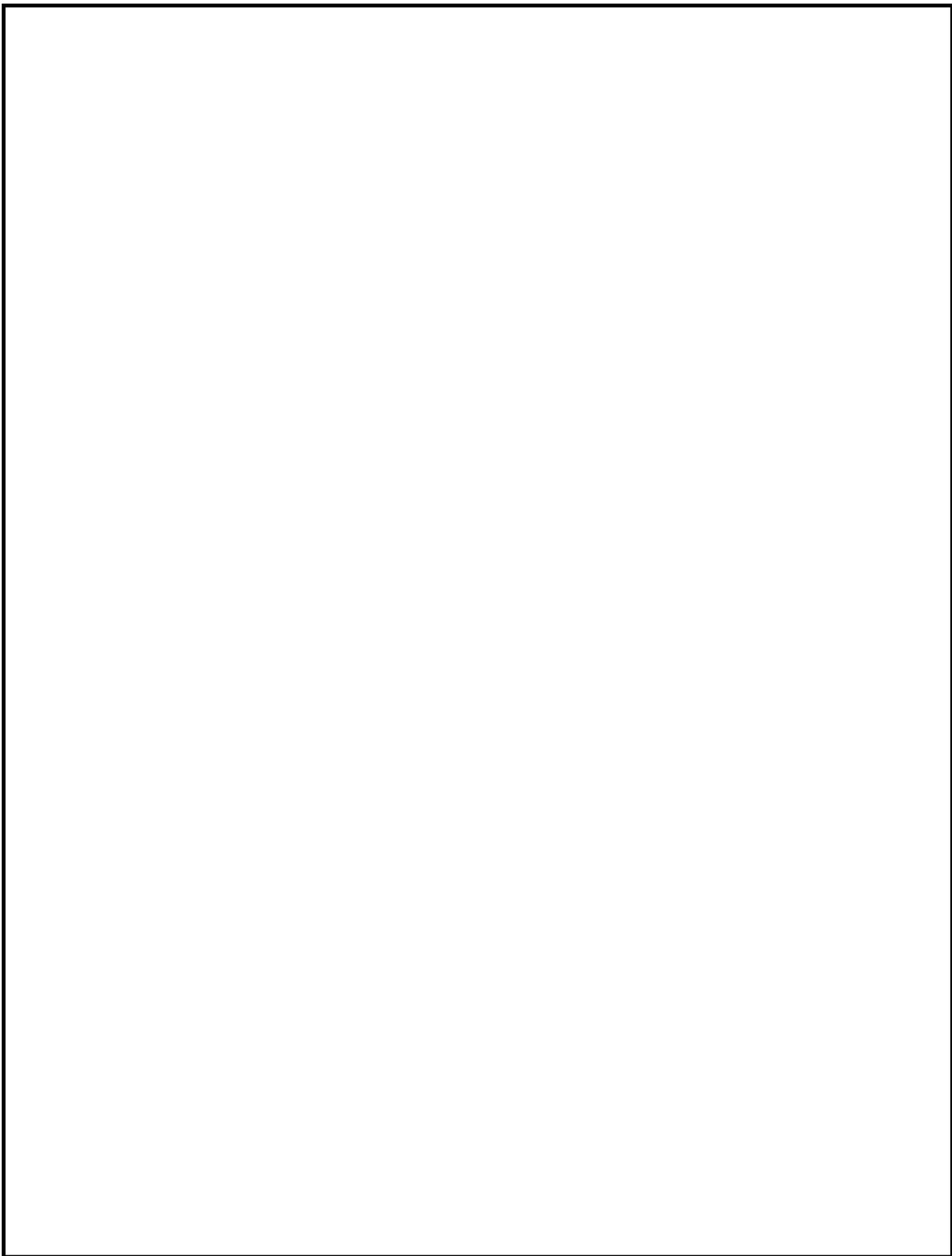
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## Overview

### **What is the School Election?**

The school election is held in odd-numbered years to elect school district and community college officers and vote on public measures for these jurisdictions.

[§277.1]

### **Date of School Election**

The school election is held on the second Tuesday in September of odd-numbered years.

[§277.1]

### **Laws Related to School Elections**

Chapter 277 of the *Iowa Code* is the main source of information for laws relating to school districts.

Chapter 260C is the main source of information for laws relating to community colleges.

§277.3 and §260C.15 both refer to other sections of the *Iowa Code* that apply whenever these chapters don't contain a specific requirement for the conduct of these elections.

### **Merged Area = Community College**

The *Iowa Code* refers to community colleges as merged areas.

### **Control Counties**

Many school districts (and all community colleges) cross county lines. When that happens, the county auditor whose county has the largest taxable base is given the responsibility of conducting the election for that district. This auditor is known as the "control county auditor."

[§47.2(2)]

### **UOCAVA Absentee Ballot Requests**

You must forward copies of valid absentee requests from UOCAVA voters registered in your county who live in school districts controlled by another auditor. They must be forwarded to the control county auditor for that school district. This is only necessary if the voter has requested ballots specifically for the school election or has requested ballots for all elections.

## **Pre-Election**

### **Paying for the Election**

The school district and community college pay the election costs associated with conducting the election. See the Pre-Election Day chapter for a list of items that can be included in the bill.

[§47.3]

### **Satellite Voting Petitions**

Residents of a school district or community college district can petition for satellite voting for school elections. The minimum number of signatures required on a petition is 100, and the petition must be delivered to the auditor no later than 30 days before the election at 5 p.m. Signatures must be from eligible electors living in the school district or community college area, as appropriate.

[§53.11(2)(d)]

At least seven days before the first day of a satellite, the auditor must notify the political parties of the date, time, and location of a satellite so the parties may appoint observers.

[§53.11(5)]

For more information about establishing satellite voting locations, see the Absentee Voting chapter.

### **Voter Pre-Registration Deadline**

The pre-registration deadline is 11 days before the school election at 5 p.m. This is a Friday and the auditor's office must be open from 8 a.m. until 5 p.m. that day. After this deadline, voters can register to vote and cast an absentee ballot at the same time using EDR procedures at the auditor's office, health care facility, or at a satellite voting station or they can use EDR procedures at their polling place on election day.

[§48A.7A, 48A.9]

### **Affidavit Review**

All ballots that are received on or before 5 p.m. on the Friday before the school election must have their return envelopes opened (if a combined return-affidavit envelope wasn't used) and their affidavit envelopes reviewed for defects and completeness. If any problems are discovered, the voter must be notified immediately.

[§53.18(2)]

For more information about reviewing affidavits and notifying voters, see the Absentee Voting chapter.

## **Communication with School Secretaries**

Begin communication with the school secretary early in the year. Planning worksheets are available on the SOS website to help auditors, school secretaries and community college secretaries. They will help plan polling place hours, estimate turnout, and provide information about other school preferences.

Be sure to inform the school secretary how many signatures candidates are required to gather for the seats that will be on the ballot. The number may be different for different director districts if directors are elected by district (as opposed to at-large) at the school election.

Ask the school secretary if there are any vacancies or if any appointments were made. Ask if the school or community college place public measures on the ballot.

**Best Practice:** Send a copy of the School Secretary's Guide and the Filing Officer's Guide to each school secretary along with the planning worksheets available on the SOS website. Follow up with school secretaries to make sure they understand their responsibilities.

## **Labor Day**

Occasionally the Labor Day holiday affects certain deadlines related to the school election. For example, when Labor Day is the Monday before the school election, as it will in 2015, the absentee ballot postmark deadline cannot extend to the "next business day" because that day is election day. Absentee ballots must be postmarked by an officially authorized postal service no later than the day before the election to be considered on time for counting. The United States Postal Service is closed on Labor Day which means the last chance to obtain a USPS postmark is the Saturday before the 2015 school election.

Other deadlines will typically extend to the next business day after Labor Day.

[§47.4, 53.17(2)]

If you have questions about how the Labor Day holiday will affect the school elections, contact the SOS.

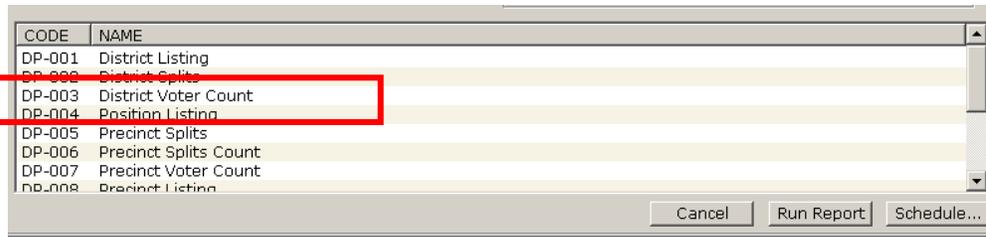
## May 1st Voter Registration Numbers

Voter registration totals for each school district must be calculated on May 1<sup>st</sup> of each odd-numbered year. They are used to calculate how many signatures candidates need to get their names on the ballot. If May 1 is a day when the office is closed, calculate the voter registration totals on the next business day.

[§277.4(2)(a), IAC 721—21.500]

## Generating Numbers from I-VOTERS

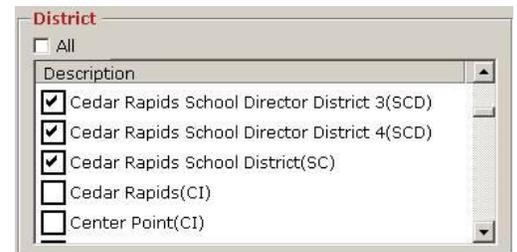
1. Select “**Reports and Labels**” from the main I-VOTERS screen.
2. Select “**Districts and Precincts**” in the menu on the left-hand side.
3. Select “**DP-003 – District Voter Count.**”



4. Select school districts for which you are the control county under “**District.**”

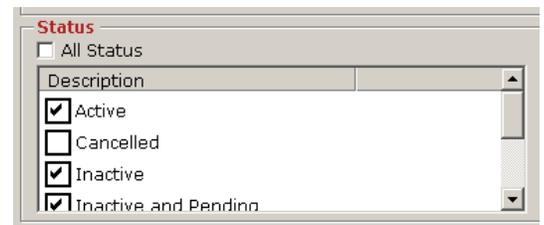
You may choose to either run one report for each school district or you may run one report that includes all the school districts.

Be sure to select the school director districts (if any).



5. Under “**Status**” select all except for “**Cancelled**” and “**Incomplete.**”

6. Select “**Run Report.**”



The report will list the number of registered voters in each school district and director district (if any), including voters who live outside of your county but within the school district you are control county for.

**Best Practice:** Print this report immediately after running it. To have a record of the voter counts on May 1, you must save or print the report on May 1.

## **Polling Places**

### **Consolidated/Merged Precincts**

Consolidated/merged precincts are allowed for school elections.

[§49.11(3)]

See the Pre-Election Day chapter for more information.

### **Vote Centers**

Vote centers are allowed for school elections.

[§49.11(3)]

See the Pre-Election Day chapter for more information.

### **Check Accessibility**

Check to make sure that all polling places or vote centers are accessible to voters with disabilities. See the Pre-Election Day chapter for more information.

### **Polling Place Hours**

The auditor can open the polls at 7 a.m. or noon, based on past turnout for similar elections and other factors that will affect turnout. The planning worksheet asks the school district whether they would like to have the polls opened at 7 a.m. or noon. The decision, however, is up to the auditor based on the factors mentioned. See the Pre-Election Day chapter for more information.

[§49.73]

If the polling places are opened at noon, the auditor's office must be open from 8 a.m. to 11 a.m. for absentee voting on election day.

[§53.2(1)(a)]

## Nomination Period

### Filing Officer

The school district secretary or community college secretary, not the auditor, is the filing officer for school elections. It is very important to make contact with all school secretaries in the spring of odd-numbered years (before school is out for the summer) and make sure they understand the responsibility they have as the filing officer for these elections.

[§277.4]

### Filing Period

The filing period begins 64 days before the election and ends at 5 p.m. on the 40th day before the election. School secretaries' offices must be open until 5 p.m. on the final day for filing.

On the 39<sup>th</sup> day before the election (the day after the filing deadline), school secretaries must deliver all the nomination papers received and the text of any public measure(s) that must appear on the school election ballot to the auditor by no later than 5 p.m.

[§277.4]

**Important Note:** The school secretary must not deliver nomination papers to the auditor's office before the filing period has ended. Nomination papers must be available for public inspection in the school secretary's office until the end of the filing period.

[§260C.15(3), 277.4(3)]

For specific dates, see the Auditor's Calendar for the School Election.

Any candidate whose papers were accepted for filing by the school secretary has a right to have his or her name placed on the ballot. After papers have been accepted, the auditor's duty at this point is to place the name on the ballot and let the normal objection process run its course.

[§277.5]

### Candidate Qualifications

Candidates must be eligible electors of the school district and director district (if any) at the time of the election.

[§277.27]

## **Number of Signatures Required**

The number of signatures required depends on the number of registered voters in the school district or director district.

<b>Non-Partisan Offices</b>	<b>Signatures Needed</b>
School Board Members	1% of registered voters in school district or director district; minimum of 10, maximum of 50 [§277.4] *See minimum signature requirements chart on next page
Community College Board Members	At least 50 signatures from director district [§260C.15(2)]

### **At-Large**

In school districts where directors may live anywhere in the school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

[§277.4(2)(a)]

### **Director Districts**

#### **Elected At Large**

In school districts where directors must reside in a specific director district but are voted upon by the entire school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

#### **Elected by Director District**

In school districts where directors are only voted on by the residents of the director district, the number of signatures needed is calculated from the number of registered voters in the director district. Petition signers must live in the director district.

[§277.4(2)(a)]

## Minimum Signature Requirements Chart

Registered Voters	Signatures Needed	Registered Voters	Signatures Needed
1-1,000	10	3,001 – 3,100	31
1,001 - 1,100	11	3,101 – 3,200	32
1,101 - 1,200	12	3,201 – 3,300	33
1,201 - 1,300	13	3,301 – 3,400	34
1,301 - 1,400	14	3,401 – 3,500	35
1,401 - 1,500	15	3,501 – 3,600	36
1,501 - 1,600	16	3,601 – 3,700	37
1,601 - 1,700	17	3,701 – 3,800	38
1,701 - 1,800	18	3,801 – 3,900	39
1,801 - 1,900	19	3,901 – 4,000	40
1,901 - 2,000	20	4,001 – 4,100	41
2,001 - 2,100	21	4,101 – 4,200	42
2,101 - 2,200	22	4,201 – 4,300	43
2,201 - 2,300	23	4,301 – 4,400	44
2,301 - 2,400	24	4,401 – 4,500	45
2,401 - 2,500	25	4,501 – 4,600	46
2,501 - 2,600	26	4,601 – 4,700	47
2,601 - 2,700	27	4,701 – 4,800	48
2,701 - 2,800	28	4,801 – 4,900	49
2,801 - 2,900	29	4,901 – 5,000	50
2,901 - 3,000	30	5,001 and over	50

## **Withdrawals**

Withdrawals in writing must be filed with the school secretary no later than 5 p.m. on the 35th day before the election.

[§277.4(4)]

**Important note about community college candidates:** There is no procedure specifically outlined in §260C for community college candidates to withdraw. The community college secretary should consult the community college attorney for information on how to proceed if a withdrawal is filed. The auditor should consult the county attorney before proceeding based on direction from the community college regarding a withdrawal for a community college candidate.

## **Objections**

Written objections must be filed with the school secretary or community college secretary 35 days or more before the election.

[§260C.15(4), 277.5]

## **Certifications from Other Counties**

Before printing ballots and generating ballot styles in I-VOTERS, make sure you have received certifications from community college control counties. If you do not receive anything from the control county, contact them to verify there are no seats to be filled and no public measures for the community college on the ballot.

## **Ballot Preparation**

### **Voting Equipment**

The auditor can decide whether to use voting equipment or whether to have the ballots counted by hand for each school district in the county. If counting by hand will cause a significant savings in election costs, the auditor may use hand-counted paper ballots. The decision about whether to use voting equipment is made on a school district by school district (not precinct by precinct) basis. Voters in the school district can petition to require the use of voting equipment if the auditor decides not to use it. See §49.26 for more information.

[§49.26]

**Important Note:** For community college special elections, the results must be tabulated by school district, including the absentee and special precinct results. The auditor may program the voting equipment to tabulate the ballots in this manner or may manually sort and tabulate the ballots by school district.

[IAC 721—21.204]

### **Non-Partisan Election**

School elections are non-partisan. Candidates' names appear on the ballot with no reference to political affiliation.

[§49.31(3)]

### **When Ballots Must be Ready**

Ballots must be ready as soon as practicable, but there is no date specifically set by law. As soon as ballots are ready, you must begin mailing out absentee ballots. In-person absentee voting cannot be more than 40 days before the election.

[§53.10(1)]

### **Public Measures**

School districts and community colleges can always include public measures on the school election ballot. The deadline for filing the full text of the public measure with the auditor is 39 days before the election, no later than 5 p.m.

[§277.4(3)]

### **Vacancies**

See the Vacancies chapter for more information.

## **Rotation**

Rotation of candidates' names is required if:

- Candidates are running opposed (e.g. three people seeking two at-large school board seats)

AND

- The office will appear on the ballot in more than one precinct.

[§49.31(3)]

## **Example:**

Happytown School District is electing three at-large school board directors. Six people are running for the open seats. All of the voters in Happytown School District vote at one polling place in the Happytown High School. In this case, rotation is NOT required. Even though the candidates are running opposed, this race will only appear on the ballot in one precinct.

## **Order of Offices**

1. School Board Members
2. Merged Area Trustees (if any)
3. School District Public Measures (if any)
4. Merged Area Public Measures (if any)

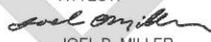
**Important Note:** If any vacant offices must appear on the ballot, list them as the last office under the appropriate school/college and director district (if any) heading.

## Ballot Layout

All offices on the ballot are non-partisan offices. No reference to party affiliation is listed with the candidates' names. List the names of the candidates in alphabetical order by last name. Rotation is required if candidates are running opposed and the office appears in more than one precinct.

[§49.31(3)]

Example Ballot:

Official Ballot - School Election September 13, 2011 Alburnett Community School District In the County of Linn, State of Iowa and Kirkwood Community College, Merged Area X	
<input type="text"/> Pct. Off. Initials	ATTEST:  JOEL D. MILLER LINN COUNTY COMMISSIONER OF ELECTIONS
Instructions to Voters	
To vote, completely fill in the oval <input type="radio"/> to the left of your choice.	
To cast a write-in vote, you <b>MUST</b> completely fill in the oval <input type="radio"/> <b>AND</b> write the name of your candidate on the line provided. If you make a mistake, you may request a new ballot.	
To vote to approve any question on this ballot, fill in the oval to the left of the word "YES", like this <input type="radio"/> . To vote against a question, fill in the oval to the left of the word "NO", like this <input type="radio"/> .	
Alburnett Community School District	Kirkwood Community College
<b>For Director at Large</b> (Vote for no more than three)	<b>Public Measure Q</b>
<input type="radio"/> Duane Bolton <input type="radio"/> David Kirk <input type="radio"/> Kala Liebe <input type="radio"/> Jason J. Martin <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any) <input type="radio"/> _____ (Write-in vote, if any)	<b>Shall The Following Public Measure be Adopted?</b>  Shall the Kirkwood Community College (Merged Area X) in the Counties of Benton, Black Hawk, Buchanan, Cedar, Clinton, Delaware, Dubuque, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Linn, Louisa, Poweshiek, Tama and Washington, be authorized to remodel, erect and equip buildings at the main campus and other enrollment locations, acquire a site or sites for use of the Community College, contract indebtedness therefor, and issue its school bonds in an amount not exceeding \$46,500,000 for that purpose?  <input type="radio"/> YES <input type="radio"/> NO

Rotation required if the office appears on ballots in more than one precinct because candidates are opposed.

FRONT Card 3 SEQ# 1

## **Post Election Day**

### **Provisional Ballots**

Post a list of the number of provisional ballots cast in each precinct as soon as possible. The ASVP board must meet on Wednesday at noon for school elections and the list must be posted before they meet.

[§50.20]

### **ASVP Board**

The board must meet Wednesday at noon to consider any provisional ballots cast in the election and any absentee ballots that were received and postmarked on time.

For additional information about ASVP board procedures, see the Absentee Voting chapter.

[§50.21, 50.22]

### **County Canvass**

#### **School District Canvass**

The control county canvasses the results for the entire school district. The canvass for school elections is held on the Friday after the election, earlier than most elections. The canvass can be held anytime on Friday.

[§277.20]

#### **Community College Canvass**

##### **Non-Control Counties**

The control county for the school district within the community college canvasses the results for the community college races and measures for the school district it controls. Those abstracts are then forwarded to the control county for the community college.

##### **Control County**

If your county is the control county for a community college, the board of supervisors must meet on the last Monday in September or at the board's last regularly scheduled meeting in September to canvass the abstracts received from the other counties in the community college (merged) area.

[§260C.15(5)]

### **Write-In Votes**

Write-in votes are allowed and the candidate with the most votes is declared elected. There is no “next highest vote-getter” provision in school elections, even if no one filed papers to run for the office. If a person was elected by write-in votes declines the office, a vacancy is created and the vacancy must be filled by appointment.

[§50.24, 50.45, 277.20, 277.29]

### **Required Percentage for Passage of Public Measures**

Most public measures require a simple majority to pass. Bond issues, however, require at least 60% to pass.

[§50.45, 75.1, 296.6]

### **Election Results**

To generate abstracts, the election canvass summary, and certificates of election, enter election results in I-VOTERS. See the Post Election Day chapter for more information.

**Important Note:** For community college special elections, the results must be tabulated by school district, including the absentee and special precinct results. The auditor may program the voting equipment to tabulate the ballots in this manner or may manually sort and tabulate the ballots by school district.

[IAC 721—21.204]

## **Abstracts**

Two sets of each school district's abstracts must be prepared and signed by a majority of the board of supervisors.

### **For school districts:**

- Send one set of the abstract to the school district.
- Keep one set for your files.

### **For community colleges when you are NOT the control county:**

- Send one set of the abstract to the control county auditor.
- Keep one set for your files.

### **For community colleges when you ARE the control county:**

- At the first canvass on Friday after the election, keep one set of the county abstract for use in the community college canvass.
- At the community college canvass, prepare two sets of the abstract.
  - Send one set of the abstract to the community college.
  - Keep one set for your files.

[§50.24, 260C.15(5), 277.20]

See the Post Election Day chapter for more information on preparing abstracts.

## **Certified Election Canvass Summary**

A canvass summary must be prepared for each school district and signed by a majority of the board of supervisors. See the Post Election Day chapter for more information.

[§50.24(3)]

## **Certificates of Election**

Each person who was elected must receive a certificate of election. Include open meetings and records laws (Chapters 21 and 22 of the *Iowa Code*) information with the certificates.

[§21.10, 50.29]

## **Term Start Dates for School Districts**

The term for school officers begins at the first regular board meeting after the canvass. This date should be provided to you by the school secretary.

The terms of officers elected to fill vacancies begin within 10 days of the canvass. See the Vacancies chapter for more information.

[§50.29, 63.8, 277.28, 279.1]

## **Term Start Dates for Community Colleges (Control Counties)**

The term for new members begins at the first regular meeting of the board held after the canvass of votes. This date should be provided to you by the secretary.

[§50.29, 260C.15(5), 277.28]

## **Recounts**

Requests for recounts for school elections must be filed within three days of the county canvass. See the Recounts chapter for more information.

[§50.48(1)]

## **Contests**

The deadline to file a statement of intent to contest the school election must be filed 20 days after the canvass of votes with the auditor. See the Contests chapter for more information.

[§57.6, 62.5, 277.22]

## **Record Retention**

Keep records for 6 months, unless a school election contest is pending. Tally lists and abstracts which have not been electronically recorded must be kept forever.

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

**Exception to the Six Month Rule:** Unvoted ballots and programmed memory cards.

[§50.19, IAC 721—22.51(13), 22.51(14)]

**Auditor's Calendar**  
**School Election – September 8, 2015**

■ Text in purple = School secretaries    ■ Text in black = County Auditor    ■ Text in orange = I-VOTERS

Days from Election	Date	Event	Code Cite
	Anytime	<p><b>Create Election.</b>  The "Election Details" may be entered at any time. Absentee requests may be entered at any time after the election is created.</p> <p><b>Best Practice:</b> Use this format for naming your election: 2015 [County Name] County School Election.</p>	
-130	<b>Friday, May 1</b>	<p><b>Signature Formula Set.</b>  The number of signatures needed on candidates' nomination petitions is calculated from the number of registered voters in the school or director district on May 1. The auditor will do this calculation and inform school secretaries and community college board secretaries of the required number of signatures.</p>	IAC 721— 21.500
-64	<b>Monday, July 6</b>	<p><b>Candidate Filing Begins.</b>  First day to file nomination papers with the secretary of the school board or community college board secretary. The secretary or a designee must be present to receive the papers.</p>	§260C.15(3), §277.4(1)
-45	<b>Saturday, July 25</b>	<p><b>Last Day for Vacancies.</b>  Vacancies occurring on or before today on community college boards or school boards and board resignations occurring on or before today that will be effective either immediately or at the beginning of the next term must be filled at the 2015 school election. Vacancies occurring after this date cannot be filled at this school election and instead must wait to be filled until the next pending election (i.e. the next school election or special school or community college election).</p>	§69.12(1)(a)(3), 260C.11(1), 279.6
-40	<b>Thursday, July 30 – 5 p.m.</b>	<p><b>Candidate Filing Deadline.</b>  Last day to file nomination papers with the school secretary or community college board secretary. Deadline is 5 p.m.</p> <p><b>School secretary's office must be open until 5 p.m.</b></p>	§260C.15(3), 277.4(1)
-39	<b>Friday, July 31 – 5 p.m.</b>	<p><b>Nominations Delivered.</b>  School secretaries and community college board secretaries deliver all nomination papers and the full text of all public measures to the auditor by 5 p.m.</p> <p><b>Auditor's office must be open until 5 p.m. if necessary.</b></p>	§260C.15(3), 277.4(3)
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
-39	Friday, July 31 – 5 p.m.	<p><b>Set Up Election.</b> After the school secretary delivers the nomination papers, include contests from election template and add candidates. Add measures and vacancies if needed.</p> <p><b>Control Counties: Post shared contests.</b> Contests, including races, vacancies and measures, must be entered before sharing. Candidate names can be added, edited or deleted at any time as long as the race is entered before the contests are shared.</p>	
-35	Tuesday, August 4 – 5 p.m.	<p><b>Community College Candidates Certified.</b> Last day for control auditor for community colleges to certify the names of candidates and public measures to the other auditors in the community college.</p> <p><b>Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the school secretary. Deadline is 5 p.m.</p> <p><b>Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with the school secretary or community college board secretary.</p> <p><b>School secretary’s office must be open until 5 p.m.</b></p> <p><b>Important Note: Absentee ballots must be ready as soon as practicable.</b> Once ballots are ready, absentee voting must begin by mail and in the auditor’s office.</p> <p><b>Health Care Facility Delivery.</b> Within 10 days after ballots are printed, the auditor may send teams to deliver ballots to residents and patients of health care facilities. After this 10 day window, ballots cannot be delivered to health care facilities again until the 14<sup>th</sup> day before the election.</p>	<p>§260C.15(3)</p> <p>§277.4(4)</p> <p>§260C.15(4), 277.5</p> <p>§53.10(1)</p> <p>§53.8(3), 53.22(1)(a)</p>
-29	Monday, August 10 – 5 p.m.	<p><b>Satellite Voting Petition Deadline.</b> A petition requesting a satellite absentee voting station must be filed no later than 5 p.m. on the 30<sup>th</sup> day before the election. <i>This deadline falls on Sunday and is therefore moved to the next business day.</i></p> <p>At least seven days before the first day of a satellite, the auditor must notify the political parties’ chairpersons of the date, time, and location of a satellite so the parties may appoint observers.</p> <p><b>Auditor’s office must be open until 5 p.m.</b></p> <p><i>Continued on next page...</i></p>	<p>§47.4, 53.11(2)(d)</p> <p>§53.11(5)</p>

Days from Election	Date	Event	Code Cite
-29	Monday, August 10 – 5 p.m.	<p><b>Non-Control Counties: Include shared contests for contests where you are the non-control county.</b></p> <p><b>Generate Ballot Styles.</b> Verify that all contests for which you are the non-control county have been shared and included. Failure to include all contests before generating ballot styles will require regenerating the election. Rename your system ballot styles.</p> <p><b>Pull Absentees.</b> Pull absentees in “Generate Ballot Styles” to include UOCAVA absentee requests and election-specific requests already entered. Print absentee ballot labels.</p>	
-20	Wednesday, August 19	<p><b>Publications Begin.</b> First day to publish notice of changes in polling places (this includes temporary changes).</p> <p><b>First day the auditor may publish</b> notice of the school election and sample ballot. The notice of election must include an accessibility notice.</p>	<p>§49.23</p> <p>§49.53, 260C.15(1), IAC 721— 21.50(10)</p>
-15	Monday, August 24	<p><b>Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to pre-register for the school election even if they are received after 5 p.m. on Friday, August 28.</p> <p><b>Last Day to Appoint Precinct Election Officials.</b> Appointed by the auditor.</p>	<p>§48A.9(3)</p> <p>§49.13(1)</p>
-14	Tuesday, August 25	<p><b>Health Care Facility Delivery.</b> Teams may resume delivery of absentee ballots to residents and patients of health care facilities.</p>	§53.22(1)(a)
-11	Friday, August 28 – 5 p.m.	<p><b>Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the school election is 5 p.m. This applies to registration in person (including registration at driver’s license stations or agencies) or by mail.</p> <p><b>Exceptions:</b> Mailed registration forms postmarked on or before Monday, August 24, are considered on time even if they are received after 5 p.m. today.</p> <p>After today, a person may register to vote at the auditor’s office, a health care facility, or a satellite voting station and vote an absentee ballot. The process is the same as for registering to vote on election day.</p> <p><b>Auditor's office must be open from 8 a.m. to 5 p.m.</b></p>	<p>§48A.9(1)</p> <p>§48A.7A(3)</p> <p>§48A.9(2)</p>

Days from Election	Date	Event	Code Cite
		<p><b>Publication Deadline.</b> Last day to publish notice of election, sample ballot and polling place changes. The notice of election must include an accessibility notice.</p>	§49.23, 49.53, 260C.15(1), IAC 721—21.50(10)
		<p><b>Deadline to request an absentee ballot by mail.</b></p>	§53.2(1)(b)
		<p><b>Last Day to Submit Written Challenges to Absentee Voters.</b> A person qualified to vote in the election may submit a written challenge to the qualifications of an absentee voter until 5 p.m. to the auditor (observers witnessing the processing of absentee ballots may submit challenges until the polls close on election day.)</p>	§53.31(1)
		<p><b>Last Day to Review Absentee Affidavits.</b> Last day for auditor to review absentee affidavits received by 5 p.m.</p>	§53.18(2)
-4	Friday, September 4 – 5 p.m.	<p><b>Last Day for Voters to Fix Incomplete Affidavits.</b> Voters have until 5 p.m. to fix incomplete affidavit envelopes. <i>Deadline moved from Monday, September 7, due to the Labor Day holiday unless the auditor's office is open on Monday.</i></p> <p><b>Non-Control Counties: Send election registers to the control county.</b> Contact the control county to determine when they want these and in which format.</p>	§53.18(2)
		<p><b>Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the auditor's office. <i>Deadline moved from Monday, September 7, due to the Labor Day holiday unless the auditor's office is open on Monday.</i></p> <p><b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m. on election day.</p> <p><b>Auditor's office must be open until 5 p.m.</b></p>	§53.2(1)(a)
-3	Saturday, September 5 – Election Day at 4 p.m.	<p><b>Voters admitted to hospitals or nursing homes</b> after 12 a.m. September 5 may call to request delivery of an absentee ballot. Deadline for a telephone request is 4 p.m. on election day.</p>	§53.22(2)

Days from Election	Date	Event	Code Cite
		<b>Labor Day Holiday - State Offices Closed.</b>	§1C.1
		<b>Equipment Testing Deadline.</b> Last day to test voting equipment. Keep testing results in election files. Must be finished testing not later than 12 hours before the polls open.	§52.35
-1	<b>Monday, September 7 – 5 p.m.</b>	<b>PEO Training Deadline.</b> Last day for training precinct election officials.	§49.124(1)
		<b>Auditor May Convene ASVP Board.</b> In some limited circumstances, the board may review affidavits and decide which ballots to accept for counting. If secrecy envelopes were enclosed with all absentee ballots, the auditor may direct the board to open the affidavit envelopes and remove secrecy envelopes.  Notify the county political party chairpersons of the time the ASVP board will be convened.	§53.23(3)(b)(1)
		<b>School Election Day.</b> Polls are open from 7 a.m. until 8 p.m.	§49.73(1), 260C.15(1), 277.1
		<b>Exception:</b> The polls may be opened at noon for any school election unless the auditor receives a petition objecting to the shortened hours.	§49.73(2)
	<b>Tuesday, Sept. 8</b>	If the polls open at noon, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m.	§53.2(1)(a)
		<b>Electronically Submitted Absentee Ballot Requests Must be Matched with Originals.</b> If an electronic or faxed request was submitted, the original absentee ballot request must be received by the time the polls close. If the original does not arrive on time or was postmarked after Friday, September 4, the ballot cannot be counted. Notify the voter the ballot was rejected. This requirement does not apply to UOCAVA voters.	IAC 721— 21.2(2)
		<b>Post the Number of Provisional Ballots.</b> Number of provisional ballots cast in each precinct must be posted as soon as possible after the election.	§50.20
+1	<b>Wednesday, Sept. 9 – Noon</b>	<b>ASVP Board Must Reconvene at Noon.</b> ASVP board must reconvene at noon to consider provisional ballots and absentee ballots postmarked Monday, September 7, or earlier.	§50.21, 50.22
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
+1	Wednesday, Sept. 9 – Noon	<p><b>Ballots and Election Supplies Returned.</b> Election supplies from each precinct, including election register, tally list, and ballots, must be returned by noon. Send messengers for supplies not returned by noon.</p> <p><b>Best Practice:</b> Have voted ballots returned back to auditor's office on election night after the polls close.</p> <p><b>Enter Results in I-VOTERS.</b> Results can be entered any time after the polls close. Pull "Results Data" in "Election Results" before entering results. Do not use the "Unofficial Results" tab. Results must be entered in the "Official Results" tab in order to print certificates, abstracts, and election canvass summary.</p>	§50.10, 50.17, 50.23
+3	Friday, Sept. 11	<p><b>Absentee Ballot Deadline.</b> Absentee ballots postmarked on Monday, September 7, or earlier and received before the county canvass are considered to be on time to be counted.</p> <p><b>County Canvass of Votes.</b> No time is specified for this meeting, but it is required to be held this day.</p> <p><b>Control Counties: Send copies of election registers.</b> Send copies of registers and records of counted absentee ballots to the non-control county. The non-control county needs these to process vote credit.</p>	§53.17(3) §277.20
+6	Monday, Sept. 14 – 5 p.m.	<p><b>Recount Request Deadline.</b> Written requests for a recount must be filed in the auditor's office by 5 p.m. on the third day after the canvass.</p> <p><b>Auditor's office must be open until 5 p.m.</b></p>	§50.48(1)(a)
+20	Monday, Sept. 28	<p><b>Control County Canvass for Community Colleges.</b> Canvass of county abstracts for community colleges by board of supervisors of control county. (This meeting is set for the last Monday in September or the last regular supervisors' meeting in September.)</p>	§260C.15(5)
+23	Thursday, October 1	<p><b>Notice of Election Contest Deadline for School District Candidates.</b> Statement of intent to contest election must be filed in the control auditor's office within 20 days after the day the apparent winner was declared elected.</p>	§57.6, 62.5(1), 277.22

Days from Election	Date	Event	Code Cite
+41	<b>Monday, October 19</b>  *Date varies for community colleges.	<b>Notice of Election Contest Deadline for Community College Candidates.</b> Statement of intent to contest election must be filed in the control auditor's office within 20 days after the day when the apparent winner was declared elected.	§57.6, 62.5, 277.22
		<b>Important Note:</b> This date will vary for community colleges depending on when the canvass occurs. <i>If the deadline falls on Sunday, the deadline is moved to the next business day.</i>	§47.4
	<b>Dates will vary for each school district</b>	<b>Organizational Meeting.</b> At its first regular meeting after the canvass of votes, the school board organizes for the new term.	§279.1
+45	<b>Friday, October 23</b>	<b>EDR Acknowledgment Deadline.</b> Last day to mail acknowledgments to voters who registered and voted after the school election pre-registration deadline.	§48A.26A(1)
+60	<b>Saturday, Nov. 7</b>	<b>Deadline to Update Voter History</b> Last day to add voter election participation information in I-VOTERS.	§48A.38(2)



# Candidate's Guide to the School Election

September 8, 2015

Prepared by the Office of the Iowa Secretary of State

(515) 281-0145

sos@sos.iowa.gov

<http://sos.iowa.gov/elections/candidates/index.html>

For more information, please contact your school secretary or county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.

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## Overview

### **What is the School Election?**

The school election is held in odd-numbered years to elect school district and community college officers and vote on public measures for these jurisdictions.

[§277.1]

### **Candidate Qualifications**

A candidate must be an eligible elector in the school district and director district (if any) at the time of the election. An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote.

[§277.27]

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)]

### **Nomination Papers**

Each candidate must file an affidavit of candidacy and nomination petitions with the school secretary or community college board secretary. The affidavit of candidacy and nomination petitions must be filed together or they will be rejected.

[§277.4]

Copies of nomination papers are available at the school secretary's office, county auditor's office, or on the Secretary of State's website:

<http://sos.iowa.gov/elections/electioninfo/SchoolElections.html>.

### **Filing Period**

Nomination papers must be filed with the school secretary during the filing period. They cannot be filed before or after the filing period. The filing period is:

**First day:** Monday, July 6, 2015

**Last day:** Thursday, July 30, 2015 – 5 p.m.

There are no filing fees in Iowa.

[§277.4(1)]

### **Control County Auditor**

In school districts that cross county lines, the county auditor whose county has the largest taxable base is given the responsibility of conducting the election in that school district. This auditor is known as the “control county auditor.”

[§47.2(2)]

## Preparing Nomination Papers

### Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. The affidavit of candidacy form is available on the Secretary of State's website:

<http://sos.iowa.gov/elections/pdf/candidates/affidavit.pdf>.

The affidavit should include the following information:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included. Please provide the phonetic spelling of the candidate's name. This is helpful for producing audio ballots for voters who are visually impaired. Be as clear as possible. For example, Eisenhower = "EYES-in-how-er."

- Office Sought and Director District (if any)

The name of the office, the school district, and the director district (if any) that the candidate is running for must be included.

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the school secretary and county auditor about whether you are running to fill a vacancy.

- Type and Date of Election

The 2015 School Election will be held on Tuesday, September 8.

- Candidate's Home Address

Candidates must provide their house number and street name. The mailing address, phone, and email are optional but do assist the school secretary, county auditor, and the public in contacting the candidate.

- Candidate's Affirmation, Signature and Notarization

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit and the notarial officer will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

Affidavits missing the information listed below must be rejected:

- Candidate's name,
- Office sought and ward (if any),
- Candidate's signature, and
- Signature of notary public.

[§260C.15(2), 277.4(2)]

The candidate's party affiliation should be left blank.

## **Nomination Petitions**

Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed.

The nomination petition form for school district candidates is available on the Secretary of State's website: <http://sos.iowa.gov/elections/pdf/candidates/nompetnonpartisan.pdf>.

The nomination petition form for community college candidates is available on the Secretary of State's website: <http://sos.iowa.gov/elections/pdf/candidates/ccnompet.pdf>.

## **Preparing Nomination Petitions**

Before anyone signs the petition, complete the required information in the header of every petition page.

**Best Practice:** Complete the header on one petition page and make copies of that page so all petition page headings are identical.

The information listed below must appear on each petition header. Signatures cannot be counted on petition pages missing the following information:

- **Candidate's Name**

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- **Office Sought**

- **School District/Community College and Director District (if any)**

The candidate must provide the director district number when running for a director district seat. Signatures on petition pages that do not provide the applicable director district number (when required) cannot be counted.

- **Type and Date of Election**

The 2015 School Election will be held on Tuesday, September 8.

- **Signers' and Candidate's Affirmation of Residence**

The following statement must appear on each petition page:

*"We, the undersigned eligible electors of the appropriate county, city, school district, school or community college director district, or other district as established by law,*

*hereby make the nomination outlined above. If the candidate named above accepts the nomination, we believe the candidate is or will be a resident of the appropriate county, city, school district, school or community college director district, or other district established by law as required by law.”*

The following information should also appear on each petition header:

- Candidate’s County and City of Residence
  
- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The “yes” box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the school secretary and county auditor about whether you are running to fill a vacancy.

[§260C.15(2), 277.4(2)]

## **Signature Requirements for School Board**

The minimum number of signatures needed depends on the number of registered voters in the school district as of May 1, 2015. Signature requirements for candidates who are elected only by the voters of a director district are based on the number of registered voters in the director district.

Ask the school secretary or county auditor for the minimum number of signatures needed in your school district:

- For school districts (or director districts when applicable) with fewer than 1,000 registered voters, the minimum number of signatures is 10.
- For school districts (or director districts when applicable) with more than 1,000 registered voters, the minimum number of signatures is 1% of the number of registered voters or 50, whichever is less.

[§277.4(2)(a)]

## **Signature Requirements for Community College Board**

The minimum number of signatures is at least 50 from the director district.

[§260C.15(2)]

## **Collecting Signatures**

Eligible electors of the appropriate school district and director district (if applicable) or community college and director district (if applicable) may sign nomination petitions. (See page 1 for the definition of an eligible elector.)

### At-Large Districts

In school districts where directors may live anywhere in the school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

[§277.4(2)(a)]

### Director Districts

In school districts where directors must reside in a specific director district but are voted upon by the entire school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

In school districts where directors are only voted on by the residents of the director district, the number of signatures needed is calculated from the number of registered voters in the director district. Petition signers must live in the director district.

[§277.4(2)(a)]

Candidates may sign their own petitions assuming they are eligible electors of the school district and director district (if applicable). Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

There is no limit on the number of nomination petitions one elector may sign for different candidates.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number, street name, and city. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

- The date of signing

[§277.4(2)(b)]

**Important Note for Community College Director Candidates:** Petition signers must include the school district in which they live. Signature lines without the school district cannot be counted.

[§260C.15(2)]

**Important Note:** Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

## Filing Checklist

- Review affidavit and nomination petition headers.**

Nothing can be added to a notarized affidavit or a petition header if there are signatures on the page. Nomination papers can only be returned if they have been rejected.

- Count the signatures.**

**Best Practice:** File more than the required number of signatures since it is possible for signatures to be challenged. If there are signatures on a petition that should not be included, simply draw a line through the names. Those signatures will not be counted.

- Make a copy of nominations papers for own records.**

- Bind nomination papers together.**

Nomination papers may be rejected without examination if not bound together.

**Best Practice:** Use staples or a three-ring binder.

- File both the affidavit and nomination petitions at the same time.**

- File as early as possible.**

Nomination papers will be inspected for completeness before they are accepted for filing. If nomination papers are filed early, candidates may have time to correct any errors in rejected papers and resubmit them.

Nomination papers may be filed in person or by mail. When filing by mail, postmark dates are irrelevant. The school secretary must receive the papers by 5 p.m. on the filing deadline. If candidates would like to be contacted when their nomination papers have been received, they should indicate that when they mail their papers and include a daytime phone number at which they can be reached.

**Important Note:** It is the responsibility of the candidate to ensure the nomination papers are received by the school secretary before the deadline.

## Frequently Asked Questions

### **Can I run for more than one office?**

No. If a candidate files nomination papers for more than one office appearing on the same ballot, the candidate must file an affidavit on or before the last day to file candidate nomination papers declaring the one office for which the candidate wishes 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)]

### **Can I hold more than one office?**

Statewide elected officials, state senators, and state representatives cannot hold more than one elective office at 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]

### **What is the Hatch Act?**

The Hatch Act restricts the political activities of people principally employed by state or local government executive agencies in connection with a program financed in whole or in part by federal loans or grants. For more information, contact:

U.S. Office of Special Counsel – Hatch Act Unit  
1730 M. Street, N.W. Suite 218  
Washington, D.C. 20036-4505  
1-800-854-2824 or 202-254-3650  
[hatchact@osc.gov](mailto:hatchact@osc.gov)  
[www.osc.gov/hatchact.htm](http://www.osc.gov/hatchact.htm)

**Who do I contact for questions about nomination papers, filing procedures, and lists of registered voters?**

The Elections Division of the Secretary of State's Office is available to assist with questions about the filing process and to provide lists of registered voters.

- Phone: 1-888-SOS-VOTE or 515-281-0145
- Email: [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov)
- Mail: Lucas Building, 1<sup>st</sup> Floor  
321 E. 12<sup>th</sup> Street  
Des Moines, IA 50319

The Secretary of State's website also provides useful information for candidates on these topics: <http://sos.iowa.gov/elections/candidates/index.html>.

**Where can I find information about campaign disclosure and ethics requirements?**

For information about candidates' ethics and campaign filing responsibilities and deadlines, please contact the Iowa Ethics and Campaign Disclosure Board at 515-281-4028 or [www.iowa.gov/ethics](http://www.iowa.gov/ethics).

## 2015 School Election Candidates' Calendar

Date	Event	Code Cite
Monday, July 6	<b>Candidate Filing Begins.</b> First day to file nomination papers with the school secretary or community college board secretary.	§260C.15(3), 277.4(1)
Saturday, July 25	<b>Last Day for Vacancies.</b> Vacancies on school board or community college occurring on or before today must be filled at the school election.	§69.12(1)(a)(3), 260C.11(1) 279.6
Thursday, July 30 5 p.m.	<b>Candidate Filing Deadline.</b> Last day to file nomination papers with the school secretary or community college board secretary. Deadline is 5 p.m.	§260C.15(3), 277.4(1)
Tuesday, August 4 – 5 p.m.	<b>Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the school secretary. Deadline is 5 p.m.	§277.4(4)
	<b>Candidate Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with school or community college board secretary.	§260C.15(4), 277.5
Monday, August 10 – 5 p.m.	<b>Satellite Absentee Voting Station Petition Deadline.</b> A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m. <i>This deadline falls on Sunday and is therefore moved to the next business day.</i>	§47.4, 53.11(2)(d)
Monday, August 24	<b>Worry-Free Postmark Date.</b> Mailed voter registrations forms which are postmarked on or before today are considered on time to be pre-registered for the school election even if they are received after Friday, August 28.	§48A.9(3)
Friday, August 28 – 5 p.m.	<b>Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the school election is 5 p.m.	§48A.9(1)
	<b>Exception:</b> Mailed registration forms postmarked on or before Monday, August 24, are considered on time even if they are received at 5 p.m. today.	
Friday, September 4 – 5 p.m.	<b>Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
	<b>Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the county auditor's office. <i>Deadline moved from Monday, September 7, due to the Labor Day holiday unless the auditor's office is open on Monday.</i>	§53.2(1)(a)
	<b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m. on election day.	

Date	Event	Code Cite
Monday, September 7	<b>Labor Day Holiday – State Offices Closed.</b>	§1C.1
Tuesday, September 8	<p><b>School Election Day.</b> Polls are open from 7 a.m. until 8 p.m.</p> <p><b>Exception:</b> The polls may be opened at noon for any school election unless the county auditor receives a petition objecting to the shortened hours.</p> <p>If the polls open at noon, voters may vote by absentee ballot in person at the county auditor’s office from 8 a.m. until 11 a.m.</p>	<p>§49.73(1), 260C.15(1), 277.1</p> <p>§49.73(2)</p> <p>§53.2(1)(a)</p>
Wednesday, September 9	<p><b>Special Precinct Board Convened.</b> The county auditor must convene the special precinct board at noon to consider provisional ballots and absentee ballots that were postmarked Monday, September 7, or earlier.</p>	§50.21, 50.22
Friday, September 11	<b>County Canvass of Votes for School Districts.</b>	§277.20
Monday, September 14 – 5 p.m.	<p><b>Recount Request Deadline.</b> Written requests for a recount must be filed in the county auditor’s office by 5 p.m. on the third day after the canvass.</p>	§50.48(1)(a)
Monday, September 28	<p><b>Control County Canvass of Votes for Community Colleges.</b> Canvass of county abstracts for community colleges by the board of supervisors of the control county. The canvass may also be conducted at the last regular board of supervisors meeting in September.</p>	§260C.15(5)
<p>Thursday, October 1 (school districts)</p> <p><i>*Date varies for community colleges.</i></p>	<p><b>Contest Notice Deadline for School Districts.</b> Statement of intent to contest election must be filed in the county auditor’s office within 20 days after the day the apparent winner was declared elected.</p> <p><b>Important Note:</b> This date will vary for community colleges depending on when the canvass occurs.</p>	§57.6, 62.5(1), 277.22
<p>Monday, October 19</p> <p><i>*Date varies for community colleges.</i></p>	<p><b>Notice of Election Contest Deadline for Community College Candidates.</b> Statement of intent to contest election must be filed in the county auditor’s office within 20 days after the day when the apparent winner was declared elected.</p> <p><b>Important Note:</b> This date will vary for community colleges depending on when the canvass occurs. <i>If the deadline falls on Sunday, the deadline is moved to the next business day.</i></p>	<p>§57.6, 62.5, 277.22</p> <p>§47.4</p>



# School Secretary's Guide

*Revised March 2015*

**Prepared by the Office of the Iowa Secretary of State**

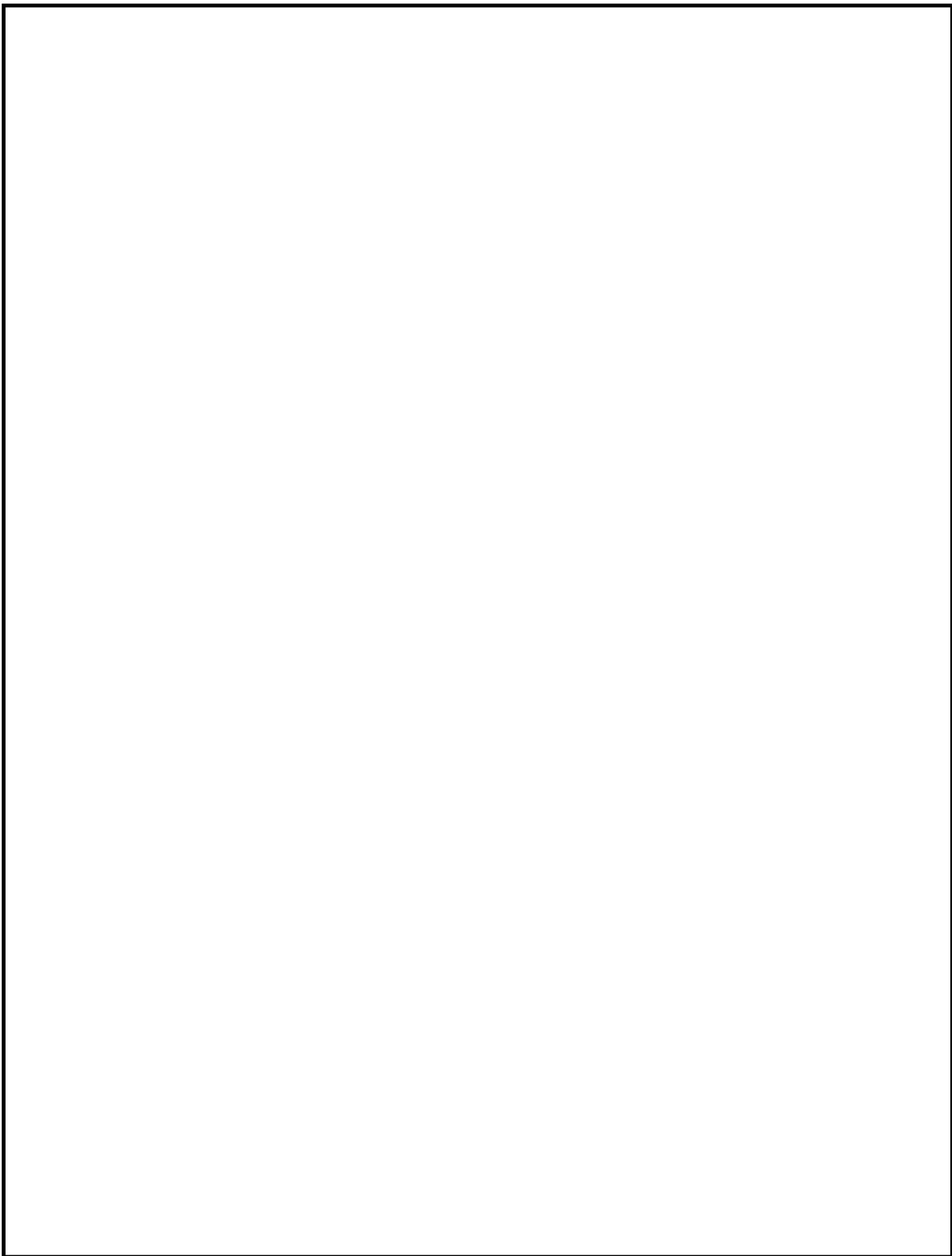
(515) 281-0145

sos@sos.iowa.gov

<http://sos.iowa.gov/elections/schools.html>

For more information, please contact the Secretary of State's Office or the county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



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## Responsibilities and Planning Tips

### Control County Auditor

In school districts that cross county lines, the county auditor whose county has the largest taxable base is given the responsibility of conducting the election in that school district. This auditor is known as the “control county auditor.”

[§47.2(2)]

### Communicate with County Auditor

During April or May of odd-numbered years, the county auditor may provide you with a worksheet to review plans for conducting the school election. Please complete and return the planning worksheet to the county auditor. If you do not receive a worksheet, you can find one on the Secretary of State’s website at <http://sos.iowa.gov/elections/schools.html>.

Work with the county auditor to prepare a list of offices to be filled at the school election. Make the list available to the public. The list should include the following:

- The correct title for each office
- Whether the office is voted for by director district or at-large
- The minimum number of signatures needed to gain ballot access
- Indicate whether an office is on the ballot to fill a vacancy

**Important Note:** Any offices not expiring in this year that were filled by appointment between the last regular school election and 45 days (Saturday, July 25) before the date of this year’s school election must be included on the school election ballot as “To Fill Vacancy.”

[§69.12(1)(a)(3), 260C.11(1), 279.6]

See the Auditor’s Calendar for the School Election for specific dates:  
<http://sos.iowa.gov/elections/schools.html>.

### Public Measures

Before the filing period begins (64 days before the regular school election), check with the school board/community college board to see whether they wish to include any public measures on the September ballot.

## **Nomination Period**

The school secretary or community college board secretary is the filing officer for school election candidates. The school secretary must be available to accept nomination petitions and affidavits. The school secretary may designate someone to accept nomination papers as long as the designated person is a full-time employee of the district.

On the last day for candidates to file nomination papers, the school secretary's office must be open until 5 p.m.

[§260C.15, 277.4(1)]

## **Distributing Nomination Papers**

Nomination papers consist of an affidavit of candidacy and nomination petitions. Nomination papers and candidate guides are available on the Secretary of State's website at <http://sos.iowa.gov/elections/electioninfo/schoolelections.html>.

Provide nomination papers and candidate's guides to anyone who requests them. It is not necessary for the school secretary to fill out the headers of the petitions for candidates or record names of people who request papers.

Candidates may start circulating nomination papers at any time but petition signers must still be eligible electors of the school district at the time the petitions are filed with the school secretary.

## Nomination Petition Signature Requirements

### Overview

Signatures must be valid at the time the petitions are filed. Petition signers must be eligible to register to vote in the school district/community college, but they are not required to be registered voters.

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)]

### Signature Requirements for Regular School Elections

For regular school elections, the number of signatures needed is based on the number of registered voters in the school district as of May 1. The county auditor will provide you with that number as well as the minimum number of required signatures candidates must collect.

- For school districts (or director districts when applicable) with fewer than 1,000 registered voters, the minimum number of signatures is 10.
- For school districts (or director districts when applicable) with more than 1,000 registered voters, the minimum number of signatures is 1% of the number of registered voters or 50, whichever is less.

[§277.4(2)(a), IAC 721—21.500]

See also the minimum signature requirements chart.

### **At-Large**

In school districts where directors may live anywhere in the school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

[§277.4(2)(a)]

## **Director Districts**

### Elected At Large

In school districts where directors must reside in a specific director district but are voted upon by the entire school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

### Elected by Director District

In school districts where directors are only voted on by the residents of the director district, the number of signatures needed is calculated from the number of registered voters in the director district. Petition signers must live in the director district.

[§277.4(2)(a)]

## Minimum Signature Requirements Chart

Advise candidates that the specific numbers in the signature chart represent the minimum number of signatures needed to get the candidate's name on the ballot. Candidates should collect and file more than the minimum number of signatures.

Registered Voters	Signatures Needed	Registered Voters	Signatures Needed
1-1,000	10	3,001 – 3,100	31
1,001 - 1,100	11	3,101 – 3,200	32
1,101 - 1,200	12	3,201 – 3,300	33
1,201 - 1,300	13	3,301 – 3,400	34
1,301 - 1,400	14	3,401 – 3,500	35
1,401 - 1,500	15	3,501 – 3,600	36
1,501 - 1,600	16	3,601 – 3,700	37
1,601 - 1,700	17	3,701 – 3,800	38
1,701 - 1,800	18	3,801 – 3,900	39
1,801 - 1,900	19	3,901 – 4,000	40
1,901 - 2,000	20	4,001 – 4,100	41
2,001 - 2,100	21	4,101 – 4,200	42
2,101 - 2,200	22	4,201 – 4,300	43
2,201 - 2,300	23	4,301 – 4,400	44
2,301 - 2,400	24	4,401 – 4,500	45
2,401 - 2,500	25	4,501 – 4,600	46
2,501 - 2,600	26	4,601 – 4,700	47
2,601 - 2,700	27	4,701 – 4,800	48
2,701 - 2,800	28	4,801 – 4,900	49
2,801 - 2,900	29	4,901 – 5,000	50
2,901 - 3,000	30	5,001 and over	50

## **Signature Requirements for Special School Elections**

For special elections, the number of signatures needed is based on the number of registered voters in the school district or director district (if applicable) on the day the notice of the special election is given to the county auditor.

[IAC 721—21.500]

## Filing Period

### Overview

The school secretary is the filing officer for regular school and special school elections. The school secretary must be available to accept petitions and affidavits. The school secretary may designate someone to accept nomination papers as long as the designated person is a full-time employee of the school district.

[§260C.15(3), 277.4(1)]

Review the Filing Officer's Guide before the filing period begins. It provides information on how to receive and review nomination papers. The Filing Officer's Guide is available on the Secretary of State's website at: <http://sos.iowa.gov/elections/schools.html>.

### Dates of Filing Period

The filing period begins 64 days before the regular school election and ends at 5 p.m. on the 40th day before the election.

**Important Note:** School secretaries' offices are required by law to be open until 5 p.m. on the last day for candidates to file and on the last day for candidates to withdraw.

[§277.4(1)]

For specific dates in a given year, see the School Election calendar:

<http://sos.iowa.gov/elections/schools.html>.

### Delivering Nomination Papers and Public Measure Text to the Auditor

By 5 p.m. on the day after the last day of the filing period, deliver the following information to the county auditor:

- All accepted nomination papers and
- A copy of the official board action directing the county auditor to include public measures on the school election ballot (if any). The information given to the auditor must include the complete text of all public measures.

**Important Note:** Do not deliver nomination papers to the auditor's office before the filing period has ended. Nomination papers must be available for public inspection in your office until the end of the filing period.

[§260C.15(3), 277.4(3)]

## **Withdrawals**

Candidate withdrawals must be submitted in writing to the school secretary by 5 p.m. on the 35th day before the election.

[§277.4(4)]

**Important Note about Community College Candidates:** There is no procedure specifically outlined in §260C for community college candidates to withdraw. There community college secretary should consult with the community college attorney for information on how to proceed if a withdrawal is filed.

## **Objections**

Written objections to nomination papers must be submitted in writing to the school secretary or community college secretary by the 35th day before the election.

[§260C.15(4), 277.5]

**Important Note:** Notify the county auditor immediately after receiving any withdrawals or objections.

## **Post Election Day**

### **Who Wins?**

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44]

### **Write-In Votes**

Write-in votes are allowed and the candidate with the most votes is declared elected. If a person was elected by write-in votes declines the office, a vacancy is created and the vacancy must be filled by appointment.

[§50.24, 50.45, 277.20, 277.29]

### **County Canvass of Votes**

#### **School District Canvass**

The control county board of supervisors canvasses the election results for the entire school district. The canvass for school elections is held on the Friday after the election, earlier than most elections. The canvass can be held anytime on Friday.

[§277.20]

#### **Community College Canvass**

##### **Non-Control Counties**

The control county for the school district within the community college canvasses the results for the community college races and measures for the school district it controls. Those abstracts are then forwarded to the control county for the community college.

##### **Control County**

The board of supervisors of the control county for a community college must meet on the last Monday in September or at the board's last regularly scheduled meeting in September to canvass the abstracts received from the other counties in the community college area.

[§260C.15(5)]

### **Canvass Materials**

The control auditor will provide the school/college secretary abstracts of votes for the offices and/or measures which appeared on the ballot. The abstracts are signed by the county board of supervisors and certify the election results. Store these abstracts.

## **Required Percentage for Passage of Public Measures**

Most public measures require a simple majority to pass. Bond issues, however, require at least 60% to pass.

[§50.45, 75.1, 296.6]

## **Term Start Dates**

### **School Districts**

The term for school officers begins at the first regular board meeting after the canvass. School officers must take the oath of office during or before the date of this meeting.

The terms of officers elected to fill vacancies begin within 10 days of the canvass. See the Vacancies chapter for more information.

[§63.8, 277.28, 279.1]

### **Community Colleges**

The term for new members begins at the first regular meeting of the community college board held after the canvass of votes. Community college directors must take the oath of office during or before the date of this meeting.

[§260C.15(5), 277.28]

## **Filing of Oaths and Bonds**

The official oath and bond must be filed with the school secretary.

[§63.1, 63.8, 63.10, 277.28]

## **Election Costs**

The control county board of supervisors will bill the school district/community college for the costs of the election.

[§47.3]

## **Vacancies on School Boards**

### **Laws Related to School Board Vacancies**

*Iowa Code* sections 69.12, 277.29, 279.6 and 279.7 apply to vacancies on school boards.

### **Notify Auditor**

Notify the county auditor when a vacancy occurs. Inform the auditor of the name of a person appointed to the vacancy if an appointment is made.

### **Filling Vacancies**

The vacancy must be filled by appointment of the remaining directors until the next pending election. There is no provision allowing residents of the district to petition for a special election to fill the vacancy. The only exceptions to this “no special election” rule are:

- When the school board fails to appoint a replacement within 30 days or
- When the vacancy reduces the number of school directors below a quorum.

If there is no quorum, the school secretary is required to call a special election to fill the vacancy. If there is no school secretary, the area education agency administrator is required to call a special election to fill the vacancy.

[§279.6, 279.7]

### **Extra or Special Publication Requirements**

There are no specific publication requirements related to filling vacancies on school boards.

## **Appointing Replacements**

### **Deadline**

A replacement must be appointed within 30 days of the date the vacancy becomes known by the secretary of the board.

[§279.7]

**Exception:** The school board can decide that vacancies occurring between 70 and 45 days before the next regular school election will be filled at the upcoming school election. They do not need to be filled by appointment.

[§69.12(1)(a)(3), 279.7]

### **Appointment not Made Before Deadline**

If the school board fails to appoint a replacement within 30 days after the vacancy becomes known by the secretary of the board, the school board secretary is required to call a special election within three days of the board's failure to fill the vacancy.

[§279.7]

### **School Secretary does not Call Special Election**

If the school secretary does not call a special election within three days after the board's failure to appoint, the area education agency administrator is required to call the special election.

[§279.7]

### **Length of Appointment**

The term of a person who was appointed to fill a vacancy is until the next pending election held for the school district, whether that is the regular election held in September of odd-numbered years or a special election for that school district.

## **Special Elections to Fill Vacancies**

### **Dates of Special Elections**

If a special election must be held to fill a vacancy on a school board, the election may be held on any Tuesday that is not during a blackout period before or after a primary or general election. In addition, the election cannot be held on a day where there is another election being held for a different political subdivision that involves the same voters.

See the Special Elections chapter for additional information.

### **Deadline for Holding Special Election**

If a special election must be held, it must occur between 60 and 70 days after the vacancy becomes known by the school secretary.

[§279.7(1)]

### **Signature Requirements**

The number of signatures required to get on the ballot is equal to one percent of the registered voters in the school district (or director district if directors are elected by district); however, the number of signatures can never be fewer than 10 or more than 50. The number of registered voters is based on the number of voters registered as of the date the auditor receives notice of the special election.

[§277.4(2), IAC 721—21.500]]

### **Filing Officer**

The school secretary is the filing officer for special elections to fill vacancies on school boards.

[§277.4, 279.7]

### **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:

**First Day:** As soon as the auditor receives notice of the special election

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

Nomination papers are filed with the school board secretary. The school secretary's office is required to remain open until 5 p.m. on the final date for filing.

[§279.7(4)]

## **Withdrawal and Objection Deadlines**

Withdrawal: No later than the 25th day before the election

The written notice is filed with the school secretary.

[§44.9(5)]

Objection: No later than 35 days before the election.

Written objections must be filed with the school secretary.

The school secretary should consult with the school district attorney for information on how to proceed in these cases before acting on an objection for this type of election after the 35 day deadline. If the school secretary has proceeded on an objection filed after the 35 day deadline, the auditor should consult with the county attorney before proceeding.

[§277.5]

## **Public Measures**

Public measures may also be placed on the ballot, if the auditor's office is provided with at least 32 days notice of the intent to place a public measure on the ballot with the vacant office and assuming any other legal requirements to place the public measure on the special election ballot are met.

[§47.6(1)(a)(1)(b)]

## **Term of Office**

If the school district must hold a special election, the person elected to fill the vacancy serves the remainder of the unexpired term.

### **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 to fill the vacancy,

**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, 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.

### **Advance Resignations**

If a school board member announces a resignation to take effect at the beginning of the next term for school officials in that district and the announcement is made at least 45 days before the upcoming school election, that school board member’s seat may appear on the ballot at the regular school election as “To Fill Vacancy.”

[§279.6, unnumbered paragraph 2]

## **Vacancies on Community College Trustee Boards**

### **Laws Related to Community College Trustee Board Vacancies**

*Iowa Code* sections 69.12, 277.29 and 260C.11 apply to vacancies on community college boards.

### **Notify Auditor**

Notify the county auditor when a vacancy occurs. Inform the auditor of the name of a person appointed to the vacancy if an appointment is made.

### **Filling Vacancies**

The vacancy must be filled by appointment of the remaining trustees until the next pending election. There is no provision allowing residents of the district to petition for a special election to fill the vacancy.

[§260C.11]

### **Extra or Special Publication Requirements**

There are no specific publication requirements related to filling vacancies on community college boards of trustees.

### **Appointing Replacements**

#### **Deadline**

A replacement must be appointed at the next regular meeting of the board of trustees.

[§260.11]

### **Trustees Do Not Make Appointment by Deadline**

No penalty is set forth in the *Iowa Code* for failure to appoint a replacement trustee at the next regular meeting of the board.

## **Special Elections to Fill Vacancies**

### **Dates of Special Elections**

No special elections can be held specifically to fill vacancies on a board of community college trustees. If the community college is holding a special election on a public measure as authorized by §39.2(4) and there is a vacancy on the community college board of trustees which occurred more than 60 days before the date of the upcoming special election that is currently filled by an appointee, that seat must go on the ballot as “To Fill Vacancy” at the time the special election is held for the public measure.

[§69.12(1)(a)(3), 260C.11]

### **Deadline for Holding Special Election**

There is no deadline because a special election to fill the vacancy cannot be held unless there is going to be a public measure on the ballot. To be filled at a special election on a public measure, the vacancy must have occurred at least 60 days before the date of the upcoming special election.

[§69.12(1)(a)(3), 260C.11]

### **Signature Requirements**

The number of signatures required to get on the ballot is not less than 50 signatures of eligible electors in the director district.

[§260.15(2)]

### **Filing Officer**

The community college board secretary is the filing officer.

[§260.15(3)]

### **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:

**First Day:** As soon as notice is given to the control county auditor.

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

Papers are filed with the community college board secretary. The secretary’s office is required to be open until 5 p.m. on the final date for filing.

[§69.12(1)(b)(4)]

## **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, 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.

## Special Elections

### **Public Measures**

School districts and community colleges can only hold special elections for public measures on the following dates:

#### **Odd-Numbered Years**

- First Tuesday in February,
- First Tuesday in April,
- Last Tuesday in June, and
- Second Tuesday in September (date of regular school election).

#### **Even-Numbered Years**

- First Tuesday in February,
- First Tuesday in April,
- Second Tuesday in September, and
- First Tuesday in December.

[§39.2(4)(c)]

### **Notice of Election to Auditor**

Unless the law authorizing the special election requires that more advance notice must be provided, the county auditor must be notified at least 46 days before the desired date of a special election for a public measure.

Deliver to the auditor the following:

- Action by the board setting the election date and
- Full text of the public measure to be submitted to the voters.

### **Check for Vacancies**

If the school district has a special election for a public measure, any seats previously filled by appointment must be filled by the voters at the special election (unless the officeholders have already been elected at a previous special election after their appointments). See the Vacancy section in this guide for more information.

## Special Public Measure School Elections Planning Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
51	50	49	48	47	46 <b>Last day to request special election</b>	45
44	43	42	41	40	39	38
37	36	35	34	33	32	31
30	29	28	27	26	25 <b>Candidates' Filing Deadline</b> (if any vacancies exist, they must be filled at the special election)	24
23	22 <b>Deliver nomination papers to auditor</b>	21	20 <b>First day to publish notice of election</b>	19	18	17
16	15 <b>Worry free postmark date</b>	14	13	12	11 <b>Voter pre-registration deadline</b>	10
9	8	7	6	5	4 <b>Last day to publish notice of election</b>	3
2	1	<b>Election Day</b>	1	2	3	4
5	6 <b>County canvass of votes or</b>	7 <b>County canvass of votes</b>	8	9	10	11
12	13	14	15	16 <b>Deadline for swearing in new directors</b> elected to fill vacancies (if canvass held on Monday)	17 <b>Deadline for swearing in new directors</b> elected to fill vacancies (if canvass held on Tuesday)	18

## Your School as a Polling Place

It is very likely that one or more buildings in your school district are used as polling places for the school election and/or for other elections. Iowa law requires that necessary space in buildings supported by taxation be made available without charge for use as a polling place. The following list of regularly scheduled elections may be helpful to you. Other special elections may be held at other times during the year. Your county auditor will notify you if any special elections need to be held.

<b>Election</b>	<b>Month</b>	<b>Day</b>	<b>Year</b>	<b>Polls Open</b>
<b>Primary</b>	June	First Tuesday after the first Monday	Even *	7 am – 9 pm
<b>General</b>	November	First Tuesday after the first Monday	Even	7 am – 9 pm
<b>School</b>	September	Second Tuesday	Odd**	7 am – 8 pm <b>OR</b> Noon – 8 pm
<b>City Primary</b>	October	Tuesday four weeks before regular city election, if needed.	Odd	7 am – 8 pm <b>OR</b> Noon – 8 pm
<b>Regular City</b>	November	First Tuesday after the first Monday	Odd	7 am – 8 pm <b>OR</b> Noon – 8 pm
<b>City Runoff</b>	December	Tuesday four weeks after regular city election, if needed	Odd	7 am – 8 pm <b>OR</b> Noon – 8 pm
<b>Special</b>	Any	Any Tuesday, if held to fill a vacancy. Only on an authorized Tuesday, if held to vote on a public measure. See page 9.	Both	7 am – 8 pm <b>OR</b> Noon – 8 pm  7 am – 9 pm (partisan elections)

\* “Even” refers to even-numbered years.

\*\* “Odd” refers to odd-numbered years.

## Additional Resources

### 1. County Auditor's Office

Contact your local county auditor's office with questions. You can find contact information for county auditors at the following website:

<http://sos.iowa.gov/elections/auditors/auditorslist.html>

### 2. School District Attorney

Your county auditor may refer you to your school district attorney. If you or the county auditor is unsure of the answer to a question, the best place to go for advice is the school district attorney.

### 3. Secretary of State's Office

The SOS Office is open Monday through Friday from 8:00 a.m. to 4:30 p.m. For questions, call (515) 281-0145 or the toll-free hotline 1-888-SOS-VOTE.

You may also contact the Elections Division via email at [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov).

The SOS Office has a website which is set up to serve as a resource for the general public, for candidates, for county auditors, and for city clerks and school secretaries. You can use the website to retrieve everything from general information about voting in Iowa to specific planning worksheets to help you prepare for elections. Please make use of the website: <http://sos.iowa.gov/elections/schools.html>.

The following items are available on the SOS website and will be of assistance to you:

- **School Election Calendar**

<http://sos.iowa.gov/elections/schools.html>

The Elections Division produces auditor's calendars for each election. The calendars are a chronological list of things that must be done to prepare for each election and a chronological list of things that must be done following election day.

- **Election Forms Library**

<http://sos.iowa.gov/elections/auditors/forms/index.html>

The Election Forms Library contains all the forms produced by the SOS Office. The Library is organized by category of uses and alphabetically to help locate specific forms easily.

- **Candidate Guides**

<http://sos.iowa.gov/elections/electioninfo/schoolelections.html>

Candidate guides are compiled by the Elections Division to assist candidates and the public in meeting the requirements of Iowa's election laws. School secretaries are encouraged to furnish candidate guides and nomination papers to all potential candidates.

- **Additional Guides**

The Elections Division also creates guides for use by other people and groups. Some of these other publications were mentioned in this guide:

1. Filing Officer's Guide

<http://sos.iowa.gov/elections/schools.html>

2. Vacancies Guide

<http://sos.iowa.gov/elections/schools.html>

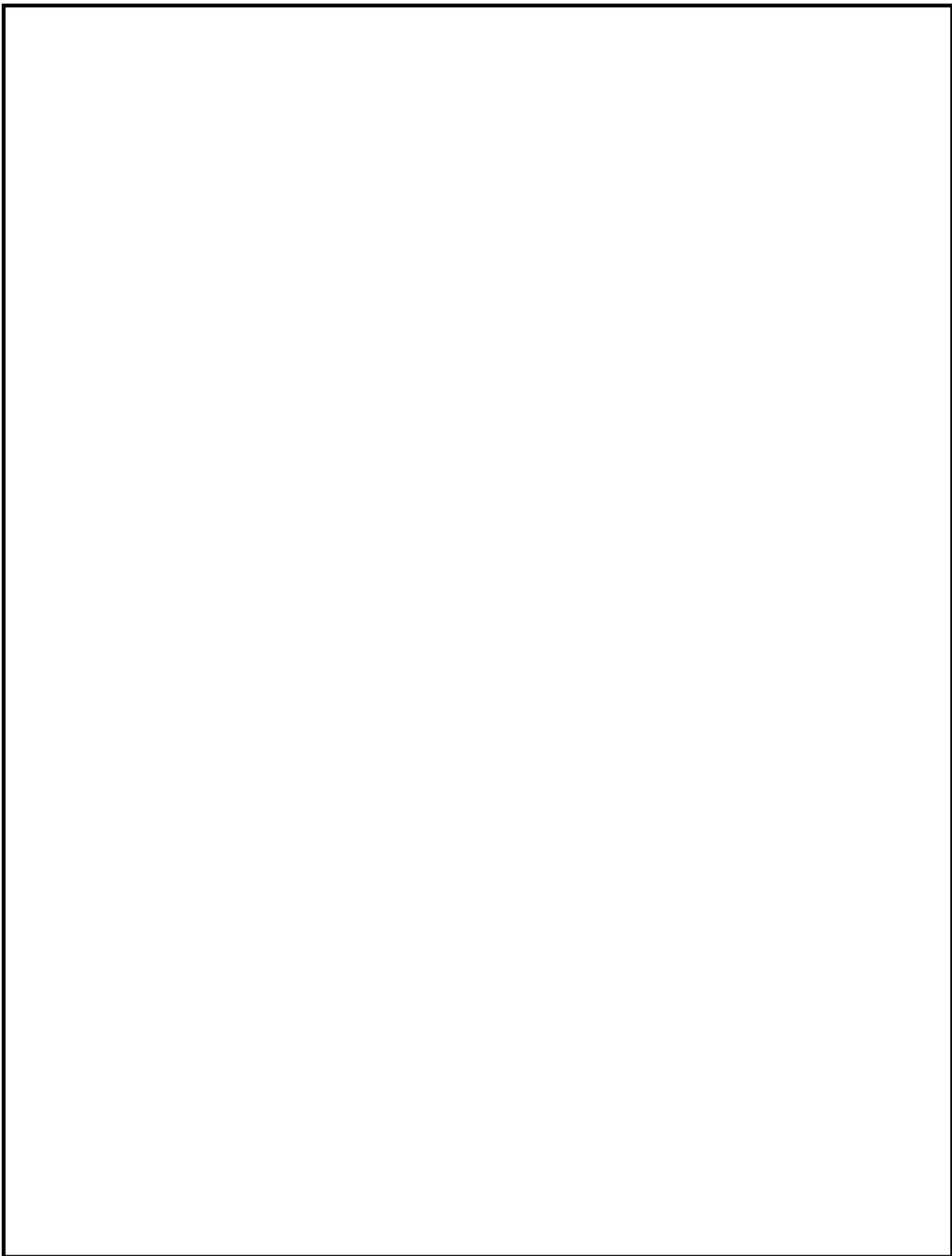


## **Chapter 11**

# **City Elections**

This chapter of the handbook applies only to city elections.

When planning for a city election, also refer to the other chapters of this handbook for information that applies to all elections, including city elections.



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## City Elections

### **What is the City Election?**

The city election is held in odd-numbered years to elect city officers and vote on public measures. All cities will hold a regular city election.

As part of the election process, a city may hold a city primary election before the regular city election. If a city does not have primary election provisions, a city may hold a city runoff after the election. A city might also choose not to have primary or runoff provisions.

[§39.3(3)]

### **Date of City Election**

The regular city election is held in all cities in Iowa on the first Tuesday after the first Monday in November of odd-numbered years.

[§376.1]

The city primary election, if necessary, is held on a Tuesday four weeks before the date of the regular city election.

[§376.7]

The city runoff election, if necessary, is held on a Tuesday four weeks after the date of the regular city election.

[§376.9]

### **Laws Related to City Elections**

Chapter 376 of the *Iowa Code* is the main source of information for laws relating to city elections. §376.1 refers to other sections of the *Iowa Code* that apply whenever this chapter does not contain a specific requirement.

### **Control Counties**

Some cities cross county lines. When that happens, the auditor whose county has the largest taxable base is given the responsibility of conducting the election for that city. This auditor is known as the “control county auditor.”

[§47.2(2)]

### **UOCAVA Absentee Ballot Requests**

You must forward copies of valid absentee requests from UOCAVA voters registered in your county who live in cities controlled by another auditor. They must be forwarded to the control county auditor for that city. This is only necessary if the voter has requested ballots specifically for the city election or has requested ballots for all elections for the calendar year.

## **What is Different about City Elections?**

### **Different Types of City Elections**

City councils may choose the nomination method they think will be most beneficial to their cities by adopting a nomination method by ordinance. Depending on the nomination method in place, different types of elections might be required.

### **Different Types of Nomination Methods**

One of the main differences between city elections and all other elections is that cities have different nomination methods that may cause different types of elections to be held.

There are five possible election/nomination method combinations. A city will have one of the following:

1. A city primary election (if necessary), followed by a regular city election.
2. A regular city election with candidates nominated either by petition **or** by convention (Chapter 44 and 45 cities).
3. A regular city election with the only candidate nomination method being nomination by petition (Chapter 45 cities).
4. A regular city election with the only candidate nomination method being nomination by convention (Chapter 44 cities).
5. A regular city election, followed by a city runoff (if necessary).

**Important Note:** All cities have a primary provision unless the council has passed an ordinance specifying another type of nomination.

The city clerk must certify the type of nomination method to the auditor no later than 90 days before the regular city election. After the certification is received, the nomination method cannot be changed for that year's city election.

[§376.6]

### **Write-In Votes**

Votes for write-in candidates at the city election are handled differently from write-in votes cast at other elections. Review the information in this chapter about write-in votes for each type of city election carefully. Make sure you understand how write-in votes need to be processed for each city under your control.

## **Pre-Election**

### **Paying for the Election**

Cities pay the election costs associated with conducting all city elections. See the Pre-Election Day chapter for a list of items that can be included in the bill.

[§47.3]

### **Satellite Voting Petitions**

Residents of a city can petition for satellite voting for city elections. The minimum number of signatures required on a petition is 100. The petition must be delivered to the auditor no later than 30 days before a city primary or regular city election at 5 p.m.

For a city runoff, the petition must be delivered to the auditor no later than 21 days before the runoff election at 5 p.m.

[§53.11(2)]

**Exception:** In the rare event that a special election to fill a vacancy is scheduled between the date of the regular city election and the date of a required city runoff election, the auditor can choose not to offer satellite voting for the city runoff election, even if a petition is received.

[§53.11(1)(a)]

At least seven days before the first day of a satellite, the auditor must notify the political parties of the date, time, and location of a satellite so the parties may appoint observers.

[§53.11(5)]

See the Absentee Voting chapter for more information on satellite voting.

### **Voter Pre-Registration Deadline**

The pre-registration deadline is 11 days before any city election at 5 p.m. This is a Friday and the auditor's office must be open from 8 a.m. until 5 p.m. After this deadline, voters can register to vote and cast an absentee ballot at the same time using EDR procedures at the auditor's office, health care facility, or at a satellite absentee voting station or they can use EDR procedures at their polling place on election day.

[§48A.7A, 48A.9]

### **Affidavit Review**

All ballots that are received by 5 p.m. on the Friday before any city election must have their return envelopes opened (if a combined return-affidavit envelope wasn't used) and their affidavit envelopes reviewed for defects and completeness. If any problems are discovered, the voter must be notified immediately.

[§53.18(2)]

See the Absentee Voting chapter for more information.

## **Communication with City Clerks**

Begin communication with the city clerk early in the year. Planning worksheets are available on the SOS website to help auditors and city clerks. They will help to plan for polling place hours, estimate turnout, and determine the city's preferences about other details related to the election.

Be sure to inform the city clerk how many signatures candidates are required to gather for the seats that will be on the ballot.

Ask the city if there are any vacancies or if any appointments were made. Ask if the city plans to place any public measures on the ballot.

**Best Practice:** Send a copy of the City Clerk's Guide and the Filing Officer's Guide to each city clerk along with the planning worksheets available on the SOS website. Continue to provide the Filing Officer's Guide as it contains information on reviewing petitions requesting special elections, which are still filed with city clerks. Follow up with city clerks to make sure they understand their responsibilities.

## **Polling Places**

### **Consolidated/Merged Precincts**

Consolidated/merged precincts are allowed for city elections.

[§49.11(3)]

See the Pre-Election Day chapter for more information.

### **Vote Centers**

Vote centers are allowed for city elections.

[§49.11(3)]

See the Pre-Election Day chapter for more information.

### **Check Accessibility**

Check to make sure that all polling places or vote centers are accessible to voters with disabilities. See the Pre-Election Day chapter for more information.

### **Polling Place Hours**

The auditor may open the polls at 7 a.m. or noon for any city, based on past turnout for similar elections and other factors that will affect turnout. The planning worksheet asks the city whether it would like to have the polls opened at 7 a.m. or noon. The decision, however, is made by the auditor based on the factors mentioned. See the Pre-Election Day chapter for more information about polling place hours.

[§49.73]

If the polling places are opened at noon, the auditor's office must be open from 8 a.m. to 11 a.m. for absentee voting on election day.

[§53.2(1)(a)]

## **Nomination Period**

### **Filing Officer**

Effective July 1, 2014, the control county auditor is the filing officer for candidate nomination papers for city elections.

[§376.4]

### **Filing Period**

The filing period varies by the type of election a city has authorized:

#### **Cities with Primary Election Provisions**

The filing period begins 85 days before the regular city election and ends at 5 p.m. on the 68th day before the regular city election.

[§376.4(1)(a)]

#### **All Other Cities (including cities with runoff provisions)**

The filing period begins 71 days before the regular city election and ends at 5 p.m. on 47th day before the regular city election.

[§376.4(1)(a)]

Auditors' offices must be open until 5 p.m. on the final day for filing in all cases.

By the candidate filing deadline, city clerks must deliver to the auditor the text of any public measure(s) and the action(s) taken by the council to place the question(s) on the ballot.

[§376.4(5)]

Any candidate whose nomination papers were accepted for filing by the auditor has a right to have his or her name placed on the ballot. After papers have been accepted, the auditor's duty at that point is to place the name on the ballot and let the normal objection process run its course.

### **Candidate Qualifications**

Candidates must be eligible electors of the city and city ward (if applicable) at the time of filing nomination papers and at the time of the election.

[§376.4(1)]

**Number of Signatures Required on Nomination Petitions**

Non-Partisan Offices	Signatures Needed
City Offices	<p style="text-align: center;"><u>Primary or Runoff Provision Cities:</u></p> <p style="text-align: center;">At least 10 or 2% of number of people who voted for the office at last regular city election [§376.4]</p> <p style="text-align: center;"><u>Chapter 45 Cities:</u></p> <ul style="list-style-type: none"> <li>▪ For cities with a population of 3,500 or greater, at least 25 eligible electors of city or ward.</li> <li>▪ For cities with a population between 100 and 3,499, at least 10 eligible electors of city or ward.</li> <li>▪ For cities with a population less than 100, at least 5 eligible electors of city or ward.</li> </ul> <p style="text-align: right;">[§45.8]</p>

**Multimember Offices in Cities with Primary or Runoff Provisions**

If more than one person was elected to an office at the previous regular city election, divide the total votes cast for the office by the number of seats to be filled, then multiply that number by 0.02. If the result is a fraction, round up. Total votes cast equals the votes cast of all candidates plus write-ins (do not include over and undervotes).

[IAC 721—21.401]

For example, Happytown has primary election provisions and had three at-large seats on the ballot at the last election. There were a total of 15,876 total votes cast.

1. Divide the total votes cast by the number of seats that were filled:  $15,876 \div 3 = 5,292$ .
2. Multiply 5,292 by 0.02 = 105.84.
3. Round up, so each candidate needs to collect at least 106 signatures.

**Cities with Wards**

Elected by Ward

In cities where council members are only voted on by the residents of the ward, petition signers must live within the ward.

Elected At-Large

In cities where council members must be resident of a ward but are voted on by the entire city, petition signers may live anywhere in the city.

[§376.4(1)(b)]

### **NPPO Convention Requirements**

Candidates nominated by convention need at least 10 attendees at the convention. At least half of the precincts in the city must be represented by at least one eligible elector.

If the minimum attendance requirements are not met, the nominations made at the convention cannot be included on the ballot.

[§44. 1]

### **Withdrawals and Objections**

Withdrawals and objections must be submitted in writing to the county auditor. For objections, the deadline is by 5 p.m.

#### **Cities with primary election provisions:**

63 days before the regular city election

#### **All other cities, including cities with runoff provisions:**

42 days before the regular city election

[§44.4(2), 44.9(6), 376.4(6)]

## City Primary Elections

### **Overview**

All cities have a primary provision unless the council has passed an ordinance specifying another type of nomination.

[§376.6]

### **When Held**

A city primary election must be held when the number of candidates who file nomination papers is more than twice the number of seats to be filled for a particular office. For example, if three candidates filed nomination papers for mayor, the city primary election must be held.

[§376.6]

If held, the city primary election is held on the Tuesday four weeks before the date of the regular city election.

[§376.7(1)]

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

At city primary elections, the ballots should instruct the voters to choose up to the number of candidates who will ultimately be elected for that office at the regular city election. For example, if two at-large city council members will be elected and five candidates are seeking election, ballots should instruct voters to “Vote for no more than two” even though a total of four candidates will be nominated at the city primary election.

[§376.7(1)]

### **Who Wins?**

No one is elected at the city primary. Candidates who receive the most votes are instead nominated to appear on the regular city election ballot, up to twice the number of seats to be filled. For example, if three candidates are running for mayor at a city primary election, the two highest vote-getting candidates will be nominated to appear on the regular city election ballot.

[§376.7(2)]

### **No Certificates of Election**

No certificates of election are issued to winners of the city primary election.

## **Write-In Votes**

Any person who receives write-in votes at the city primary election and who wants to be eligible for the regular city election must file an affidavit of candidacy. The affidavit must be filed:

- By 5 p.m. on the day following the canvass and
- With the auditor.

**Best Practice:** Notify anyone who received write-in votes of this requirement.

1. The auditor must disregard the write-in votes for any write-in candidate who does not file an affidavit of candidacy.
2. Notations must be made on the abstract showing which persons received write-in votes and filed affidavits of candidacy.
3. The total number of votes cast for the office must be amended by subtracting the write-in votes of the candidate(s) who did not file the affidavit.

[§376.11(3)]

## **Regular City Elections (Without Runoff Provisions)**

### **When Held**

The regular city election is held on the first Tuesday after the first Monday in November of odd-numbered years. All cities hold a regular city election every two years, regardless of the nomination method in place in the city.

[§376.1]

Cities that have authorized nomination by petition (Chapter 45), nomination by convention (Chapter 44), or both will only hold a regular city election, regardless of how many candidates file nomination papers for any office.

This is the final election for cities with primary provisions and cities that have authorized nominations under Chapters 44, 45, or both. As a result of being the “final” election, the post election deadlines are not expedited. See the Post Election Day section of this chapter.

### **Who Wins?**

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.11(1)]

### **Write-In Votes**

#### **Write-In Candidate Wins and Accepts**

No affidavit of candidacy is required. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

#### **Write-In Candidate Wins and Declines**

When a write-in candidate wins a city election and does not want the job, the winning candidate may submit a letter of resignation to the city clerk by 5 p.m. on the 10<sup>th</sup> day after the canvass. If the write-in winner does not resign within 10 days after the canvass, the office is vacant if the write-in winner fails to take the oath of office at the beginning of the next term.

[§376.11(1)]

If a letter of resignation is submitted within 10 days of the canvass, the city clerk then notifies the person who received the next-highest number of votes. If there is a tie vote for the next highest number of votes, the board of supervisors draws lots to determine the person who received the next highest number of votes.

[§50.44, 376.11(2)]

If the next highest vote-getter accepts, the person is considered the duly elected officer.

**Exception:** A petition may be filed requesting a special election if the next highest vote-getter takes office. The petition must be signed by eligible electors of the city equal in number to 25% of the people who voted for the office in the election. The petition must be filed within 10 days of the city clerk notifying the next highest vote getter.

[§376.11(2)]

If the next highest vote-getter declines, the person must do so in writing within 10 days of the notice from the city clerk. If this occurs:

- The office is vacant at the end of the term.
- The vacancy must be filled pursuant to §372.13(2).
- If the council chooses to appoint, the appointment may be made before the end of the current term.

[§376.11(2)]

## **Regular City Elections (With Runoff Provisions)**

### **When Held**

The regular city election is held on the first Tuesday after the first Monday in November of odd-numbered years. All cities hold a regular city election every two years, regardless of the nomination method in place in the city.

[§376.1]

The regular city election in a city with a runoff provision is not considered the “final” election since a runoff election may be necessary.

### **Who Wins?**

It depends. All candidates must receive a majority of the votes cast to be declared elected at the regular city election.

### **Majorities in “Vote for No More than One” Races**

A simple majority is needed to be declared elected at the regular city election in a city with a runoff provision. A simple majority is at least one vote more than 50% of the total votes cast.

If no candidate receives a majority in this type of race, a runoff must be held between the two highest vote getters. For example, a runoff for the office of mayor will have two candidates on the runoff ballot.

[§376.8(2), 376.9(1)]

If there is a tie, the board of supervisors must draw lots.

[§50.44]

### **Majorities in At-Large Multi-Member Body Races**

A majority is found by dividing the total number of votes cast for all candidates for that body by the number of positions to be filled then dividing that by 2 and adding 1. Total votes cast equals the votes cast for all candidates plus write-ins (do not include over and under votes).

If no candidate receives a majority in this type of race or if not enough candidates received a majority to fill all the seats, a runoff will be held to fill the remaining seat(s). The number of candidates on the runoff ballot will equal twice the number of seats to be filled.

[§376.8, 376.9(1)]

### **Example:**

Happytown has a five member at-large city council and a runoff provision. At the regular city election, three at-large seats are on the ballot. There were eight candidates on the ballot and 15,876 total votes cast (TVC).

To determine the majority:

1. Divide the TVC by the number of seats to be filled:  $15,876 \div 3 = 5,292$
2. Divide 5,292 by 2 = 2,646
3. Add one to 2,646 = 2,647 (always round up if necessary)

The majority is 2,647.

The highest vote-getter, Tom, received 8,215 votes so Tom won this council seat with a majority of the votes. A runoff is not necessary for this seat.

The second highest vote-getter, Nancy, received 2,488 votes. The third highest vote-getter, Mark, received 1,774 votes. Neither of these candidates received a majority (2,647) so two of the three council seats require a runoff between the highest vote-getters. The number of candidates on the runoff ballot will equal twice the number of seats to be filled. There are two seats left to be filled in Happytown so the four highest vote-getters who did not receive a majority will appear on the runoff ballot.

[§376.8]

### **Expedited Canvass and Recount Timeline**

In cities with runoff provisions, the canvass and recount timelines are expedited. The canvass of votes must take place no earlier than 1 p.m. on the Thursday following the election. Requests for recounts must be received no later than 5 p.m. on the third day following the election.

[§50.48(7), 376.9(1)]

## Write-In Votes

### **Write-In Candidate Wins at Regular City Election and Declines**

1. The winner must file a notice of resignation with the auditor by 5 p.m. on the day following the canvass.
2. All remaining persons who received write-in votes and who want to be on the run-off ballot must file affidavits of candidacy with the auditor by 5 p.m. on the fourth day following the canvass.

**Best Practice:** The auditor should notify the write-in candidates of this requirement.

3. The abstract of votes must be amended to show that the person who was declared elected declined the office, and a notation must also be made next to the names of those persons who did not file an affidavit.
4. The runoff election must still be held even if one of the remaining candidates has a majority of the votes after the write-in votes of candidates that fail to file an affidavit are disregarded.

[§376.11(4)]

### **Runoff Election Necessary Because No Candidate(s) Received the Majority and Write-In Votes Were Cast for that Office**

1. Everyone who received write-in votes and who wants to appear on the runoff election ballot must file an affidavit of candidacy with the auditor by 5 p.m. on the day after the canvass. The write-in votes received by a person who does not file an affidavit will be disregarded.

**Best Practice:** The auditor should notify the write-in candidates of this requirement.

2. The abstract of votes must be amended to note which write-in candidates failed to file the affidavit.
3. The runoff election must still be held even if one of the remaining candidates has a majority of the votes after the write-in votes of candidates that fail to file an affidavit are disregarded.

[§376.11(5)]

If no candidate names were listed on the regular city election ballot and no write-in candidate files an affidavit, the office will still appear on the city runoff ballot with no candidate name listed.

## **City Runoff Elections**

### **When Held**

City runoff elections are only held in cities that have authorized a runoff provision by ordinance. When required, the city runoff election is held on the Tuesday four weeks after the date of the regular city election.

[§376.9(2)]

If no candidates receive a majority of the votes cast for a particular office or if a write-in candidate who received a majority declines the office at the regular city election, a runoff election will be necessary.

[§376.8(2)]

### **Candidates on Runoff Ballot**

The names of all the highest vote-getting candidates from the regular city election will be placed on the city runoff election ballot, up to twice the number of seats to be filled. For example, if three at-large city council members will be elected, up to six candidates will be listed on the city runoff election ballot.

[§376.9(1)]

### **Final Election**

A city runoff election is always the final election. No expedited timeline is required after election day.

### **Who Wins?**

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.9(3)]

### **Write-In Votes**

If a write-in candidate wins receives the most votes at the runoff city election and wants the job, no affidavit of candidacy is needed. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

## **Ballot Preparation**

### **Voting Equipment**

Voting equipment must be used in all cities with more than 3,500 residents.

The auditor can decide whether to use voting equipment or whether to have the ballots counted by hand for each city with 3,500 or fewer residents. If counting by hand will cause a significant savings in election costs, the auditor may use hand-counted paper ballots. The decision about whether to use voting equipment is made on a city by city (not precinct by precinct) basis.

Voters can petition to require the use of voting equipment in the city if the auditor decides not to use it. See §49.26 for more information.

[§49.26]

### **Non-Partisan Election**

City elections are non-partisan. Candidates' names appear on the ballot with no reference to political affiliation, even if the candidate was nominated by a NPPO.

[§376.5]

### **When Ballots Must be Ready**

Ballots must be ready as soon as practicable, but there is no date specifically set by law. As soon as ballots are ready, begin mailing out absentee ballots. In-person voting cannot begin more than 40 days before the election.

[§53.10(1)]

### **Public Measures**

Cities and counties can include public measures on the regular city election ballot. The deadline to submit the full text is 5 p.m. on the candidate filing deadline.

**Important Note:** Public measures are not allowed on city primary or city runoff ballots.

[§39.2(1)(b)]

### **Vacancies**

See the Vacancies chapter for more information.

### **Rotation**

Rotation of candidates' names is required if:

- Candidates are running opposed (e.g. three people seeking two at-large city council seats)

AND

- The office will appear on the ballot in more than one precinct.

[§49.31(3)]

## **Order of Offices**

### **City Primary Elections:**

1. Mayor (if any)
2. City Council Members (if any)
3. Other elected city officers (if any)

If vacant offices must appear on the ballot, list them as the last office under the appropriate heading unless the office is a part of a multimember body. In that case, list the vacant office after the regularly scheduled offices.

**Important Notes:** Public measures are not allowed on city primary election ballots.

### **Regular City Elections:**

1. Mayor (if any)
2. City Council Members
3. Other elected city officers (if any)
4. City Public Measures (if any)
5. County Public Measures (if any)

If vacant offices must appear on the ballot, list them as the last office under the appropriate heading unless the office is a part of a multimember body. In that case, list the vacant office after the regularly scheduled offices.

### **City Runoff Elections:**

1. Mayor (if any)
2. City Council Members (if any)
3. Other elected city officers (if any)

If vacant offices must appear on the ballot, list them as the last office under the appropriate heading unless the office is a part of a multimember body. In that case, list the vacant office after the regularly scheduled offices.

**Important Note:** Public measures are not allowed on city runoff election ballots.

**Ballot Layout**

All offices on the ballot are non-partisan offices. No reference to party affiliation is listed with the candidates' names, even if the candidate was nominated by a NPPO. List the names of the candidates in alphabetical order by last name. Rotation is required if candidates are running opposed and the office appears on the ballot in more than one precinct.

[§49.31(3)]

Official Ballot - November 8, 2011  
Regular City Election  
and Special Election  
In the County of Linn, State of Iowa

ATTEST:  
*Joel D. Miller*  
JOEL D. MILLER  
LINN COUNTY  
COMMISSIONER OF ELECTIONS

**Instructions to Voters**

To vote, completely fill in the oval  to the left of your choice.

To cast a write-in vote, you **MUST** completely fill in the oval  **AND** write the name of your candidate on the line provided. If you make a mistake, you may request a new ballot.

To vote to approve any question on this ballot, fill in the oval to the left of the word "YES", like this . To vote against a question, fill in the oval to the left of the word "NO", like this .

Nonpartisan Offices City of Ely
<p><b>For Mayor</b> (Vote for no more than one)</p> <p><input type="radio"/> James E. Doyle Jr.</p> <p><input type="radio"/> David Lambert</p> <p><input type="radio"/> Dale A. Stanek II</p> <p><input type="radio"/> (Write-in vote, if any) _____</p>
<p><b>For Council Member</b> (Vote for no more than three)</p> <p><input type="radio"/> Bob Ballantyne</p> <p><input type="radio"/> Bill Grove</p> <p><input type="radio"/> (Write-in vote, if any) _____</p> <p><input type="radio"/> (Write-in vote, if any) _____</p> <p><input type="radio"/> (Write-in vote, if any) _____</p>

Rotation required if the office appears on the ballot in more than one precinct and the candidates are opposed.

Rotation not required because the candidates are not opposed.

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## **Post Election Day**

### **“Final” Election?**

If the election is not the final election for the city, the post election day activities are expedited.

### **City Primary Election**

This is not the final election. An expedited timeline applies.

### **Regular City Election**

This may or may not be the final election as follows:

#### **Cities with primary provisions:**

The regular city election is the final election.

#### **Cities with runoff provisions:**

The regular city election is not necessarily the final election (even if a runoff ends up not being necessary). An expedited timeline applies.

#### **All other cities:**

The regular city election is the final election.

### **City Runoff Election**

This is the final election.

## **Provisional Ballots**

### **Timeline for “Final” City Elections**

For the following election types, post a list of the number of provisional ballots cast in each precinct no later than 9 a.m. on the Thursday after the election:

- Regular city elections in cities without runoff provisions and
- City runoff elections.

[§50.20]

### **Expedited Timeline for City Elections that are not “Final”**

For the following election types, the ASVP board must meet on Wednesday at noon, so the provisional ballot list must be posted as soon as possible before they meet:

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§50.20]

## **ASVP Board**

### **Timeline for “Final” City Elections**

For the following election types, the board must meet no earlier than noon on the Thursday after the election to consider any provisional ballots cast in the election and any absentee ballots that were received and postmarked on time:

- Regular city elections in cities without runoff provisions and
- City runoff elections.

### **Expedited Timeline for City Elections that are not “Final”**

For the following election types, the board must meet on Wednesday at noon:

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§50.21]

For additional information about ASVP board procedures, see the Absentee Voting chapter.

## **County Canvass**

The control county canvasses the results for the city.

### **Timeline for “Final” City Elections**

For the following election types, the county canvass is held on the Monday or Tuesday after the election.

- Regular city elections in cities without runoff provisions and
- City runoff elections.

[§50.24(1)]

### **Expedited Timeline for City Elections that are not “Final”**

For the following election types, the canvass must be held no earlier than 1:00 p.m. on the Thursday after the election:

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§376.7(1), 376.9(1)]

## **Required Percentage for Passage of Public Measures**

Most public measures require a simple majority to pass. Bond issues require at least 60% to pass.

[§50.45, 75.1]

## **Write-In Votes**

Write-in votes in city elections are handled differently than in any other election. See the election specific pages in this chapter for information on how to handle write-in votes for each type of city election.

[§376.11]

## **Election Results**

To generate abstracts, the election canvass summary, and certificates of election, enter election results into I-VOTERS. See the Post Election Day chapter for more information.

## **Abstracts**

Two sets of each city's abstracts must be prepared and signed by a majority of the board of supervisors.

- Send one set of the abstracts to the city.
- Keep one set for your files.

[§50.24]

**Important Note:** If necessary, the abstracts must be amended to show the final winner who accepted the office and the possible changes to write-in candidates.

See the Post Election Day chapter for more information on preparing abstracts.

## **Certified Election Canvass Summary**

A canvass summary must be prepared for each city and signed by a majority of the board of supervisors. See the Post Election Day chapter for more information.

[§50.24(3)]

## **Certificates of Election**

Each person who was elected must receive a certificate of election. Include open meetings and records laws (Chapters 21 and 22 of the *Iowa Code*) information with the certificates.

[§21.20, 50.29]

## **Term Length**

In general, terms for city offices are for two years unless the voters of the city voted at an election to approve to change the term length to four years.

[§376.2]

## **Term Start Dates**

The terms for city officers begin the first day in January that is not a Sunday or legal holiday. The terms of officers elected to fill vacancies begin within 10 days of the canvass. See the Vacancies chapter for more information.

The certificate should be issued to the winning candidate who accepted the office.

[§50.29, 63.8, 376.2(1)]

## **Recounts**

### **Timeline for “Final” City Elections**

For the following election types, requests for recounts must be filed within three days of the county canvass:

- Regular city elections in cities without runoff provisions and
- City runoff elections.

[§50.48(1)(a)]

### **Expedited Timeline for City Elections that are not “Final”**

For the following election types, requests for recounts must be filed within three days of the election (the day after the canvass):

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§50.48(7)]

See the Recounts chapter for more information.

## **Contests**

A statement of intent to contest a city election must be filed within 10 days after the election with the city clerk.

[§57.6, 376.10]

**Best Practice:** Remind city clerks to notify you immediately if anyone files for a contest.

See the Contests chapter for more information.

## **Record Retention**

Keep records for six months unless a city election contest is pending. Tally lists and abstracts which have not been electronically recorded must be kept forever.

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

**Exception to Six Month Rule:** Unvoted ballots and programmed memory cards.

[§50.19, IAC 721—22.51(11), 22.51(13), 22.51(14)]

## Auditor's Calendar to the 2015 City Elections

**City Primary Election:** October 6, 2015  
**Regular City Election:** November 3, 2015  
**City Runoff Election:** December 1, 2015

■ Text in purple = City Clerks   
 ■ Text in black = County Auditor   
 ■ Text in orange = I-VOTERS

Days from Election	Date	Event	Code Cite
	Anytime	<p><b>Create Election.</b>                      The "Election Details" may be entered at any time. Absentee requests may be entered at any time after the election is created.</p> <p><b>Best Practice:</b> Use this format for naming your election: 2015 [County Name] County City Election (or City Primary or City Runoff).</p>	
Regular – 90 Primary – 62	<b>Wednesday, August 5</b>	<p><b>Certification of Nomination Process.</b>                      Deadline for city clerk to certify nomination process to auditor. No changes may be made after certification.</p>	§376.6(2)
Regular – 85 Primary – 57	<b>Monday, August 10</b>	<p><b>City Primary Election Candidate Filing Begins.</b>                      First day to file nomination papers with the auditor.</p>	§376.4(1)(a)
Regular – 73 Primary – 45	<b>Saturday, August 22</b>	<p><b>Last Day for Vacancies for Cities With Primary Election Provisions.</b>                      In city offices for cities with primary election provisions, vacancies occurring on or before today must be filled at the 2015 regular city election. Vacancies occurring after this date cannot be filled at this year's regular city election and instead must wait to be filled until the next intervening special election for the city or the next regular city election.</p>	§372.13(2)(a)(1)
Regular – 71 Primary – 43	<b>Monday, August 24</b>	<p><b>Regular City Election Candidate Filing Begins.</b>                      First day to file nomination papers with the auditor for cities without primary provisions.</p>	§376.4(1)(a)
Regular – 70 Primary – 42	<b>Tuesday, August 25</b>	<p><b>Last day for NPPOs to replace candidates for the city primary election</b> who withdrew, died or were found ineligible (Chapter 44 cities only).</p>	§44.11
		<p><b>City Primary Election Candidate Filing Deadline.</b>                      Last day to file nomination papers with the auditor. Deadline is 5 p.m.</p>	§376.4(1)(a)
Regular – 68 Primary – 40	<b>Thursday, August 27 – 5 p.m.</b>	<p><b>City Primary Election Nominations and Public Measures Delivered.</b>                      City clerk must deliver the full text of all public measures to be included on the regular city election ballot to the auditor by 5 p.m. <i>No public measures appear on ballots at the city primary election.</i></p>	§376.4(5)
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
Regular – 68 Primary – 40	Thursday, August 27 – 5 p.m.	<p><b>Set Up Election for City Primary Election.</b> Include contests from election template and add candidates. Add vacancies if needed.</p> <p><b>Control Counties: Post Shared Contests for City Primary Election.</b> Contests, including races and vacancies, must be entered before sharing. Candidate names can be added, edited or deleted at any time as long as the race is entered before the contests are shared.</p>	
		<p><b>Auditor’s office must be open until 5 p.m.</b></p>	§376.4(3)
Regular – 63 Primary – 35	Tuesday, Sept 1 – 5 p.m.	<p><b>City Primary Election Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the auditor.</p>	§44.9(6), 376.4(6)
		<p><b>City Primary Election Candidate Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with the auditor. Deadline is 5 p.m.</p>	§44.4(2), 376.4(6)
		<p><b>Auditor’s office must be open until 5 p.m.</b></p>	
		<p><b>Important Note: Absentee ballots for the city primary election must be ready as soon as practicable.</b> Once ballots are ready, absentee voting must begin by mail and in the auditor’s office.</p>	§53.10(1)
		<p><b>Health Care Facility Delivery for the City Primary Election.</b> Within 10 days after ballots are printed, the auditor may send teams to deliver ballots to residents and patients of health care facilities. After this 10 day window, ballots cannot be delivered to health care facilities again until the 14<sup>th</sup> day before the election.</p>	§53.8(3), 53.22(1)(a)
		<p><b>Non-Control Counties: Include shared contests for contests for which you are the non-control county for City Primary Election.</b></p> <p><b>Generate Ballot Styles for City Primary Election.</b> Verify that all contests for which you are the non-control county have been shared and included. Failure to include all contests before generating ballot styles will require regenerating the election. Rename your system ballot styles.</p> <p><b>Pull Absentees for City Primary Election.</b> Pull absentees in “Generate Ballot Styles” to include UOCAVA absentee requests and election-specific requests already entered. Print absentee ballot labels.</p>	

Days from Election	Date	Event	Code Cite
Regular – 57 Primary – 29	<b>Monday, Sept. 7</b>	<b>Labor Day – State Offices Closed.</b>	§1C.1
		<b>School Election Day.</b>	§260C.15(1), 277.1
Regular – 56 Primary – 28	<b>Tuesday, Sept. 8 – 5 p.m.</b>	<b>Satellite Voting Petition Deadline for the City Primary Election.</b> A petition requesting a satellite absentee voting station must be filed no later than 5 p.m. on the 30 <sup>th</sup> day before the election. <i>This deadline falls on Sunday and is therefore moved to the next business day, which is Tuesday due to the Labor Day holiday.</i>	§47.4, 53.11(2)(b)
		At least seven days before the first day of a satellite, the auditor must notify the political parties' chairpersons of the date, time, and location of a satellite so the parties may appoint observers.	§53.11(5)
		<b>Auditor's office must be open until 5 p.m.</b>	
Regular – 52 Primary – 24	<b>Saturday, Sept. 12</b>	<b>Last Day for Vacancies for Cities Without Primary Election Provisions.</b> In cities without primary election provisions, vacancies occurring on or before today must be filled at the 2015 regular city election. Vacancies occurring after this date cannot be filled at this year's regular city election and instead must wait to be filled until the next intervening special election for the city or the next regular city election.	§372.13(2)(a)(1)
Regular – 48 Primary – 20	<b>Wednesday, Sept. 16</b>	<b>City Primary Election Publication Begins.</b> First day to publish notice of changes in polling places (this includes temporary changes).	§49.23, 362.3(1)
		<b>First day the auditor may publish notice</b> of the city primary election and sample ballot. The notice of election must include an accessibility notice.	§49.53, 362.3(1), 376.5, IAC 721—21.50(10)
		<b>Regular City Election Filing Deadline.</b> Last day to file nomination papers with the auditor. Deadline is 5 p.m.	§376.4(1)(a)
Regular – 47 Primary – 19	<b>Thursday, Sept. 17 – 5 p.m.</b>	<b>Regular City Election Nominations and Public Measures Delivered.</b> City clerk must deliver the full text of all public measures to be included on regular city election ballot to the auditor by 5 p.m.	§376.4(5)
		<b>Auditor's office must be open until 5 p.m.</b>	§376.4(3)
		<i>Continued on next page...</i>	

Days from Election	Date	Event	Code Cite
Regular – 47 Primary – 19	Thursday, Sept. 17 – 5 p.m.	<p><b>Set Up Election for Regular City Election.</b> Include contests from election template and add candidates. Add measures and vacancies if needed.</p> <p><b>Control Counties: Post Shared Contests for Regular City Election.</b> Contests, including races, vacancies and measures, must be entered before sharing. Candidate names can be added, edited or deleted at any time as long as the race is entered before the contests are shared.</p>	
		<p><b>City Primary Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the city primary election even if they are received after Friday, September 25.</p>	§48A.9(3)
		<p><b>Last Day to Appoint Precinct Election Officials for City Primary Election.</b> Appointed by the auditor.</p>	§49.13(1)
Regular – 43 Primary – 15	Monday, Sept. 21	<p><b>Non-Control Counties: Include shared contests for contests for which you are the non-control county for the Regular City Election.</b></p> <p><b>Generate Ballot Styles for the Regular City Election.</b> Verify that all contests and measures for which you are the non-control county have been shared and included. Failure to include all contests before generating ballot styles will require regenerating the election. Rename your system ballot styles.</p> <p><b>Pull Absentees Regular City Election.</b> Pull absentees in “Generate Ballot Styles” to include UOCAVA absentee requests and election-specific requests already entered. Print absentee ballot labels.</p>	
		<p><b>Regular City Election Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the auditor.</p>	§44.9(6), 376.4(6)
Regular – 42 Primary – 14	Tuesday, Sept. 22 – 5 p.m.	<p><b>Regular City Election Candidate Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with the auditor. Deadline is 5 p.m.</p> <p><b>Last day for NPPOs to replace candidates for the regular city election</b> who withdrew, died or were found ineligible (Chapter 44 cities only).</p> <p><b>Auditor’s office must be open until 5 p.m.</b></p>	§44.4(2), 376.4(6)  §44.11
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
		<b>Important Note: Absentee ballots for the regular election must be ready as soon as practicable.</b> Once ballots are ready, absentee voting must begin by mail and in the auditor's office.	§53.10(1)
Regular – 42 Primary – 14	<b>Tuesday, Sept. 22 – 5 p.m.</b>	<b>Health Care Facility Delivery for the Regular City Election.</b> Within 10 days after ballots are printed, the auditor may send teams to deliver ballots to residents and patients of health care facilities. After this 10 day window, ballots cannot be delivered to health care facilities again until the 14 <sup>th</sup> day before the election.	§53.8(3), 53.22(1)(a)
		<b>Health Care Facility Delivery for the City Primary Election.</b> Teams may resume delivery of absentee ballots to residents and patients of health care facilities.	53.22(1)(a)
		<b>City Primary Election Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the regular city election is 5 p.m. This applies to registration in person (including registration at driver's license stations or agencies) or by mail.	§48A.9(1)
Regular – 39 Primary – 11	<b>Friday, Sept. 25 – 5 p.m.</b>	<b>Exceptions:</b> Mailed voter registration forms postmarked on or before Monday, September 21, are considered on time even if they are received after 5 p.m. today.  After today, a person may register to vote at the auditor's office, health care facility, or a satellite absentee voting station and vote an absentee ballot. The process is the same as for registering to vote on election day.	§48A.7A(3)
		<b>Auditor's office must be open 8 a.m. to 5 p.m. if conducting a city primary election.</b>	§48A.9(2)
		<b>City Primary Election Publication Deadline.</b> Last day to publish notice of election, sample ballot, and polling place changes for the city primary election. The notice of election must include an accessibility notice.	§49.23, 49.53, 362.3(1), 376.5, IAC 721— 21.50(10)
		<b>Deadline to request an absentee by mail for the city primary election.</b> Deadline is 5 p.m.	§53.2(1)(b)
Regular – 32 Primary – 4	<b>Friday, October 2 – 5 p.m.</b>	<b>Last Day to Submit Written Challenges to Absentee Voters for the City Primary Election.</b> A person qualified to vote in the election may submit a written challenge to the qualifications of an absentee voter until 5 p.m. to the auditor (observers witnessing the processing of absentee ballots may submit challenges on Monday, October 5, and until the polls close on election day).	§53.31(1)
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
		<b>Absentee Affidavits for the City Primary Election.</b> Last day for auditor to review absentee affidavits received by 5 p.m.	§53.18(2)
Regular – 32 Primary – 4	<b>Friday, October 2 – 5 p.m.</b>	<b>Non-Control Counties: Send election registers to the control county for City Primary Election.</b> Contact the control county to determine when they want these and in which format. Also send supplemental registers on Monday, October 5, if necessary.  <b>Auditor’s office must be open until 5 p.m. if conducting a city primary election.</b>	
Regular – 31 Primary – 3	<b>Saturday, October 3 – Election Day at 4 p.m.</b>	<b>Voters admitted to hospitals or nursing homes</b> after 12 a.m. October 3 may call to request delivery of an absentee ballot for the city primary election. Deadline for a telephone request is 4 p.m. on election day.	§53.22(2)
		<b>Satellite Voting Petition Deadline for the Regular City Election.</b> A petition requesting a satellite absentee voting station must be filed no later than 5 p.m. on the 30 <sup>th</sup> day before the election. <i>This deadline falls on Sunday and is therefore moved to the next business day.</i>	§47.4, 53.11(2)(b)
		At least seven days before the first day of a satellite, the auditor must notify the political parties’ chairpersons of the date, time, and location of a satellite so the parties may appoint observers.	§53.11(5)
		<b>Equipment Testing Deadline for City Primary Election.</b> Last day to test voting equipment. Keep testing results in your files. Must be finished testing no later than 12 hours before the polls open.	§52.35
Regular – 29 Primary – 1	<b>Monday, October 5– 5 p.m.</b>	<b>PEO Training Deadline for City Primary Election.</b> Last day for training precinct election officials.	§49.124(1)
		<b>Last Day for Voters to Fix Incomplete Affidavits for City Primary Election.</b> Voters have until 5 p.m. to fix incomplete affidavit envelopes.	§53.18(2)
		<b>Absentee Ballot In-Person Deadline for City Primary Election.</b> Last day to request and vote an absentee ballot in person at the auditor’s office.  <b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor’s office from 8 a.m. until 11 a.m.	§53.2(1)(a)
		<i>Continued on next page...</i>	

Days from Election	Date	Event	Code Cite
Regular – 29 Primary – 1	<b>Monday, October 5– 5 p.m.</b>	<p><b>Auditor May Convene ASVP Board for City Primary Election.</b> The board may review affidavits and decide which ballots to accept for counting. If secrecy envelopes were enclosed with all absentee ballots, the auditor may direct the board to open the affidavit envelopes and remove the secrecy envelopes.</p> <p>Notify the county political party chairpersons of the time the ASVP board will be convened.</p> <p><b>Auditor’s office must be open until 5 p.m.</b></p>	§53.23(3)(b)(1)
		<p><b>City Primary Election Day, if necessary.</b> A city primary must be held for offices in cities with primary election provisions when the number of candidates who filed is more than twice the number of seats to be filled for an office.</p> <p>Polls are open from 7 a.m. until 8 p.m.</p> <p><b>Exception:</b> The polls may be opened at noon for any city election unless the auditor receives a petition objecting to the shortened hours.</p>	§49.73(1), 376.7(1)
Regular – 28	<b>Tuesday, October 6</b>	<p>If the polls open at noon, voters may vote by absentee ballot in person at the auditor’s office from 8 a.m. until 11 a.m.</p> <p><b>Electronically Submitted Absentee Ballot Requests Must be Matched with Originals for City Primary Election.</b> If an electronic or faxed request was submitted, the original absentee ballot request must be received by the time the polls close. If the original does not arrive on time or was postmarked after Friday, October 2, the ballot cannot be counted. Notify the voter the ballot was rejected. This requirement does not apply to UOCAVA voters.</p>	§49.73(2)  §53.2(1)(a)
		<p><b>Post the Number of Provisional Ballots Cast in the City Primary Election.</b> Number of provisional ballots cast in each precinct must be posted as soon as possible.</p>	IAC 721— 21.2(2)  §50.20
Regular – 27 Primary + 1	<b>Wednesday, October 7</b>	<p><b>ASVP Board Must Reconvene at Noon for the City Primary Election.</b> ASVP board must reconvene at noon to consider provisional ballots and absentee ballots postmarked Monday, October 5, or earlier.</p>	§50.21, 50.22
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
Regular – 27 Primary + 1	Wednesday, October 7	<p><b>Ballots and Election Supplies Returned.</b> Election supplies from each precinct, including election register, tally list, and ballots, must be returned by noon. Send messengers for supplies not returned by noon.</p> <p><b>Best Practice:</b> Have voted ballots returned back to auditor’s office on election night after the polls close.</p> <p><b>Enter Results in I-VOTERS for City Primary Election.</b> Results can be entered any time after the polls close. Pull “Results Data” in “Election Results” before entering results. Do not use the “Unofficial Results” tab. Results must be entered in the “Official Results” tab in order to print election canvass summary and abstracts.</p>	§50.10, 50.17, 50.23
Regular – 26 Primary + 2	Thursday, October 8	<p><b>Absentee Ballot Receipt Deadline for City Primary Election.</b> Absentee ballots postmarked on Monday, October 5, or earlier and received before the county canvass are considered to be on time to be counted.</p> <p><b>County Canvass of Votes for City Primary Election.</b> Must occur on this day no earlier than 1 p.m.</p>	§53.17(3)  §376.7(1)
Regular – 25 Primary + 3	Friday, October 9 – 5 p.m.	<p><b>City Primary Election Write-In Nominees’ Filing Deadline.</b> Persons nominated by write-in votes in the city primary election must file an affidavit of candidacy with the county auditor by 5 p.m. or their write-in votes will be disregarded.</p> <p><b>Recount Request Deadline for City Primary Election.</b> Written requests must be filed with the auditor by 5 p.m. on the third day after the election.</p> <p><b>Control Counties: Send copies of election registers to non-control county for City Primary Election.</b> Last day for control counties to send copies of election registers and records of counted absentee ballots to the non-control county. The non-control county needs these to process vote credit.</p> <p><b>Auditor’s office must be open until 5 p.m. if a city primary election was held.</b></p>	§376.11(3)  §50.48(7)
Regular – 20 Primary + 8	Wednesday, October 14	<p><b>Regular City Election Publication Begins.</b> First day to publish notice of changes in polling places (this includes temporary changes).</p> <p><b>First day the auditor may publish notice</b> of the regular city election and sample ballot. The notice of election must include an accessibility notice.</p>	§49.23, 362.3(1)  §49.23, 49.53, 362.3(1), 376.5, IAC 721—21.50(10)

<b>Days from Election</b>	<b>Date</b>	<b>Event</b>	<b>Code Cite</b>
Regular – 18 Primary + 10	<b>Friday, October 16</b>	<b>City Primary Election Contest Notice Deadline.</b> Statement of intent to contest the election must be filed in the city clerk’s office no later than 10 days after the election.	§376.10
Regular – 15	<b>Monday, October 19</b>	<b>Regular City Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the regular city election even if they are received after Friday, October 23.	§48A.9(3)
		<b>Last Day to Appoint Precinct Election Officials for Regular City Election.</b> Appointed by the auditor.	§49.13(1)
Regular – 14	<b>Tuesday, October 20</b>	<b>Health Care Facility Delivery for the Regular City Election.</b> Teams may resume delivery of absentee ballots to residents and patients of health care facilities.	§53.22(1)(a)
Regular – 11	<b>Friday, October 23 – 5 p.m.</b>	<b>Regular City Election Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the regular city election is 5 p.m. This applies to registration in person (including registration at driver’s license stations or agencies) or by mail.	§48A.9(1)
		<b>Exceptions:</b> Mailed voter registration forms postmarked on or before Monday, October 19, are considered on time even if they are received after 5 p.m. today.	
		After today, a person may register to vote at the auditor’s office, health care facility, or a satellite absentee voting station and vote an absentee ballot. The process is the same as for registering to vote on election day.	§48A.7A(3)
		<b>Auditor’s office must be open from 8 a.m. to 5 p.m.</b>	§48A.9(2)
Regular – 4	<b>Friday, October 30 – 5 p.m.</b>	<b>Regular City Election Publication Deadline.</b> Last day to publish notice of election, sample ballot, and polling place changes for the regular city election. The notice of election must include an accessibility notice.	§49.23, 49.53, 362.3(1), 376.5, IAC 721— 21.50(10)
		<b>Deadline to request an absentee by mail</b> for the regular city election.	§53.2(1)(b)
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<b>Days from Election</b>	<b>Date</b>	<b>Event</b>	<b>Code Cite</b>
		<b>Last Day to Submit Written Challenges to Absentee Voters for the Regular City Election.</b> A person qualified to vote in the election may submit a written challenge to the qualifications of an absentee voter until 5 p.m. to the auditor (observers witnessing the processing of absentee ballots may submit challenges on Monday, November 3, and until the polls close on election day).	§53.31(1)
Regular – 4	<b>Friday, October 30 – 5 p.m.</b>	<b>Last Day to Review Absentee Affidavits for the Regular City Election.</b> Last day for auditor to review absentee affidavits received by 5 p.m.  <b>Non-Control Counties: Send election registers to the control county for Regular City Election.</b> Contact the control county to determine when they want these and in which format. Also send supplemental registers on Monday, November 3, if necessary.  <b>Auditor’s office must be open until 5 p.m.</b>	§53.18(2)
Regular – 3	<b>Saturday, October 31 – Election Day at 4 p.m.</b>	<b>Voters admitted to hospitals or nursing homes</b> after 12 a.m. October 31 may call to request delivery of an absentee ballot for the regular city election. Deadline for a telephone request is 4 p.m. on election day.	§53.22(2)
		<b>Equipment Testing Deadline for Regular City Election.</b> Last day to test voting equipment. Keep testing results in your files. Must be finished testing not later than 12 hours before the polls open.	§52.35
		<b>PEO Training Deadline for Regular City Election.</b> Last day for training precinct election officials.	§49.124(1)
Regular – 1	<b>Monday, November 2 – 5 p.m.</b>	<b>Last Day for Voters to Fix Incomplete Affidavits for Regular City Election.</b> Voters have until 5 p.m. to fix incomplete affidavit envelopes.  <b>Auditor May Convene ASVP Board for Regular City Election.</b> The board may review affidavits and decide which ones to accept for counting. If secrecy envelopes were enclosed with all absentee ballots, the auditor may direct the board to open the affidavit envelopes and remove secrecy envelopes.  Notify the county political party chairpersons of the time the ASVP board will be convened.	§53.18(2)  §53.23(3)(b)(1)
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Days from Election	Date	Event	Code Cite
Regular – 1	Monday, November 2 – 5 p.m.	<p><b>Absentee Ballot In-Person Deadline for Regular City Election.</b> Last day to request and vote an absentee ballot in person at the auditor’s office.</p> <p><b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor’s office from 8 a.m. until 11 a.m.</p> <p><b>Auditor’s office must be open until 5 p.m.</b></p>	§53.2(1)(a)
		<p><b>Regular City Election Day.</b> Polls are open from 7 a.m. until 8 p.m.</p> <p><b>Exception:</b> The polls may be opened at noon for any city election unless the auditor receives a petition objecting to the shortened hours.</p> <p>If the polls open at noon, voters may vote by absentee ballot in person at the auditor’s office from 8 a.m. until 11 a.m.</p>	§49.73(1), 376.1  §49.73(2)
	Tuesday, November 3	<p><b>Electronically Submitted Absentee Ballot Requests Must be Matched with Originals for Regular City Election.</b> If an electronic or faxed request was submitted, the original absentee ballot request must be received by the time the polls close. If the original does not arrive on time or was postmarked after Friday, October 30, the ballot cannot be counted. Notify the voter the ballot was rejected. This requirement does not apply to UOCAVA voters.</p>	§ 53.2(1)(a)  IAC 721— 21.2(2)
Regular + 1 Runoff – 27	Wednesday, November 4	<p><b>Post the Number of Provisional Ballots for the Regular City Election for Cities with Runoff Provisions.</b> Number of provisional ballots cast in each precinct must be posted as soon as possible after the election.</p>	§50.20
		<p><b>ASVP Board Must Reconvene at Noon for the Regular City Election for Cities with Runoff Provisions.</b> ASVP board must reconvene at noon to consider provisional ballots and absentee ballots postmarked Monday, November 2, or earlier.</p>	§50.21, 50.22
		<p><b>Ballots and Election Supplies Returned.</b> Election supplies from each precinct, including election register, tally list, and ballots, must be returned by noon. Send messengers for supplies not returned by noon.</p> <p><b>Best Practice:</b> Have voted ballots returned back to auditor’s office on election night after the polls close.</p>	§50.10, 50.17, 50.23
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Days from Election	Date	Event	Code Cite
Regular + 1 Runoff – 27	Wednesday, November 4	<b>Enter Results in I-VOTERS for Regular City Election.</b> Results can be entered any time after the polls close. Pull “Results Data” in “Election Results” before entering results. Do not use the “Unofficial Results” tab. Results must be entered in the “Official Results” tab in order to print certificates, abstracts, and election canvass summary.	
		<b>Absentee Ballot Receipt Deadline for the Regular City Election for Cities with Runoff Provisions.</b> Absentee ballots postmarked Monday, November 2, or earlier and received before the county canvass are considered to be on time to be counted.	§53.17(3)
		<b>County Canvass of Votes for Regular City Election for Cities with Runoff Provisions.</b> Must occur on this day no earlier than 1 p.m.	§376.9(1)
Regular + 2 Runoff – 26	Thursday, November 5	<b>Post the Number of Provisional Ballots for the Regular City Election for Cities without Runoff Provisions.</b> Number of provisional ballots cast in each precinct must be posted by 9 a.m. on the second day after the election.	§50.20
		<b>ASVP Board May Reconvene for the Regular City Election for Cities without Runoff Provisions.</b> ASVP board may reconvene no earlier than noon to consider provisional ballots and absentee ballots postmarked Monday, November 2, or earlier.	§50.21, 50.22
		<b>Recount Request Deadline for Cities with Runoff Provisions.</b> Written requests must be filed in the auditor’s office by 5 p.m. on the third day after the election.	§50.48(7)
		<b>Write-In Winner Resignation Deadline for Cities with Runoff Provisions.</b> If a person is elected by write-in votes and does not want the office, they must submit their resignation in writing to the auditor by 5 p.m. on the day after the canvass.	§376.11(4)
Regular + 3 Runoff – 25/	Friday, November 6 – 5 p.m.	<b>Last Day for Write-In Candidates to File Affidavits of Candidacy for City Runoff Election.</b> In cities with runoff provisions, candidates who received write-in votes at the regular city election must file affidavits of candidacy with the auditor no later than the day after the canvass to become eligible for the city runoff election.	§376.11(5)
		<b>Auditor’s office must be open until 5 p.m. if necessary.</b>	
		<i>Continued on next page...</i>	

Days from Election	Date	Event	Code Cite
		<b>Important Note: Absentee ballots for the city runoff election must be ready as soon as practicable.</b> Once ballots are ready, absentee voting must begin by mail and in the auditor's office.	§53.10(1)
		<b>Health Care Facility Delivery for the City Runoff Election.</b> Within 10 days after ballots are printed, the auditor may send teams to deliver ballots to residents and patients of health care facilities. After this 10 day window, ballots cannot be delivered to health care facilities again until the 14 <sup>th</sup> day before the election.	§53.8(3), §53.22(1)(a)
Regular + 3 Runoff – 25/	<b>Friday, November 6 – 5 p.m.</b>	<b>Control Counties: Send copies of election registers to non-control county for Regular City Election.</b> Control counties send copies of election registers and records of counted absentee ballots to the non-control county. The non-control county needs these to process vote credit.  <b>Set Up Election for City Runoff Election.</b> Include contests from election template and add candidates.  <b>Control Counties: Post Shared Contests for City Runoff Election.</b> Contests must be entered before sharing. Candidate names can be added, edited or deleted at any time as long as the race is entered before the contests are shared.	
Regular + 7	<b>Monday, November 9</b>	<b>Absentee Ballot Receipt Deadline for Regular City Election for Cities without Runoff Provisions.</b> Absentee ballots postmarked on Monday, November 2, or earlier and received by noon on Monday, November 9, are considered on time to be counted.	§53.17(2)
Regular + 7/+8	<b>Monday, Nov. 9/ Tuesday, Nov. 10</b>	<b>County Canvass of Votes for Regular City Election for Cities without Runoff Provisions.</b> May occur either on Tuesday or Wednesday.	§50.24(1)
Runoff – 21	<b>Tuesday, Nov. 10 – 5 p.m.</b>	<b>Satellite Voting Petition Deadline for City Runoff Election.</b> A petition requesting a satellite absentee voting station must be filed no later than 5 p.m. on the 21st day before the election. At least seven days before the first day of a satellite, the auditor must notify the political parties' chairpersons of the date, time, and location of a satellite so the parties may appoint observers.  <b>Auditor's office must be open until 5 p.m. if conducting a city runoff election.</b>	§53.11(2)(c), 53.11(5)
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Days from Election	Date	Event	Code Cite
Runoff – 21	<b>Tuesday, Nov. 10 – 5 p.m.</b>	<p><b>Generate Ballot Styles for City Runoff Election.</b> Verify that all contests for which you are the non-control county have been shared and included. Failure to include all contests before generating ballot styles will require regenerating the election. Rename your system ballot styles.</p> <p><b>Pull Absentees for City Runoff Election.</b> Pull absentees in “Generate Ballot Styles” to include UOCAVA absentee requests and election-specific requests already entered. Print absentee ballot labels.</p>	
Runoff – 20	<b>Wednesday, Nov. 11</b>	<p><b>Veteran’s Day – State Offices Closed.</b></p> <p><b>City Runoff Election Publication Begins.</b> First day to publish notice of changes in polling places (this includes temporary changes).</p> <p><b>First day the auditor may publish notice</b> of the city runoff election and sample ballot. The notice of election must include an accessibility notice.</p>	<p>§1C.1</p> <p>§49.23, 362.3(1)</p> <p>§49.23, 49.53, 362.3(1), 376.5, IAC 721—21.50(10)</p>
Regular + 9/+10	<b>Thursday, Nov. 12/ Friday, Nov. 13 – 5 p.m.</b>	<p><b>Recount Request Deadline for Cities without Runoff Provisions.</b> Written requests must be filed with the auditor by 5 p.m. on the third day after the county canvass of votes.</p> <p><b>Auditor’s office must be open until 5 p.m.</b></p>	§50.48(1)(a)
Regular + 10 Runoff – 18	<b>Friday, Nov. 13</b>	<p><b>Regular City Election Contest Notice Deadline.</b> Statement of intent to contest the election must be filed in the city clerk’s office no later than 10 days after the election.</p>	§376.10
Regular + 13 Runoff – 15	<b>Monday, Nov. 16</b>	<p><b>City Runoff Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the runoff city election even if they are received after Friday, November 20.</p> <p><b>Last Day to Appoint Precinct Election Officials for City Runoff Election.</b> Appointed by the auditor.</p>	<p>§48A.9(3)</p> <p>§49.13(1)</p>
Runoff – 14	<b>Tuesday, Nov. 17</b>	<p><b>Health Care Facility Delivery for the City Runoff Election.</b> Teams may resume delivery of absentee ballots to residents and patients of health care facilities.</p>	§53.22(1)(a)

Days from Election	Date	Event	Code Cite
		<b>Write-In Winner Resignation Deadline for Cities without Runoff Provisions.</b> If a person is elected by write-in votes, they can submit their resignation in writing to the city clerk by 5 p.m. by the tenth day after the canvass.	
Regular +16/ +17	<b>Thursday, Nov. 19/ Friday, Nov. 20</b>	If the write-in winner resigns, the person who received the next highest number of votes is notified by the clerk that they may assume the office. Citizens may petition for a special election. If the next highest vote getter declines within 10 days of the clerk's notice, the office is vacant at the end of the term.	§376.11(1), 376.11(2)
		<b>City clerk's office must be open until 5 p.m. if necessary.</b>	
		<b>City Primary EDR Acknowledgment Deadline.</b> Last day to mail acknowledgments to voters who registered and voted after the city primary election pre-registration deadline.	§48A.26A(1)
Primary + 45 Regular + 17	<b>Friday, Nov. 20</b>	<b>City Runoff Election Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the runoff city election is 5 p.m. This applies to registration in person (including registration at driver's license stations or agencies) or by mail.  <b>Exceptions:</b> Mailed voter registration forms postmarked on or before Monday, November 16, are considered on time even if they are received after 5 p.m. today.	§48A.9(1)
		After today, a person may register to vote at the auditor's office or a satellite absentee voting station and vote an absentee ballot. The process is the same as for registering to vote on election day.	§48A.7A(3)
		<b>Auditor's office must be open from 8 a.m. to 5 p.m.</b>	§48A.9(2)
		<b>Deadline to request an absentee by mail</b> for the city runoff election. Deadline is 5 p.m. <i>*Deadline moved from Friday, November 29, due to the Thanksgiving holiday unless the auditor's office is open on Friday.</i>	§53.2(1)(b)
Runoff – 6	<b>Wednesday, Nov. 25 – 5 p.m.</b>	<b>Last Day to Review Absentee Affidavits for the City Runoff Election.</b> Last day for auditor to review absentee affidavits received by 5 p.m. <i>*Deadline moved from Friday, November 27, due to the Thanksgiving holiday unless the auditor's office is open on Friday.</i>	§53.18(2)
		<b>Auditor's office must be open until 5 p.m.</b>	
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Days from Election	Date	Event	Code Cite
Runoff – 6	Wednesday, Nov. 25 – 5 p.m.	<p><b>Non-Control Counties: Send election registers to the control county for City Runoff Election.</b> Contact the control county to determine when they want these and in which format. Also send supplemental registers on Monday, November 30, if necessary.</p>	
		<p><b>Deadline to request an absentee by mail</b> for the city runoff election. Deadline is 5 p.m. <i>*Deadline moved from Friday, November 29, due to the Thanksgiving holiday unless the auditor's office is open on Friday.</i></p>	§53.2(1)(b)
Runoff – 6	Wednesday, Nov. 25 – 5 p.m.	<p><b>Last Day to Review Absentee Affidavits for the City Runoff Election.</b> Last day for auditor to review absentee affidavits received by 5 p.m. <i>*Deadline moved from Friday, November 27, due to the Thanksgiving holiday unless the auditor's office is open on Friday.</i></p> <p><b>Auditor's office must be open until 5 p.m.</b></p> <p><b>Non-Control Counties: Send election registers to the control county for City Runoff Election.</b> Contact the control county to determine when they want these and in which format. Also send supplemental registers on Monday, November 30, if necessary.</p>	§53.18(2)
Runoff - 5/ -4	Thursday, Nov. 26 – Friday, Nov. 27	<b>Thanksgiving – State Offices Closed.</b>	§1C.1
Runoff – 4	Friday, Nov. 27	<p><b>City Runoff Election Publication Deadline.</b> Last day to publish notice of election, sample ballot, and polling place changes for the city runoff election. The notice of election must include an accessibility notice.</p>	§49.23, 49.53, 362.3(1), 376.5, IAC 721—21.50(10)
Runoff – 3	Saturday, Nov. 28– Election Day at 4 p.m.	<p><b>Voters admitted to hospitals or nursing homes</b> after 12 a.m. November 28 may call to request delivery of an absentee ballot for the city runoff election. Deadline for a telephone request is 4 p.m. on election day.</p>	§53.22(2)
Runoff – 1	Monday, Nov. 30	<p><b>Last Day to Submit Written Challenges to Absentee Voters for the City Runoff Election.</b> A person qualified to vote at the election may submit a written challenge to the qualifications of an absentee voter until 5 p.m. to the auditor (observers witnessing the processing of absentee ballots may submit challenges on Monday and until the polls close on election day). <i>*Deadline moved from Friday, November 29, due to Thanksgiving holiday unless the auditor's office is open on Friday.</i></p>	§47.4, 53.31(1)

*Continued on next page...*

Days from Election	Date	Event	Code Cite
Runoff – 1	Monday, Nov. 30	<b>Equipment Testing Deadline for City Runoff Election.</b> Last day to test voting equipment. Keep testing results in your files. Must be finished testing not later than 12 hours before the polls open.	§52.35
		<b>PEO Training Deadline for City Runoff Election.</b> Last day for training precinct election officials.	§49.124(1)
		<b>Last Day for Voters to Fix Incomplete Affidavits for City Runoff Election.</b> Voters have until 5 p.m. to fix incomplete affidavit envelopes.	§53.18(2)
		<b>Auditor May Convene ASVP Board for City Runoff Election.</b> The board may review affidavits and decide which ballots to accept for counting. If secrecy envelopes were enclosed with all absentee ballots, the auditor may direct the board to open the affidavit envelopes and remove secrecy envelopes.  Notify the county political party chairpersons of the time the ASVP board will be convened.	§53.23(3)(b)(1)
		<b>Absentee Ballot In-Person Deadline for City Runoff Election.</b> Last day to request and vote an absentee ballot in person at the county auditor’s office.  <i>Exception:</i> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor’s office from 8 a.m. until 11 a.m.	§53.2(1)(a)
		<b>Auditor’s office must be open until 5 p.m.</b>	
		<b>City Runoff Election Day.</b> Polls are open from 7 a.m. until 8 p.m. Held only in cities with runoff provisions and for offices for which no one received a majority of the votes at the regular city election or if a write-in winner refused the office.	§49.73(1), 376.9, 376.11(4)
	Tuesday, December 1	<i>Exception:</i> The polls may be opened at noon for any city election unless the auditor receives a petition objecting to the shortened hours.  If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor’s office from 8 a.m. until 11 a.m.	§49.73(2)  §53.2(1)(a)
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
	<b>Tuesday, December 1</b>	<p><b>Electronically Submitted Absentee Ballot Requests Must be Matched with Originals.</b> If an electronic or faxed request was submitted, the original absentee ballot request must be received by the time the polls close. If the original does not arrive on time or was postmarked after Friday, November 27, the ballot cannot be counted. Notify the voter the ballot was rejected. This requirement does not apply to UOCAVA voters.</p>	IAC 721— 21.2(2)
Runoff + 1	<b>Wednesday, December 2</b>	<p><b>Ballots and Election Supplies Returned.</b> Election supplies from each precinct, including election register, tally list, and ballots, must be returned by noon. Send messengers for supplies not returned by noon.</p> <p><i>Best Practice:</i> Have voted ballots returned back to auditor's office on election night after the polls close.</p>	§50.10, 50.17, 50.23
		<p><b>Post the Number of Provisional Ballots Cast in the City Runoff Election.</b> Number of provisional ballots cast in each precinct must be posted by 9 a.m. on the second day after the election.</p>	§50.20
Runoff + 2	<b>Thursday, December 3</b>	<p><b>ASVP Board May Reconvene at Noon for the City Runoff Election.</b> ASVP board may reconvene no earlier than noon to consider provisional ballots and absentee ballots postmarked Monday, November 30, or earlier.</p> <p><b>Enter Results in I-VOTERS for City Runoff Election.</b> Results can be entered any time after the polls close. Pull "Results Data" in "Election Results" before entering results. Do not use the "Unofficial Results" tab. Results must be entered in the "Official Results" tab in order to print certificates, abstracts, and election canvass summary.</p>	§50.21, 50.22
Primary + 60	<b>Saturday, Dec. 5</b>	<p><b>Deadline to Update City Primary Election Voter History.</b> Last day to add voter election participation for the city primary election in I-VOTERS.</p>	§48A.38(2)
Runoff + 6/+7	<b>Monday, Dec. 7/ Tuesday, Dec. 8</b>	<p><b>Absentee Ballot Receipt Deadline for City Runoff Election.</b> Absentee ballots postmarked on Monday, November 30, or earlier and received by noon on Monday, December 7, are considered on time to be counted.</p> <p><b>County Canvass of Votes for City Runoff Election.</b> May occur on Monday or Tuesday.</p>	§53.17(2)  §50.24(1)
<i>Continued on next page...</i>			

Days from Election	Date	Event	Code Cite
Runoff + 6/+7	Monday, Dec. 7/ Tuesday, Dec. 8	<b>Control Counties: Send copies of election registers to non-control county for City Runoff Election.</b> Control counties send copies of election registers and records of counted absentee ballots to the non-control county. The non-control county needs these to process vote credit.	
Runoff +9/+10	Thursday, Dec. 10/ Friday, Dec. 11 – 5 p.m.	<b>Recount Request Deadline for City Runoff Election.</b> Written requests must be filed with the auditor by 5 p.m. on the third day after the county canvass of votes.  <b>Auditor’s office must be open until 5 p.m.</b>	§50.48(1)(a)
Runoff + 10	Friday, Dec. 11	<b>City Runoff Election Contest Notice Deadline.</b> Statement of intent to contest election must be filed in the city clerk’s office no later than 10 days after the election.	§376.10
Regular + 45	Friday, Dec. 18	<b>Regular City EDR Acknowledgment Deadline.</b> Last day to mail acknowledgments to voters who registered and voted after the regular city election pre-registration deadline.	§48A.26A(1)
Regular + 60	Saturday, January 2, 2016	<b>Deadline to Update City Regular Election Voter History.</b> Last day to add voter election participation for the regular city election in I-VOTERS.	§48A.38(2)
Runoff + 45	Friday, January 15, 2016	<b>City Runoff EDR Acknowledgment Deadline.</b> Last day to mail acknowledgments to voters who registered and voted after the city runoff election pre-registration deadline.	§48A.26A(1)
Runoff + 60	Saturday, January 30, 2016	<b>Deadline to Update City Runoff Election Voter History.</b> Last day to add voter election participation for the city runoff election in I-VOTERS.	§48A.38(2)



# **Candidate's Guide to the Regular City Election**

**For Cities with Primary Election Provisions**

**City Primary Election Date:  
October 6, 2015 (if held)**

**Regular City Election Date:  
November 3, 2015**

**Prepared by the Office of the Iowa Secretary of State**

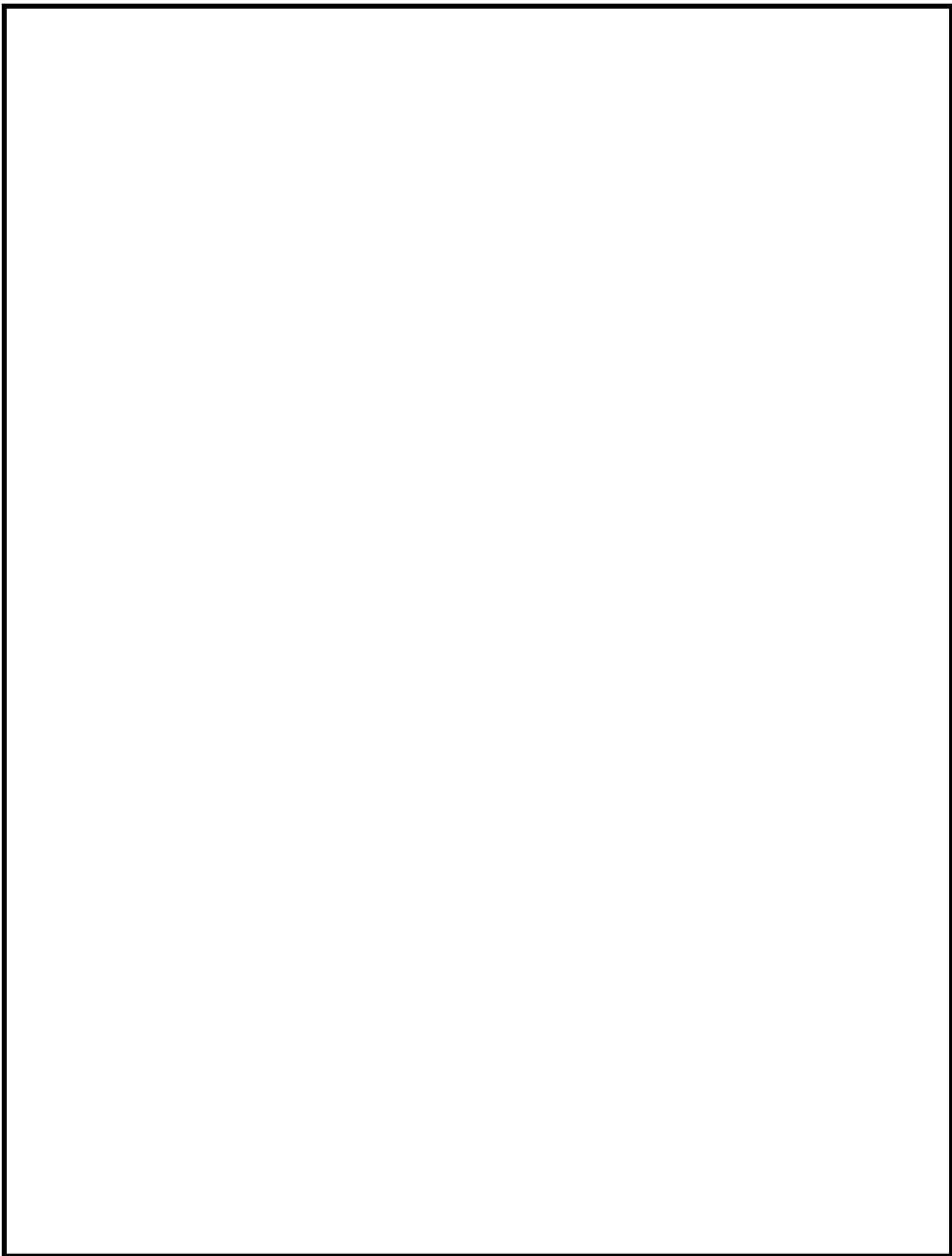
(515) 281-0145

sos@sos.iowa.gov

<http://sos.iowa.gov/elections/candidates/index.html>

For more information, please contact your city clerk or county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



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## Overview

### **What is the City Election?**

The city election is held in odd-numbered years to elect city officers and vote on public measures. All cities will hold a regular city election.

As part of the election process, a city may hold a city primary election before the regular city election.

[§39.3(3)]

### **City Primary Election**

City primary elections are held only in cities where the council has not chosen another nominating process. Check with the city clerk or county auditor to determine if the city has a primary election provision.

The city primary election will only be held when the number of candidates who file nomination papers is more than twice the number of seats to be filled for an office. For example, if three candidates filed nomination papers for mayor, the city primary election must be held.

[§376.3, 376.6(1)]

### **Candidate Qualifications**

A candidate must be an eligible elector in the city and city ward (if any) at the time of filing nomination papers and at the time of the election.

[§376.4(1)]

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)]

## **Control County Auditor**

In cities that cross county lines, the county auditor whose county has the largest taxable base is given the responsibility of conducting the election in that city. Candidate nomination papers are filed with this auditor. This auditor is known as the “control county auditor.”

[§47.2(2)]

## **Nomination Papers**

Each candidate must file an affidavit of candidacy and nomination petitions with the control county auditor. The affidavit of candidacy and nomination petitions must be filed together or they will be rejected.

[§376.4(1)(a)]

Copies of nomination papers are available at the city clerk’s office, county auditor’s office, or on the Secretary of State’s website: <http://sos.iowa.gov/elections/electioninfo/CityElections.html>.

## **Filing Period**

Nomination papers must be filed with the control county auditor during the filing period. They cannot be filed before or after the filing period. The filing period is:

**First day:** Monday, August 10, 2015

**Last day:** Thursday, August 27, 2015 – 5 p.m.

There are no filing fees in Iowa.

[§376.4(1)(a)]

## Preparing Nomination Papers

### Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. The affidavit of candidacy form is available on the Secretary of State's website:

<http://sos.iowa.gov/elections/pdf/candidates/affidavit.pdf>.

The affidavit should include the following information:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included. Please provide the phonetic spelling of the candidate's name. This is helpful when producing audio ballots for voters who are visually impaired. Be as clear as possible. For example, Eisenhower = "EYES-in-how-er."

- Office Sought and Ward (if any)

The name of the office and the city and city ward (if any) that the candidate is running for must be included.

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the city clerk or county auditor with questions about whether you are running to fill a vacancy.

- Type and Date of Election

The 2015 Primary City Election will be held on Tuesday, October 6.

- Candidate's Home Address

Candidates must provide their house number and street name. Mailing address, phone, and email are optional but do assist the county auditor, city clerk, and the public in contacting the candidate.

- Candidate's Affirmation, Signature and Notarization

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit and the notarial officer will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

Affidavits missing the information listed below must be rejected:

- Candidate's name,
- Office sought and ward (if any),
- Candidate's signature, and
- Signature of notary public.

The candidate's party affiliation should be left blank.

[§376.4]

## **Nomination Petitions**

Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed. The nomination petition form is available on the Secretary of State's website: <http://sos.iowa.gov/elections/pdf/candidates/nompctnonpartisan.pdf>.

### **Preparing Nomination Petitions**

Before anyone signs the petition, complete the required information in the header of every petition page.

**Best Practice:** Complete the header on one petition page and make copies of that page so all petition page headings are identical.

The information listed below must appear on each petition header. Signatures cannot be counted on petition pages missing the following information:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- Office Sought

- City Ward (if any)

The candidate must provide the city ward (if any). Signatures on petition pages that do not provide the applicable city ward (when required) cannot be counted.

- Type and Date of Election

The 2015 Primary City Election will be held on Tuesday, October 6.

- Signers' and Candidate's Affirmation of Residence

The following statement must appear on each petition page:

*"We, the undersigned eligible electors of the appropriate county, city, school district, school or community college director district, or other district as established by law, hereby make the nomination outlined above. If the candidate named above accepts the nomination, we believe the candidate is or will be a resident of the appropriate county, city, school district, school or community college director district, or other district established by law as required by law."*

The following information should also appear on each petition header:

- Candidate's County and City of Residence
- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the city clerk and county auditor with questions about whether you are running to fill a vacancy.

[§376.4]

### **Signature Requirements**

The minimum number of signatures needed is at least 10 or two percent of the people who voted for the office at the last regular city election, whichever is greater. Ask the city clerk or county auditor for the minimum number of signatures needed.

#### Elected by Ward

In cities where council members are only voted on by the residents of the ward, petition signers must live within the ward.

#### Elected At-Large

In cities where council members must be residents of a ward but are voted on by the entire city, petition signers may live anywhere in the city.

[§376.4(1)(b)]

## Collecting Signatures

Eligible electors of the city and ward (if applicable) may sign nomination petitions. (See page 1 for the definition of an eligible elector.)

Candidates may sign their own petitions assuming they are eligible electors of the city and ward (if applicable).

Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number, street name, and city. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

[§376.4(2)]

There is no limit on the number of nomination petitions one elector may sign for different candidates.

**Important Note:** Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

## Filing Checklist

- Review affidavit and nomination petition headers.**

Nothing can be added to a notarized affidavit or a petition header if there are signatures on the page. Nomination papers can only be returned to the filer if they have been rejected.

- Count the signatures.**

**Best Practice:** File more than the required number of signatures since it is possible for signatures to be challenged. If there are signatures on a petition that should not be included, simply draw a line through the names. Those signatures will not be counted.

- Make a copy of nominations papers for own records.**

- Bind your nomination papers together.**

Nomination papers may be rejected without examination if not bound together.

**Best Practice:** Use staples or a three-ring binder.

- File both the affidavit and nomination petitions at the same time.**

- File as early as possible.**

Nomination papers will be inspected for completeness before they are accepted for filing. If the papers are filed early, candidates may have time to correct any errors in rejected papers and resubmit them.

Nomination papers may be filed in person or by mail. When filing by mail, postmark dates are irrelevant. The county auditor must receive the papers by 5 p.m. on the filing deadline. If candidates would like to be contacted when their nomination papers have been received, they should indicate that when they mail their papers and include a daytime phone number at which they can be reached.

**Important Note:** It is the responsibility of the candidate to ensure the nomination papers are received by the county auditor before the deadline.

## **After City Primary Election Day (if held)**

### **Who Wins?**

No one is elected at the city primary election. Candidates who receive the most votes are instead nominated to appear on the regular city election ballot, up to twice the number of seats to be filled. For example, if three candidates are running for mayor at a city primary election, the two highest vote-getting candidates will be nominated to appear on the regular city election ballot.

[§376.7(2)]

### **Write-In Votes**

Any person who receives write-in votes at the city primary election and who wants to be eligible for the regular city election must file an affidavit of candidacy. The affidavit must be filed:

- With the county auditor and
- By 5 p.m. on the day following the canvass of votes by the county board of supervisors.

The county auditor must disregard the write-in votes for any write-in candidate who does not file an affidavit of candidacy.

[§376.11(3)]

### **Regular City Election**

Candidates who win nomination at the city primary election will automatically have their names appear on the regular city election ballot on November 3, 2015. No additional paperwork must be filed.

[§376.7(2)]

## After Regular City Election Day

### Who Wins?

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.11(1)]

### Write-In Votes

#### **Write-In Candidate Wins and Accepts**

No affidavit of candidacy is required. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

#### **Write-In Candidate Wins and Declines**

When a write-in candidate wins a city election and does not want the job, the winning candidate may submit a letter of resignation to the city clerk by 5 p.m. on the 10<sup>th</sup> day after the county canvass. If the write-in winner does not resign within 10 days after the county canvass, the office is vacant if the write-in winner fails to take the oath of office at the beginning of the next term.

[§376.11(1)]

If a letter of resignation is submitted within 10 days of the county canvass, the city clerk then notifies the person who received the next-highest number of votes. If there is a tie vote for the next highest number of votes, the board of supervisors draws lots to determine the person who received the next highest number of votes.

[§50.44, 376.11(2)]

If the next highest vote-getter accepts, the person is considered the duly elected officer.

**Exception:** A petition may be filed requesting a special election if the next highest vote-getter takes office. The petition must be signed by eligible electors of the city equal in number to 25% of the people who voted for the office in the election. The petition must be filed within 10 days of the city clerk notifying the next highest vote getter.

[§376.11(2)]

If the next highest vote-getter declines, the person must do so in writing within 10 days of the notice from the city clerk. If this occurs:

- The office is vacant at the end of the term.
- The vacancy must be filled pursuant to §372.13(2).
- If the council chooses to appoint, the appointment may be made before the end of the current term.

[§376.11(2)]

## Frequently Asked Questions

### **Can I run for more than one office?**

No. If a candidate files nomination papers for more than one office appearing on the same ballot, the candidate must file an affidavit on or before the last day to file candidate nomination papers declaring the one office for which the candidate wishes 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 office does not apply to:

- County agricultural extension council members or
- Soil and water conservation district commissioners.

[§39.11, 49.41]

### **Can I hold more than one office?**

Statewide elected officials, state senators, and state representatives cannot hold more than one elective office at 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]

### **What is the Hatch Act?**

The Hatch Act restricts the political activities of people principally employed by state or local government executive agencies in connection with a program financed in whole or in part by federal loans or grants. For more information, contact:

U.S. Office of Special Counsel – Hatch Act Unit  
1730 M. Street, N.W. Suite 218  
Washington, D.C. 20036-4505  
1-800-854-2824 or 202-254-3650  
[hatchact@osc.gov](mailto:hatchact@osc.gov)  
[www.osc.gov/hatchact.htm](http://www.osc.gov/hatchact.htm)

**Who do I contact for questions about nomination papers, filing procedures, and lists of registered voters?**

The Elections Division of the Secretary of State's Office is available to assist with questions about the filing process and to provide lists of registered voters.

- Phone: 1-888-SOS-VOTE or 515-281-0145
- Email: [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov)
- Mail: Lucas Building, 1<sup>st</sup> Floor  
321 E. 12<sup>th</sup> Street  
Des Moines, IA 50319

The Secretary of State's website also provides useful information for candidates on these topics: [sos.iowa.gov/elections/candidates/index.html](http://sos.iowa.gov/elections/candidates/index.html).

**Where can I find information about campaign disclosure and ethics requirements?**

For information about candidates' ethics and campaign filing responsibilities and deadlines, please contact the Iowa Ethics and Campaign Disclosure Board at 515-281-4028 or [www.iowa.gov/ethics](http://www.iowa.gov/ethics).

## 2015 City Primary and Regular City Election Candidates' Calendar

Date	Event	Code Cite
Monday, August 10	<b>City Primary Election Candidate Filing Begins.</b> First day to file nomination papers with the control county auditor.	§376.4(1)(a)
Thursday, August 27 – 5 p.m.	<b>City Primary Election Candidate Filing Deadline.</b> Last day to file nomination papers with the city clerk. Deadline is 5 p.m.	§376.4(1)(a)
Tuesday, September 1	<b>City Primary Election Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the control county auditor.	§44.9(6), 376.4(6)
	<b>City Primary Election Candidate Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with the control county auditor. Deadline is 5 p.m.	§44.4(2), 376.4(6)
Monday, September 7	<b>Labor Day – State Offices Closed.</b>	§1C.1
Tuesday, September 8 – 5 p.m.	<b>City Primary Election Satellite Absentee Voting Station Petition Deadline.</b> A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(b)
Monday, September 21	<b>City Primary Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the city primary election even if they are received after Friday, September 25.	§48A.9(3)
Friday, September 25 - 5 p.m.	<b>City Primary Election Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the city primary election is 5 p.m.  <b>Exception:</b> Mailed voter registration forms postmarked on or before Monday, September 21, are considered on time even if they are received after 5 p.m. today.	§48A.9(1)
Friday, October 2 – 5 p.m.	<b>City Primary Election Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Monday, October 5 – 5 p.m.	<b>City Primary Election Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the county auditor's office.  <b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m.	§53.2(1)(a)
	<b>Regular City Election Satellite Absentee Voting Station Petition Deadline.</b> A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(b)

Date	Event	Code Cite
Tuesday, October 6	<b>City Primary Election Day.</b> Polls are open from 7 a.m. until 8 p.m.	§49.73(1), 376.7
	<b>Exception:</b> The polls may be opened at noon for any city election unless the county auditor receives a petition objecting to the shortened hours.	§49.73(2)
	If the polls open at noon, voters may vote by absentee ballot in person at the county auditor's office from 8 a.m. until 11 a.m.	§53.2(1)(a)
Wednesday, October 7	<b>Special Precinct Board Convened for City Primary Election.</b> The county auditor must convene the special precinct board at noon to consider provisional ballots and absentee ballots that were postmarked Monday, October 5 or earlier.	§50.21, 50.22
Thursday, October 9	<b>County Canvass of Votes for City Primary Election.</b>	§376.7(1)
Friday, October 10 – 5 p.m.	<b>City Primary Election Write-In Nominees' Filing Deadline.</b> Persons nominated by write-in votes in the city primary election must file an affidavit of candidacy with the county auditor by 5 p.m. or their write-in votes will be disregarded.	§376.11(3)
	<b>Recount Request Deadline for City Primary Election.</b> Written requests must be filed with the county auditor by 5 p.m.	§50.48(7)
Friday, October 16	<b>City Primary Election Contest Notice Deadline.</b> Statement of intent to contest election must be filed in the city clerk's office no later than 10 days after the election.	§376.10
Monday, October 19	<b>Regular City Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the regular city election even if they are received after Friday, October 23.	§48A.9(3)
Friday, October 23 - 5 p.m.	<b>Regular City Election Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the regular city election is 5 p.m.	§48A.9(1)
	<b>Exception:</b> Mailed voter registration forms postmarked on or before Monday, October 19, are considered on time even if they are received after 5 p.m. today.	
Friday, October 30 – 5 p.m.	<b>Regular City Election Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Monday, November 2	<b>Regular City Election Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the county auditor's office.	§53.2(1)(a)
	<b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m.	

Date	Event	Code Cite
Tuesday, November 3	<b>Regular City Election Day.</b> Polls are open from 7 a.m. until 8 p.m.	§49.73(1), 376.1
	<b>Exception:</b> The polls may be opened at noon for any city election unless the county auditor receives a petition objecting to the shortened hours.	§49.73(2)
	If the polls open at noon, voters may vote by absentee ballot in person at the county auditor's office from 8 a.m. until 11 a.m.	§53.2(1)(a)
Thursday, November 5	<b>Special Precinct Board Convened for Regular City Election.</b> The county auditor must convene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked Monday, November 2 or earlier.	§50.21, 50.22
Monday, November 9/ Tuesday, November 10	<b>County Canvass of Votes for Regular City Election.</b> May occur on Monday or Tuesday	§50.24
Wednesday, November 11	<b>Veteran's Day – State Offices Closed.</b>	§1C.1
Thursday, November 12/ Friday, November 13 – 5 p.m.	<b>Recount Request Deadline for Cities.</b> Written requests must be with the county auditor by 5 p.m. the third day following the canvass.	§50.48(1)
Friday, November 13	<b>Regular City Election Contest Notice Deadline.</b> Statement of intent to contest election must be filed in the city clerk's office no later than 10 days after the election.	§376.10



# Candidate's Guide to the Regular City Election

November 3, 2015

Prepared by the Office of the Iowa Secretary of State

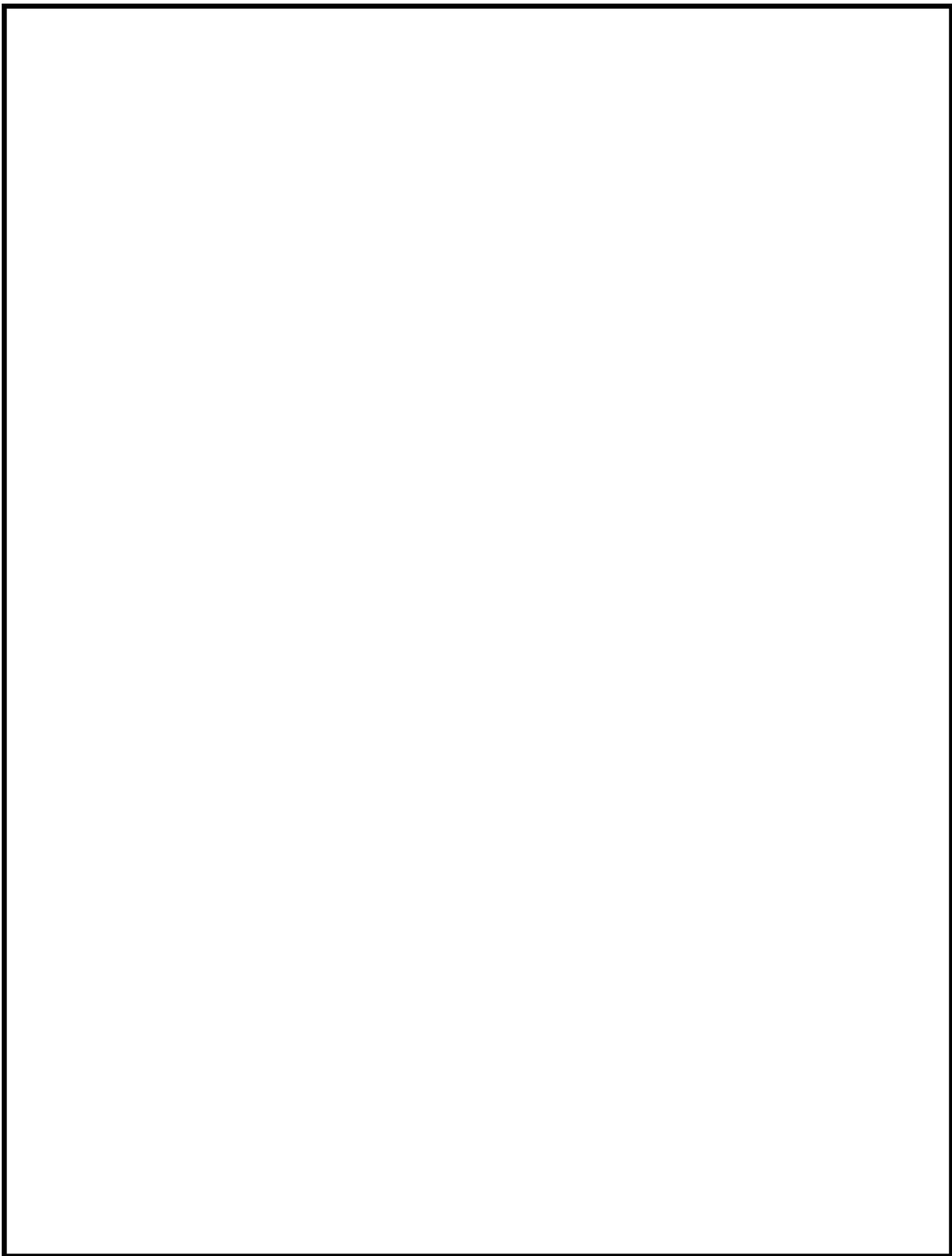
(515) 281-0145

sos@sos.iowa.gov

<http://sos.iowa.gov/elections/candidates/index.html>

For more information, please contact your city clerk or county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



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## Overview

### **What is the City Election?**

The city election is held in odd-numbered years to elect city officers and vote on public measures. All cities will hold a regular city election.

As part of the election process, a city may hold a city runoff after the regular city election if set by city ordinance.

[§39.3(3)]

### **Candidate Qualifications**

A candidate must be an eligible elector in the city and city ward (if any) at the time of filing nomination papers and at the time of the election.

[§376.4(1)]

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)]

### **Control County Auditor**

In cities that cross county lines, the county auditor whose county has the largest taxable base is given the responsibility of conducting the election in that city. Candidate nomination papers are filed with this auditor. This auditor is known as the “control county auditor.”

[§47.2(2)]

## **Nomination Papers**

Candidates for the regular city election in cities without primary election provisions may be nominated by two methods:

1. Circulating nomination petitions (Chapter 45 nominations or runoff provisions)
2. Holding a non-party political organization (NPPO) nomination convention (Chapter 44 nominations)

A NPPO is a political organization that is not a political party as defined by Iowa law.  
[§44.1, 376.3]

Check with the city clerk or county auditor to determine which nomination method is allowed and whether the city has a runoff provision.

Each candidate must file nomination papers with the control county auditor. The affidavit of candidacy and nomination petitions or convention certificate must be filed together or they will be rejected.

[§376.4(1)(a)]

Copies of nomination papers are available at the city clerk's office, county auditor's office, or on the Secretary of State's website: <http://sos.iowa.gov/elections/electioninfo/CityElections.html>.

## **Filing Period**

Nomination papers must be filed with the control county auditor during the filing period. They cannot be filed before or after the filing period. The filing period is:

**First day:** Monday, August 24, 2015

**Last day:** Thursday, September 17, 2015 – 5 p.m.

There are no filing fees in Iowa.

[§376.4(1)(a)]

## Preparing Nomination Papers

### Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. The affidavit of candidacy form is available on the Secretary of State's website:

<http://sos.iowa.gov/elections/pdf/candidates/affidavit.pdf>.

The affidavit should include the following information:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included. Please provide the phonetic spelling of the candidate's name. This is helpful when producing audio ballots for voters who are visually impaired. Be as clear as possible. For example, Eisenhower = "EYES-in-how-er."

- Office Sought and Ward (if any)

The name of the office and the city and city ward (if any) that the candidate is running for must be included.

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the city clerk or county auditor with questions about whether you are running to fill a vacancy.

- Type and Date of Election

The 2015 Regular City Election will be held on Tuesday, November 3.

- Candidate's Home Address

Candidates must provide their house number and street name. Mailing address, phone, and email are optional but do assist the county auditor, city clerk, and the public in contacting the candidate.

- Candidate's Affirmation, Signature and Notarization

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit and the notarial officer will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

Affidavits missing the information listed below must be rejected:

- Candidate's name,
- Office sought and ward (if any),
- Candidate's signature, and
- Signature of notary public.

[§376.4]

The candidate's party affiliation should be left blank.

## **Nomination Petitions**

Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed. The nomination petition form is available on the Secretary of State's website: <http://sos.iowa.gov/elections/pdf/candidates/nompctnonpartisan.pdf>.

### **Preparing Nomination Petitions**

Before anyone signs the petition, complete the required information in the header of every petition page.

**Best Practice:** Complete the header on one petition page and make copies of that page so all petition page headings are identical.

The information listed below must appear on each petition header. Signatures cannot be counted on petition pages missing the following information:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- Office Sought

- City Ward (if any)

The candidate must provide the city ward (if any). Signatures on petition pages that do not provide the applicable city ward (when required) cannot be counted.

- Type and Date of Election

The 2015 Regular City Election will be held on Tuesday, November 3.

- Signers' and Candidate's Affirmation of Residence

The following statement must appear on each petition page:

*"We, the undersigned eligible electors of the appropriate county, city, school district, school or community college director district, or other district as established by law, hereby make the nomination outlined above. If the candidate named above accepts the nomination, we believe the candidate is or will be a resident of the appropriate county, city, school district, school or community college director district, or other district established by law as required by law."*

The following information should also appear on each petition header:

- Candidate's County and City of Residence
  
- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the city clerk and county auditor with questions about whether you are running to fill a vacancy.

[§376.4]

## **Signature Requirements for Cities Without Runoff Provisions (Chapter 45 nominations)**

The minimum number of signatures needed is dependent on the size of the city.

- For cities with a population of 3,500 or greater: at least 25 signatures
- For cities with a population between 100 and 3,499: at least 10 signatures
- For cities with a population of 99 or less: at least 5 signatures

### Elected by Ward

In cities where council members are only voted on by the residents of the ward, petition signers must live within the ward.

### Elected At-Large

In cities where council members must be residents of a ward but are voted on by the entire city, petition signers may live anywhere in the city.

[§45.1(8)]

## **Signature Requirements for Cities with Runoff Provisions**

The minimum number of signatures needed is at least 10 or two percent of the number of people who voted for the office at the last regular city election, whichever is greater.

Ask the city clerk or county auditor for the minimum number of signatures needed.

### Elected by Ward

In cities where council members are only voted on by the residents of the ward, petition signers must live within the ward.

### Elected At-Large

In cities where council members must be residents of a ward but are voted on by the entire city, petition signers may live anywhere in the city.

[§376.4(1)(b)]

## Collecting Signatures

Eligible electors of the city and ward (if applicable) may sign nomination petitions. (See page 1 for the definition of an eligible elector.)

Candidates may sign their own petitions assuming they are eligible electors of the city and ward (if applicable).

Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number, street name, and city. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

[§376.4(2)]

There is no limit on the number of nomination petitions one elector may sign for different candidates.

**Important Note:** Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

## **Convention Certificate (Chapter 44 – Nominated by NPPO Convention)**

Non-party political organizations (NPPOs) may make nominations by convention in some cities. Candidates who are not members of any political organization may not be nominated by convention.

**Important Note:** Candidates nominated by NPPO convention will not have the name of the NPPO follow their name on the ballot because the city election is a non-partisan election.

### **Minimum Number of Convention Attendees**

At least ten eligible electors must be in attendance at the convention and at least half of the precincts in the city must be represented by those electors. (See page 1 for definition of eligible elector.)

If the minimum attendance requirements are not met for the specific office for which a nomination is being made, the nominations made at the convention cannot be included on the ballot.

[§44.1]

### **Completing the Convention Certificate**

The convention certificate must include the following information:

- Name of NPPO

The name of the organization may not exceed five words and no part or version of the words Democratic or Republican may be used as part of the NPPO's name.

- Candidate's Name

- Office Sought and Ward (if any)

- Candidate's Home Address

Candidates must provide their house number and street name.

- Names and Addresses of NPPO's Executive or Central Committee Members

- Method for Filling Ballot Vacancies

NPPOs may specify the organization's provisions (if any) for filling vacancies in nominations. If it wishes to make a substitution for a ballot vacancy, the NPPO must file these provisions.

- Affidavit and Addresses Chairperson and Secretary

The chairperson and secretary of the convention must certify the certification of nomination from the convention. They must also include their places of residence.

- Names and Addresses of Each Delegate in Attendance at Convention

The convention certificate should also include the following information:

- Date of Convention

- Type and Date of Election

The 2015 Regular City Election will be held on Tuesday, November 3.

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The “yes” box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term. Contact the city clerk and county auditor with questions about whether you are running to fill a vacancy.

When more than one candidate has been nominated at the same convention, those nominations may be added to the certificate by including the required information and using a separate sheet of paper.

[§44.3]

## Filing Checklist

- Review affidavit and nomination petition headers or convention certificate.**

Nothing can be added to a notarized affidavit, a petition header, or a convention certificate if there are signatures on the page. Nomination papers can only be returned to the filer if they have been rejected.

- Count the signatures.**

**Best Practice:** File more than the required number of signatures since it is possible for signatures to be challenged. If there are signatures on a petition that should not be included, simply draw a line through the name. Those signatures will not be counted.

- Make a copy of nominations papers for own records.**

- Bind your nomination papers together.**

Nomination papers may be rejected without examination if not bound together.

**Best Practice:** Use staples or a three-ring binder.

- File both the affidavit and nomination petitions or convention certificate at the same time.**

- File as early as possible.**

Nomination papers will be inspected for completeness before they are accepted for filing. If nomination papers are filed early, candidates may have time to correct any errors in rejected papers and resubmit them.

Nomination papers may be filed in person or by mail. When filing by mail, postmark dates are irrelevant. The county auditor must receive the papers by 5 p.m. on the filing deadline. If candidates would like to be contacted when their nomination papers have been received, they should indicate that when they mail their papers and include a daytime phone number at which they can be reached.

**Important Note:** It is the responsibility of the candidate to ensure the nomination papers are received by the county auditor before the deadline.

## After Regular City Election Day

### Cities Without Runoff Provisions

#### Who Wins?

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.11(1)]

#### Write-In Votes

##### Write-In Candidate Wins and Accepts

If a write-in candidate wins and accepts, the candidate is declared elected as if their name had been printed on the ballot. The person does not need to file an affidavit of candidacy.

[§376.11(1)]

##### Write-In Candidate Wins and Declines

When a write-in candidate wins a city election and does not want the job, the winning candidate may submit a letter of resignation to the city clerk by 5 p.m. on the 10<sup>th</sup> day after the county canvass. If the write-in winner does not resign within 10 days after the canvass, the office is vacant if the write-in winner fails to take the oath of office at the beginning of the next term.

[§376.11(1)]

If a letter of resignation is submitted within 10 days of the county canvass, the city clerk then notifies the person who received the next-highest number of votes. If there is a tie vote for the next highest number of votes, the board of supervisors draws lots to determine the person who received the next highest number of votes.

[§50.44, 376.11(2)]

If the next highest vote-getter accepts, the person is considered the duly elected officer.

**Exception:** A petition may be filed requesting a special election if the next highest vote-getter takes office. The petition must be signed by eligible electors of the city equal in number to 25% of the people who voted for the office in the election. The petition must be filed within 10 days of the city clerk notifying the next highest vote getter.

[§376.11(2)]

If the next highest vote-getter declines, the person must do so in writing within 10 days of the notice from the city clerk. If this occurs:

- The office is vacant at the end of the term.
- The vacancy must be filled pursuant to §372.13(2).
- If the council chooses to appoint, the appointment may be made before the end of the current term.

[§376.11(2)]

## Cities With Runoff Provisions

### **Who Wins?**

It depends. If a city has a runoff provision, all candidates must receive a majority of the votes cast to be declared elected at the regular city election.

### Majorities in “Vote for No More Than One” Races

A simple majority is needed to be declared elected at the regular city election in a city with a runoff provision. A simple majority is at least one vote more than 50% of the total votes cast.

If no candidate receives a majority in this type of race, a runoff must be held between the two highest vote getters. For example, a runoff for the office of mayor will have two candidates on the runoff ballot.

[§376.8(2), 376.9(1)]

If there is a tie, the board of supervisors must draw lots.

[§50.44]

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

A majority is found by dividing the total number of votes cast for all candidates for that body by the number of positions to be filled then dividing that by 2 and adding 1. Total votes cast equals the votes cast for all candidates plus write-ins (do not include over and under votes).

If no candidate receives a majority in this type of race or if not enough candidates received a majority to fill all the seats, a runoff will be held to fill the remaining seat(s). The number of candidates on the runoff ballot will equal twice the number of seats to be filled.

[§376.8, 376.9(1)]

**Example:** Happytown has a five member at-large city council and a runoff provision. At the regular city election, three at-large seats are on the ballot. There were eight candidates on the ballot and 15,876 total votes cast (TVC).

To determine the majority:

1. Divide the TVC by the number of seats to be filled:  $15,876 \div 3 = 5,292$
2. Divide 5,292 by 2 = 2,646
3. Add one to 2,646 = 2,647 (always round up if necessary)

The majority is 2,647.

The highest vote-getter, Tom, received 8,215 votes so Tom won this council seat with a majority of the votes. A runoff is not necessary for this seat.

The second highest vote-getter, Nancy, received 2,488 votes. The third highest vote-getter, Mark, received 1,774 votes. Neither of these candidates received a majority (2,647) so two of the three council seats require a runoff between the highest vote-getters. The number of candidates on the runoff ballot will equal twice the number of seats to be filled. There are two seats left to be filled in Happytown so the four highest vote-getters who did not receive a majority will appear on the runoff ballot.

[§376.8]

### **Write-In Votes in Cities with Runoff Provisions**

#### Write-In Candidate Receives Majority at Regular City Election and Declines

1. The winner must file a notice of resignation with the county auditor by 5 p.m. on the day following the canvass.
2. All remaining persons who received write-in votes and who want to be on the run-off ballot must file affidavits of candidacy with the county auditor by 5 p.m. on the fourth day following the canvass. The auditor should notify the write-in candidates of this requirement.
3. The runoff election must still be held even if one of the remaining candidates has a majority of the votes after the write-in votes of candidates that fail to file an affidavit are disregarded.

[§376.11(4)]

#### Runoff Election Necessary Because No Candidate(s) Received the Majority and Write-In Votes Were Cast for that Office

1. Everyone who received write-in votes and who wants to appear on the runoff election ballot must file an affidavit of candidacy with the county auditor by 5 p.m. on the day after the canvass. The write-in votes received by a person who does not file an affidavit will be disregarded. The auditor should notify the write-in candidates of this requirement.
2. The runoff election must still be held even if one of the remaining candidates has a majority of the votes after the write-in votes of candidates that file to file an affidavit are disregarded.

[§376.11(5)]

## After the Runoff City Election

### **Who Wins?**

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.9]

### **Write-In Votes**

No affidavit of candidacy is required. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

## Frequently Asked Questions

### **Can I run for more than one office?**

No. If a candidate files nomination papers for more than one office appearing on the same ballot, the candidate must file an affidavit on or before the last day to file candidate nomination papers declaring the one office for which the candidate wishes 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 office does not apply to:

- County agricultural extension council members or
- Soil and water conservation district commissioners.

[§39.11, 49.41]

### **Can I hold more than one office?**

Statewide elected officials, state senators, and state representatives cannot hold more than one elective office at 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]

### **What is the Hatch Act?**

The Hatch Act restricts the political activities of people principally employed by state or local government executive agencies in connection with a program financed in whole or in part by federal loans or grants. For more information, contact:

U.S. Office of Special Counsel – Hatch Act Unit  
1730 M. Street, N.W. Suite 218  
Washington, D.C. 20036-4505  
1-800-854-2824 or 202-254-3650  
[hatchact@osc.gov](mailto:hatchact@osc.gov)  
[www.osc.gov/hatchact.htm](http://www.osc.gov/hatchact.htm)

**Who do I contact for questions about nomination papers, filing procedures, and lists of registered voters?**

The Elections Division of the Secretary of State's Office is available to assist with questions about the filing process and to provide lists of registered voters.

- Phone: 1-888-SOS-VOTE or 515-281-0145
- Email: [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov)
- Mail: Lucas Building, 1<sup>st</sup> Floor  
321 E. 12<sup>th</sup> Street  
Des Moines, IA 50319

The Secretary of State's website also provides useful information for candidates on these topics: [sos.iowa.gov/elections/candidates/index.html](http://sos.iowa.gov/elections/candidates/index.html).

**Where can I find information about campaign disclosure and ethics requirements?**

For information about candidates' ethics and campaign filing responsibilities and deadlines, please contact the Iowa Ethics and Campaign Disclosure Board at 515-281-4028 or [www.iowa.gov/ethics](http://www.iowa.gov/ethics).

## 2015 Regular City Election and City Runoff Election Candidates' Calendar

Date	Event	Code Cite
Monday, August 24	<b>Regular City Election Candidate Filing Begins.</b> First day to file nomination papers with the county auditor.	§376.4(1)(a)
Thursday, September 17 – 5 p.m.	<b>Regular City Election Candidate Filing Deadline.</b> Last day to file nomination papers with the county auditor. Deadline is 5 p.m.	§376.4(1)(a)
Tuesday, September 22 – 5 p.m.	<b>Regular City Election Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the county auditor.	§44.9(6), 376.4(6)
	<b>Regular City Election Candidate Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with the county auditor. Deadline is 5 p.m.	§44.4(2), 376.4(6)
Monday, October 5 – 5 p.m.	<b>Regular City Election Satellite Absentee Voting Station Petition Deadline.</b> A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(b)
Monday, October 19	<b>Regular City Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the regular city election even if they are received after Friday, October 23.	§48A.9(3)
Friday, October 23 - 5 p.m.	<b>Regular City Election Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the regular city election is 5 p.m.  <b>Exception:</b> Mailed voter registration forms postmarked on or before Monday, October 19, are considered on time even if they are received after 5 p.m. today.	§48A.9(1)
Friday, October 30 – 5 p.m.	<b>Regular City Election Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Monday, November 2	<b>Regular City Election Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the county auditor's office.  <b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m.	§53.2(1)(a)
Tuesday, November 3	<b>Regular City Election Day.</b> Polls are open from 7 a.m. until 8 p.m.  <b>Exception:</b> The polls may be opened at noon for any city election unless the county auditor receives a petition objecting to the shortened hours.  If the polls open at noon, voter may vote by absentee ballot in person at the county auditor's office from 8 a.m. until 11 a.m.	§49.73(1), 49.73(3), 376.1  §53.2(1)(a)

Date	Event	Code Cite
Wednesday, November 4	<b>Special Precinct Board Convened at Noon for Cities with Runoff Provisions.</b> The auditor must convene the special precinct board at noon to consider provisional ballots and absentee ballots that were postmarked Monday, November 2 or earlier.	\$50.21, 50.22
Thursday, November 5	<b>County Canvass of Votes for Regular City Election for Cities with Runoff Provisions.</b> Must occur this day no earlier than 1 p.m.	§376.9(1)
Thursday, November 5	<b>Special Precinct Board Convened for Cities without Runoff Provisions.</b> The auditor may convene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked Monday, November 2 or earlier.	\$50.21, 50.22
Friday, November 6 – 5 p.m.	<b>Recount Request Deadline for Cities with Runoff Provisions.</b> Written requests must be filed with the county auditor by 5 p.m. on the third day following the election.  <b>Last Day for Write-in Candidates to File Affidavits of Candidacy for City Runoff Election.</b> In cities with runoff provisions, candidates who received write-in votes at the regular city election must file affidavits of candidacy not later than the day after the canvass to become eligible for the city runoff election. Deadline is 5 p.m.	§50.48(7)  §376.11(5)
Monday, November 9/ Tuesday, November 10	<b>County Canvass of Votes for Regular City Election for Cities without Runoff Provisions.</b> May occur either Monday or Tuesday.	§50.24(1)
Tuesday, November 10 – 5 p.m.	<b>City Runoff Election Satellite Absentee Voting Station Petition Deadline.</b> A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(c)
Wednesday, November 11	<b>Veteran’s Day – State Offices Closed.</b>	§1C.1
Thursday, November 12/ Friday, November 13 – 5 p.m.	<b>Recount Request Deadline for Cities without Runoff Provisions.</b> Written requests must be filed with the county auditor by 5 p.m. on the third day after the canvass of votes.	§50.48(1)
Friday, November 13	<b>Regular City Election Contest Notice Deadline.</b> Statement of intent to contest election must be filed in the city clerk’s office no later than 10 days after the election.	§376.10
Monday, November 16	<b>City Runoff Election Worry-Free Postmark Date.</b> Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the runoff city election even if they are received after Friday, November 20.	§48A.9(3)

Date	Event	Code Cite
Friday, November 20 – 5 p.m.	<p><b>City Runoff Election Pre-Registration Deadline.</b> The deadline to pre-register to vote for the runoff city election is 5 p.m.</p> <p><b>Exception:</b> Mailed voter registration forms postmarked on or before Monday, November 16, are considered on time even if they are received after 5 p.m. today.</p>	§48A.9(1)
Wednesday, November 25 – 5 p.m.	<p><b>City Runoff Election Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m. <i>Deadline moved due to Thanksgiving holiday unless the auditor's office is open on Friday.</i></p>	§53.2(1)(b)
Thursday, November 26 – Friday, November 27	<b>Thanksgiving Holiday – State Offices Closed.</b>	§1C.1
Monday, November 30	<p><b>City Runoff Election Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the county auditor's office.</p> <p><b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m.</p>	§53.2(1)(a)
Tuesday, December 1	<p><b>City Runoff Election Day (if necessary).</b> Runoff is only held in cities with runoff provisions for offices in which no one received a majority of votes at the regular city election or if a write-in winner refused the office.</p> <p>Polls are open from 7 a.m. until 8 p.m.</p> <p><b>Exception:</b> The polls may be opened at noon for any city election unless the county auditor receives a petition objecting to the shortened hours.</p> <p>If the polls open at noon, voter may vote by absentee ballot in person at the county auditor's office from 8 a.m. until 11 a.m.</p>	§49.73(1), 376.9, 376.11
Thursday, December 3	<p><b>Special Precinct Board Convened at Noon for City Runoff Election.</b> The auditor may convene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked Monday, November 30 or earlier.</p>	§50.21, 50.22
Monday, December 7/ Tuesday, December 8	<p><b>County Canvass of Votes for City Runoff Election.</b> May occur either Monday or Tuesday.</p>	§50.24(1)
Thursday, December 10/ Friday, December 11– 5 p.m.	<p><b>City Runoff Election Recount Request Deadline.</b> Written requests for a recount must be filed with the county auditor by 5 p.m. on the third day after the canvass of votes.</p>	§50.48(1)(a)
Friday, December 11	<p><b>City Runoff Election Contest Notice Deadline.</b> Statement of intent to contest election must be filed in the city clerk's office no later than 10 days after the election.</p>	§376.10

# City Clerk's Guide

*Revised March 2015*

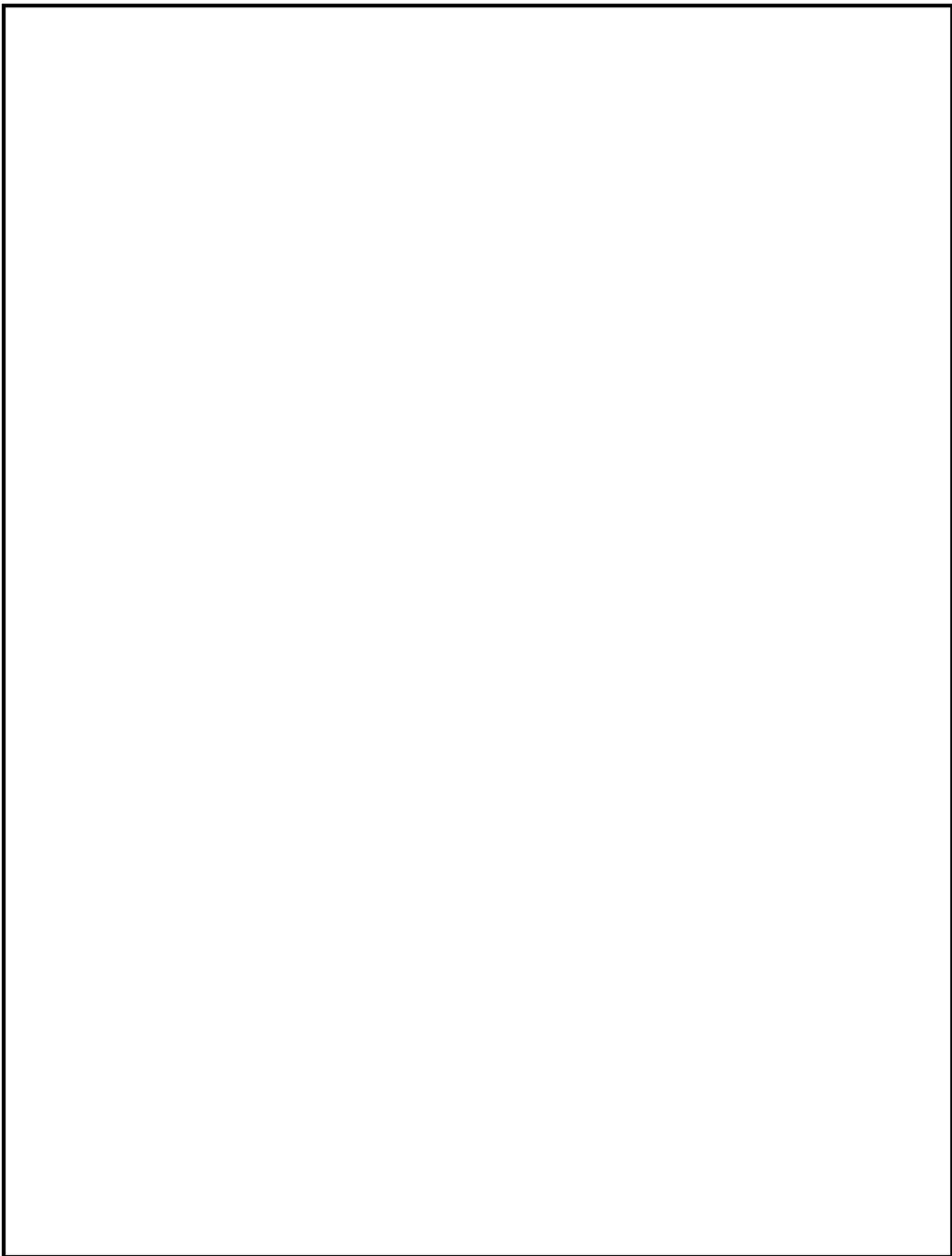
**Prepared by the Office of the Iowa Secretary of State**

(515) 281-0145  
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<http://sos.iowa.gov/elections/cities.html>

For more information, please contact the Secretary of State's Office or the county auditor.

**Important Note:** The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



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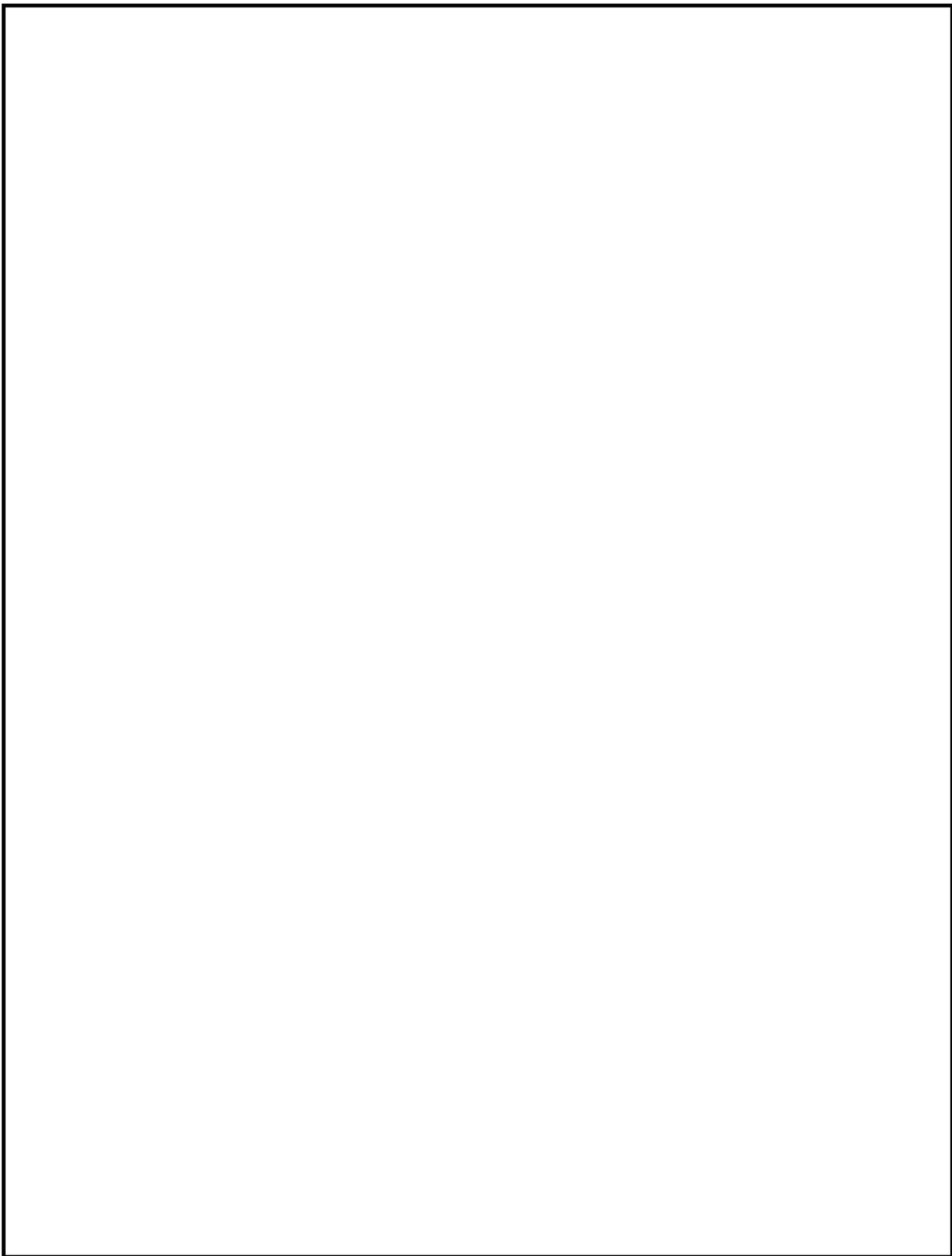
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## Responsibilities and Planning Tips

### **Control County Auditor**

In cities that cross county lines, the county auditor whose county has the largest taxable base is given the responsibility of conducting the election in that city. Candidate nomination papers are filed with this auditor. This auditor is known as the “control county auditor.”

[§47.2(2)]

### **Communicate with County Auditor**

During April or May of odd-numbered years, the county auditor may provide you with a worksheet to review plans for the city election. Please complete and return the planning worksheet to the county auditor. If you do not receive a worksheet, you can find one on the Secretary of State’s website at <http://sos.iowa.gov/elections/cities.html>.

Work with the county auditor to prepare a list of offices to be filled at the city election. Make the list available to the public. The list should include the following:

- The correct title for each office
- Whether the office is voted for by ward or at-large
- The minimum number of signatures needed to gain ballot access
- Indicate whether an office is on the ballot to fill a vacancy

#### **Important Note:**

For cities with primary election provisions, any offices not expiring in the year of the regular city election that were filled by appointment between the last regular city election and 73 days before the regular city election, must be included on the ballot for the regular city election as “To Fill Vacancy.”

For cities without primary election provisions, any offices not expiring in the year of the regular city election that were filled by appointment between the last regular city election and 52 days before the regular city election must be included on the ballot for the regular city election as “To Fill Vacancy.”

[§69.12(1)(a)(2), 372.13(2)(a)]

See the Auditor’s Calendar for the City Election for specific dates:

<http://sos.iowa.gov/elections/cities.html>.

### **Public Measures**

Before the filing period begins, check with the city council to see whether they wish to include any public measures on the regular city election ballot. Cities must submit to the auditor the text of any public measure(s) and the action(s) taken by the council to place the question(s) on the ballot by 5 p.m. the day the candidate filing period ends.

[§376.4(6)]

## **Certify City's Nomination Process**

The city clerk must certify to the county auditor the type of nomination process adopted by the city no later than 90 days before the regular city election. Any nomination method other than primary election must be adopted by ordinance. After certification, the nomination process cannot be changed by the city council unless the change will take effect after the upcoming city election.

[§376.6(2)]

There are five possible election/nomination method combinations.

1. A city primary election (if necessary) followed by a regular city election. Candidates file petitions to have names placed on the primary election ballot.
2. A regular city election with candidates nominated by petition or by convention (Chapter 44 and 45 cities)
3. A regular city election with candidates nominated by petition (Chapter 45 cities)
4. A regular city election with candidates nominated by convention (Chapter 44 cities)
5. A regular city election followed by a city runoff (if necessary). Candidates file petitions to have names placed on the regular city election ballot.

## **Distributing Nomination Papers**

Nomination papers and candidate guides are available on the Secretary of State's website at <http://sos.iowa.gov/elections/electioninfo/cityelections.html>.

Provide nomination papers and candidate's guides to anyone who requests them. It is not necessary for the city clerk to fill out the headers of the petitions for candidates or record names of people who request papers.

Candidates may start circulating nomination papers at any time.

## City Elections

### City Primary Election

All cities have a primary provision unless the council has passed an ordinance specifying another type of nomination.

[§376.6]

### **Candidate Nomination Papers**

Candidates must file nomination papers (an affidavit of candidacy and nomination petitions) during the city primary election filing period. The filing period for a city that may need to hold city primary elections is shorter and earlier than it is for cities without city primary election provisions.

### **When Held**

A city primary election must be held when the number of candidates who file nomination papers is more than twice the number of seats to be filled for a particular office. For example, if three candidates filed nomination papers for mayor, the city primary election must be held.

[§376.6]

If held, the city primary election is held on the Tuesday four weeks before the date of the regular city election.

[§376.7(1)]

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

At city primary elections, the ballots should instruct the voters to choose up to the number of candidates who will ultimately be elected for that office at the regular city election. For example, if two at-large city council members will be elected and five candidates are seeking election, ballots should instruct voters to “Vote for no more than two” even though a total of four candidates will be nominated at the city primary election.

[§376.7(1)]

Candidates who receive the most votes at the city primary election are nominated to appear on the regular city election ballot, up to twice the number of seats to be filled. For example, if three candidates are running for one office of mayor at the city primary election, the two candidates who receive the most votes will appear on the regular city election ballot.

[§376.7(2)]

## **Regular City Election**

### **When Held**

All cities hold a regular city election regardless of the nomination method in place in the city. [§376.1]

Cities that have authorized nomination by petition (Chapter 45), nomination by convention (Chapter 44), or both will only hold a regular city election, regardless of how many candidates file nomination papers for any office.

The regular city election is the final election for cities with primary provisions and cities that have authorized nominations under Chapter 44, 45, or both. For cities with runoff provisions, the regular city election may or may not be the final election.

### **Candidate Nomination Papers**

#### **Nomination by Petition (Chapter 45)**

Candidates collect signatures on nomination petitions to get their names on the ballot at the regular city election. [§45.1(8)]

#### **Nomination by Convention (Chapter 44)**

Candidates are nominated by conventions of non-party political organizations (NPPOs). Iowa law calls a political organization not meeting the requirements to become a political party a NPPO. NPPOs do not need to file any special paperwork to be officially recognized by the state. Candidates who are not members of any political organization may not be nominated by convention. [§44.1]

**Important Note:** Candidates nominated by NPPO convention will not have the name of the NPPO follow their name on the ballot because the city election is a non-partisan election.

## **City Runoff Election**

### **Candidate Nomination Papers**

Candidates must file nomination papers (an affidavit of candidacy and nomination petitions) to have their names placed on the regular city election ballot.

[§376.4(1)]

### **When Held**

City runoff elections are only held in cities that have authorized a runoff provision by ordinance.

A city runoff election is held if one of the following occurs:

- No candidate received a majority of the votes cast for a particular office at the regular city election

OR

- A write-in candidate received a majority of the votes cast at the regular city election and then declined the office.

If necessary, the city runoff election is always held four weeks after the regular city election. Once nominated at the regular city election, candidates cannot withdraw before the city runoff election. If a city runoff election occurs, it is the final election.

The county board of supervisors canvasses the votes from the regular city election to determine which names appear on the ballot at the runoff election (if any). The names of candidates that received the most votes at the regular city election will be placed on the city runoff election ballot, up to twice the number of seats to be filled. For example, if three at-large city council members will be elected, six candidates will be listed on the city runoff election ballot if no candidate received a majority of the votes cast.

[§376.9(2), 376.8(2)]

## **Nomination Petition Signature and NPPO Convention Requirements**

### **Nomination Petition Overview**

Signatures must be valid at the time the petitions are filed. Petitions signers must be eligible to register to vote in the city or ward (if applicable), but they are not required to be registered voters.

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)]

Advise candidates that the number of signatures required is the minimum number of signatures needed to get the candidate's name on the ballot. Candidates should collect and file more than the minimum number. The number of signatures required varies with the type of nomination process.

## Signature Requirements for Nomination Petitions

Non-Partisan Offices	Signatures Needed
City Offices	<p style="text-align: center;"><u>Primary or Runoff Provision Cities:</u> At least 10 or 2% of number of people who voted for the office at last regular city election [§376.4]</p> <p style="text-align: center;"><u>Chapter 45 Cities:</u></p> <ul style="list-style-type: none"> <li>▪ For cities with a population of 3,500 or greater, at least 25 eligible electors of city or ward.</li> <li>▪ For cities with a population between 100 and 3,499, at least 10 eligible electors of city or ward.</li> <li>▪ For cities with a population less than 100, at least 5 eligible electors of city or ward.</li> </ul> <p style="text-align: right;">[§45.1(8)]</p>

### **Multimember Offices in Cities with Primary or Runoff Provisions**

If more than one person was elected to an office at the previous regular city election, divide the total votes cast for the office by the number of seats to be filled, then multiply that number by 0.02. If the result is a fraction, round up.

Total votes cast equals the votes cast of all candidates plus write-ins (do not include over and undervotes).

[IAC 721—21.401]

For example, Happytown has primary election provisions and had three at-large seats on the ballot at the last election. There were a total of 15,876 total votes cast.

1. Divide the total votes cast by the number of seats that were filled:  $15,876 \div 3 = 5,292$ .
2. Multiply 5,292 by 0.02 = 105.84.
3. Round up, so each candidate needs to collect at least 106 signatures.

### **Cities with Wards**

#### Elected by Ward

In cities where council members are only voted on by the residents of the ward, petition signers must live within the ward.

#### Elected At-Large

In cities where council members must be resident of a ward but are voted on by the entire city, petition signers may live anywhere in the city.

**NPPO Convention Attendance Requirements for Chapter 44 Cities**

Candidates nominated by convention need at least 10 attendees at the convention. At least half of the precincts in the city must be represented by at least one eligible elector.

If the minimum attendance requirements are not met, the nominations made at the convention cannot be included on the ballot.

[§44.1]

## Filing Period

### Overview

The control county auditor is the filing officer for candidate nomination papers for the regular city and special city elections.

**Best Practice:** Review the Filing Officer's Guide before the filing period begins. It provides information on the process the county auditor follows for receiving and reviewing nomination papers, which may be helpful when assisting candidates. The Filing Officer's Guide is available on the Secretary of State's website at: <http://sos.iowa.gov/elections/cites.html>.

### Dates of Filing Period

The filing period varies by the type of nomination method a city has authorized.

For cities with primary election provisions, the filing period begins 85 days before the regular city election and ends at 5 p.m. on the 68th day before the regular city election.

For cities without primary election provisions, the filing period begins 71 days before the regular city election and ends at 5 p.m. on the 47th day before the regular city election.

**Important Note:** Auditors' offices are required by law to be open until 5 p.m. on the last day for candidates to file and on the last day to file objections.

[§44.4(1), 376.4(3)]

For specific dates in a given year, see the calendar in the City Candidate's Guides or the City Election Calendar: <http://sos.iowa.gov/elections/cites.html>.

### Public Measures

By 5 p.m. on the last day of the filing period, deliver to the county auditor a copy of the official city council action directing the county auditor to include public measures on the city election ballot (if any). The information given to the auditor must include the complete text of all public measures.

[§376.4(5A)]

## **Withdrawals and Objections**

Candidate withdrawals and objections to nomination papers must be submitted in writing to the county auditor by 5 p.m. on the day of the deadline.

The withdrawal and objection deadlines vary by the type of election a city has authorized:

- **Cities with primary election provisions:**

63 days before the regular city election

- **All other cities, including cities with runoff provisions:**

42 days before the regular city election

[§44.9(6), 376.4(7)]

## Post Election Day

### City Primary Election

#### Who Wins?

No one is elected at the city primary. Candidates who receive the most votes are instead nominated to appear on the regular city election ballot, up to twice the number of seats to be filled. For example, if three candidates are running for mayor at a city primary election, the two highest vote-getting candidates will be nominated to appear on the regular city election ballot.

[§376.7(2)]

#### Write-In Votes

Any person who receives write-in votes at the city primary election and who wants to be eligible for the regular city election must file an affidavit of candidacy. The affidavit must be filed:

- By 5 p.m. on the day following the canvass and
- With the auditor.

The auditor must disregard the write-in votes for any write-in candidate who does not file an affidavit of candidacy.

Notations must be made on the abstract showing which persons received write-in votes and filed affidavits of candidacy.

The total number of votes cast for the office must be amended by subtracting the write-in votes of the candidate(s) who did not file the affidavit.

[§376.11(3)]

## **Regular City Election Without Runoff Provisions**

### **Who Wins?**

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.11(1)]

### **Write-In Votes**

#### **Write-In Candidate Wins and Accepts**

No affidavit of candidacy is required. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

#### **Write-In Candidate Wins and Declines**

If a write-in candidate wins a city election and does not want the job, the winning write-in candidate may submit a letter of resignation to the city clerk by 5 p.m. on the 10th day after the canvass. If the write-in winner does not resign within 10 days after the county canvass, the office is vacant if the write-in winner fails to take the oath of office at the beginning of the next term.

[§376.11(1)]

If the write-in winner submits a letter of resignation within 10 days of the canvass, the city clerk must notify the person who received the next highest number of votes that they may assume the office at the beginning of the next term. If there is a tie vote for the next highest number of votes, the board of supervisors draws lots to determine the person who received the next highest number of votes.

[§50.44, 376.11(2)]

If the next highest vote-getter accepts by taking the oath of office at the beginning of the next term, that person is considered the duly elected officer.

**Exception:** A petition may be filed requesting a special election in the event the next highest vote-getter is notified. The petition must be signed by eligible electors of the city equal in number to 25% of the people who voted for the office in the election. The petition must be filed within 10 days of the city clerk notifying the next highest vote getter.

[§376.11(2)]

If the next highest vote getter declines, the person must do so in writing within 10 days of the notice from the city clerk. If this occurs:

- The office is vacant at the end of the term.
- The vacancy must be filled pursuant to §372.13(2).
- If the council chooses to appoint, the appointment may be made before the end of the current term.

[§376.11(2)]

## **Regular City Election With Runoff Provisions**

### **Who Wins?**

It depends. If a city has run off provisions, all candidates must receive a majority of the votes cast to be declared elected at the regular city election.

### **Majorities in “Vote for No More than One” Races**

In cities with runoff provisions, a simple majority is needed to be declared elected at the regular city election. A simple majority is at least one vote more than 50% of the total votes cast.

If no candidate receives a majority in this type of race, a runoff must be held between the two highest vote getters. For example, a runoff for the office of mayor will have two candidates on the runoff ballot.

[§376.8(2), 376.9(1)]

If there is a tie, the board of supervisors must draw lots.

[§50.44]

### **Majorities in At-Large Multi-Member Body Races**

A majority is found by dividing the total number of votes cast for all candidates for that body by the number of positions to be filled then dividing that by 2 and adding 1. Total votes cast equals the votes cast for all candidates plus write-ins (do not include over and under votes).

If no candidate receives a majority in this type of race or if not enough candidates received a majority to fill all the seats, a runoff will be held to fill the remaining seat(s). The number of candidates on the runoff ballot will equal twice the number of seats to be filled.

[§376.8, 376.9(1)]

### **Example:**

Happytown has a five member at-large city council and a runoff provision. At the regular city election, three at-large seats are on the ballot. There were eight candidates on the ballot and 15,876 total votes cast (TVC).

To determine the majority:

1. Divide the TVC by the number of seats to be filled:  $15,876 \div 3 = 5,292$
2. Divide 5,292 by 2 = 2,646
3. Add one to 2,646 = 2,647 (always round up if necessary)

The majority is 2,647.

The highest vote-getter, Tom, received 8,215 votes so Tom won this council seat with a majority of the votes. A runoff is not necessary for this seat.

The second highest vote-getter, Nancy, received 2,488 votes. The third highest vote-getter, Mark, received 1,774 votes. Neither of these candidates received a majority (2,647) so two of the three council seats require a runoff between the highest vote-getters. The number of candidates on the runoff ballot will equal twice the number of seats to be filled. There are two seats left to be filled in Happytown so the four highest vote-getters who did not receive a majority will appear on the runoff ballot.

[§376.8]

## **Write-In Votes**

### Write-In Candidate Wins and Declines

1. The winner must file a notice of resignation with the auditor by 5 p.m. on the day following the canvass.
2. All remaining persons who received write-in votes and want to be on the city runoff ballot must file affidavits of candidacy with the auditor by 5 p.m. on the fourth day following the canvass. The auditor should notify the write-in candidates of this requirement.
3. The abstract of votes must be amended to show that the person who has been declared elected declined the office and a notation shall be made next to the names of those persons who did not file an affidavit.
4. A runoff election must be held even if one of the remaining candidates has a majority of the votes after the appropriate write-in votes are disregarded.

[§376.11(4)]

### Runoff Election Necessary and Write-In Votes Were Cast for that Office

1. Everyone who received write-in votes and wants to appear on the runoff election ballot must file an affidavit of candidacy by 5 p.m. on the day after the canvass with the county auditor. The write-in votes received by a person who does not file an affidavit will be disregarded. The auditor should notify the write-in candidates of this requirement.
2. The abstract of votes must be amended to note which write-in candidates failed to file the affidavit.
3. A runoff election must be held even if one of the remaining candidates has a majority of the votes after the write-in votes are disregarded.

[§376.11(5)]

If no candidate names were listed on the ballot and no write-in candidate files an affidavit, the office will still appear on the city runoff ballot with no candidate name listed.

## **Runoff City Election**

### **Who Wins?**

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.9(3)]

### **Write-In Votes**

If a write-in candidate wins receives the most votes at the runoff city election and wants the job, no affidavit of candidacy is needed. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

## **County Canvass of Votes**

The control county board of supervisors canvasses the election results for the city.

For city primary elections and the regular city election in cities with runoff provisions, the canvass must be held no earlier than 1 p.m. on the Thursday following the election.

[§376.7, 376.9]

For the regular city election in cities without runoff provisions and the city runoff election, the canvass must be held on the Monday or Tuesday following the election.

[§50.24]

## **Canvass Materials**

The control auditor will provide the city clerk the abstracts of votes for the offices and/or measures which appeared on the ballot. The abstracts are signed by the county board of supervisors and certify the election results. Store these abstracts.

## **Required Percentage for Passage of Public Measures**

Most public measures require a simple majority to pass. Bond issues, however, require at least 60% to pass.

[§50.45, 75.1]

## **Term Start Dates**

The term for city elected officials begins no later than noon on the first day of the term in January which is not a Sunday or legal holiday. City officers must take the oath of office during or before this date.

The terms of officers elected to fill vacancies begin within 10 days of the canvass. See the Vacancies chapter for more information.

[§63.1, 63.8, 63.10, 376.2]

## **Filing of Oaths and Bonds**

The official oath and bond must be filed with the city clerk. Bonds are not required for city council members.

[§63.10, 63.11, 64.1A, 64.23]

## **Election Costs**

The control county board of supervisors will bill the city for the costs of the election.

[§47.3]

## **Vacancies**

### **Laws Related to City Council Vacancies**

*Iowa Code* section 372.13 applies to vacancies in city offices.

### **Notify Auditor**

Notify the county auditor when a vacancy occurs. Inform the auditor of the name of a person appointed to the vacancy if an appointment is made.

### **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)]

### **Making an Appointment**

#### **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)]

## Appointment 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]

## Length of Appointment

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.

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

## Petitioning for a Special Election

### Signature Requirements

The number of eligible elector signatures required on a petition requesting a special election varies depending on the population of the city.

<u>Population of City</u>	<u>Signatures*</u>
10,000 or less	15%* or 200, whichever is less
10,001 – 50,000	15%* or 1000, whichever is less
50,001 or more	10%* or 2000, whichever is less

\*Signatures of eligible electors of the city equal to the required percentage (10 or 15) of the votes cast for all candidates for that office at the last regular election in which the office was on the ballot.

[§372.13(2)]

If there was more than one position filled for the office in which the vacancy exists on the ballot at the last election, the number of voters who voted for candidates for the office is calculated by dividing the total number of votes cast for the office by the number of seats that were filled.

**Example:** At the 2009 regular city election, in a city with a population of 12,002 there were 3 at-large city council seats on the ballot. There were 394 votes cast for Candidate A, 483 votes cast for Candidate B, 942 votes cast for Candidate C and 34 write-in votes.

Total Votes Cast (TVC) =  $394+483+942+34 = 1853$

$1853 / 3$  (# seats to be filled) = 617.33

$0.15 * 617.33 = 92.6$  → Round 92.6 up to 93.

93 is fewer than 1,000 and it is greater than 10 so 93 signatures would be required to force the city council to hold a special election in this example.

### Filing Deadline

The petition must be filed with the city clerk within 14 days after publication of the notice of intent to appoint or within 14 days after the appointment is made, whichever is later.

[§372.13(2)(a)]

### Reviewing Validity of Petition

Section 372.13 does not contain any standards the city clerk is supposed to follow to assess the validity of the petition; however, §362.4 indicates the petition must be accepted on its face. For more information about accepting a petition on its face, see the Filing Officer's Guide.

If a petition is accepted by the city clerk, it is valid unless an objection is filed with the city clerk within five working days after it is received. If an objection is received, the process in §44.4 must be followed.

[§362.4, 372.13(2)(a)]

## **Special Elections to Fill Vacancies**

### **Dates of Special Elections**

If a special election must be held to fill a vacancy in a city office, the election may not be held on the following dates:

- A Tuesday during a blackout period before or after a primary or general election.
- A day where there is another election being held for a different political subdivision that involves the same voters (e.g. a school election).
- A city with a primary election provision cannot have a special election to fill a vacancy at the time of the general election.

### **Deadline for Holding Special Election**

The special election must be held at the earliest practicable date but no later than 90 days after the vacancy occurs.

### **Notice to Auditor**

If the city has a primary election provision, notice to the auditor must be given at least 60 days before the special election date.

For all other cities, notice to the auditor must be given at least 32 days before the special election date.

[§372.13(2)(b)]

### **Signature Requirements**

#### **Primary and Runoff Cities:**

In primary and runoff cities, candidates must file petitions containing signatures of eligible electors equal in number to at least two percent of those who voted to fill the same office at the last regular city election but no less than 10.

[§376.4]

#### **Chapter 45 Cities:**

**Population greater than 3,500:** No fewer than 25 eligible electors who are residents of the city or ward

**Population 100 to 3,500:** No fewer than 10 eligible electors who are residents of the city or ward

**Population less than 100:** No fewer than five eligible electors who are residents of the city or ward

[§45.1(8)]

## 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.

## **Term of Office**

If the city must hold a special election, the person elected to fill the vacancy serves the remainder of the unexpired term.

### **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.

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

### **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**

<b>Days Before Election</b>	<b>Event</b>
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)**

<b>Days Before Election</b>	<b>Event</b>
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)**

<b>Days Before Election</b>	<b>Event</b>
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)]

## Special Elections

### **Public Measures**

Cities can only hold special elections for public measures on the following dates:

#### **Odd-Numbered Years**

- First Tuesday in March,
- First Tuesday in May,
- First Tuesday in August, and
- First Tuesday after the first Monday in November (date of regular city election).

#### **Even-Numbered Years**

- First Tuesday in March,
- First Tuesday in May,
- First Tuesday in August, and
- First Tuesday after the first Monday in November.

[§39.2(4)(b)]

### **Notice of Election to Auditor**

Unless the law authorizing the special election requires that more advance notice must be provided, the county auditor must be notified at least than 46 days before the desired date of a special election for a public measure.

Deliver to the auditor the following:

- Action by the council setting the election date and
- Full text of the public measure to be submitted to the voters.

### **Check for Vacancies**

If the city has a special election for a public measure, any seats previously filled by appointment must be filled by the voters at the special election (unless the officeholders have already been elected at a previous special election after their appointments). See the Vacancy section in this guide for more information.

## Additional Resources

### 1. County Auditor's Office

Contact your local county auditor's office with questions. You can find contact information for county auditors at the following website:

<http://sos.iowa.gov/elections/auditors/auditorslist.html>

### 2. City Attorney

Your county auditor may refer you to your city attorney. If you or the county auditor are unsure of the answer to a question, the best place to go for advice is the city attorney.

### 3. Secretary of State's Office

The SOS Office is open Monday through Friday from 8:00 a.m. to 4:30 p.m. For questions, call (515) 281-0145 or the toll-free hotline 1-888-SOS-VOTE.

You may also contact the Elections Division via email at [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov).

The SOS Office has a website which is set up to serve as a resource for the general public, for candidates, for county auditors, and for city clerks and school secretaries. You can use the website to retrieve everything from general information about voting in Iowa to specific planning worksheets to help you prepare for elections. Please make use of the website: <http://sos.iowa.gov/elections/cities.html>.

The following items are available on the SOS website and will be of assistance to you:

- **City Election Calendar**

<http://sos.iowa.gov/elections/cities.html>

The Elections Division produces auditor's calendars for each election. The calendars are a chronological list of things that must be done to prepare for each election and a chronological list of things that must be done following election day.

- **Election Forms Library**

<http://sos.iowa.gov/elections/auditors/forms/index.html>

The Election Forms Library contains all the forms produced by the SOS Office. The Library is organized by category of uses and alphabetically to help locate specific forms easily.

- **Candidate Guides**

<http://sos.iowa.gov/elections/electioninfo/cityelections.html>

Candidate guides are compiled by the Elections Division to assist candidates and the public in meeting the requirements of Iowa's election laws. City clerks are encouraged to furnish candidate guides and nomination papers to all potential candidates.

- **Additional Guides**

The Elections Division also creates guides for use by other people and groups. Some of these other publications were mentioned in this guide:

1. Filing Officer's Guide

<http://sos.iowa.gov/elections/cities.html>

2. Vacancies Guide

<http://sos.iowa.gov/elections/cities.html>

## Polling Places

### Consolidated/Merged Precincts

#### **Special Elections Held Pursuant to §69.14**

Consolidated precincts are usually not allowed for special elections held pursuant to §69.14 to fill vacancies in the general assembly or U.S. Congress. See the General Elections chapter of this handbook for the rare exceptions when consolidated precincts are allowed for these elections.

#### **All Other Special Elections**

Consolidated precincts are allowed for all other types of special elections. See the Pre-Election Day chapter for more information.

### Vote Centers

Voter centers are allowed for all special elections except those held pursuant to §69.14.

See the Pre-Election Day chapter for more information.

### Check Accessibility

Check to make sure that all polling places or vote centers are accessible to voters with disabilities. See the Pre-Election Day chapter for more information.

### Polling Place Hours

For the following special elections, the polls close at 8 p.m. but the time of opening the polls (7 a.m. or noon) is determined by the auditor:

- City elections, regardless of the size of the city
- School elections, regardless of the size of the school district
- Special elections for benefited districts, regardless of the size of the district

**Exception:** Drainage district elections. See §468.516 and 468.522.

- Special elections for the unincorporated area of the county (this would apply if the unincorporated area is the only area in the county voting at a particular election)

For special elections held to fill vacancies in partisan offices, the polls must be open from 7 a.m. to 9 p.m.

[§49.73]

## Nomination Period

### Filing Officer

**State and Federal Offices:** The SOS is the filing officer.

**County Offices:** The auditor is the filing officer.

**City Offices:** The control county auditor is the filing officer.

**School Offices:** The school secretary is the filing officer.

### ***Best Practices:***

Send city clerks and school secretaries a copy of the Filing Officer's Guide and follow up with them to make sure they understand their responsibilities.

If the auditor is the filing officer, make sure to review the Filing Officer's Guide with any staff members who may receive nomination papers from candidates.

### Filing Period

#### **Special Elections Held Pursuant to §69.14 with 40 Days Notice**

The filing period begins as soon as the SOS receives the governor's call for an election and ends at 5 p.m. on the 25th day before the special election.

[§43.88, 44.4, 45.4]

#### **Special Elections Held Pursuant to §69.14 with 18 Days Notice**

The filing period begins as soon as the SOS receives the governor's call for an election and ends at 5 p.m. on the 14th day before the special election.

[§43.88, 44.4, 45.4]

#### **Special Partisan Elections in County Office**

The filing period begins as soon as the auditor receives notice of the election from the board of supervisors/committee of county officers and ends at 5 p.m. on the 25th day before the special election.

[§43.88, 44.4, 45.4]

### **Special City Elections in Cities with Primary Provisions**

The filing period begins as soon as the auditor receives notice of the election from the city council and continues until 5 p.m. on the 53rd day before the special election.

[IAC 721—21.403(2)(a)]

**Important Note:** Cities with primary provisions cannot hold special elections to fill vacancies with the general election.

[IAC 721—21.403(1)(b)]

### **Special City Elections in Cities Without Primary Provisions**

The filing period begins as soon as the auditor receives notice of the election from the city council and continues until 5 p.m. on the 25th day before the special election.

[IAC 721—21.404(3)(a)]

**Important Note:** If the special election to fill a vacancy is being held with the general election, the deadline to file is 5 p.m. on the 69th day before the general election.

[IAC 721—21.404(2)]

### **Special School Board & Community College Board Elections**

The filing period begins as soon as the auditor receives notice of the election from the school board and continues until 5 p.m. on the 25th day before the special election.

[§279.7]

## **Withdrawals**

### **Special Elections Held Pursuant to §69.14 with 40 Days Notice**

For political party candidates, the *Iowa Code* does not specify a procedure for withdrawing from a special election. Candidates nominated by petition or by NPPO convention have until 20 days after the governor issues the call for the election. Written notice of withdrawal must be filed with the SOS.

[§44.9(4)(a)]

### **Special Elections Held Pursuant to §69.14 with 18 Days Notice**

For political party candidates, the *Iowa Code* does not specify a procedure for withdrawing from a special election. Candidates nominated by petition or by NPPO convention have until five days after the governor issues the call for the election. Written notice of withdrawal must be filed with the SOS.

[§44.9(4)(b)]

### **Special Partisan Elections in County Office**

For political party candidates, the *Iowa Code* does not specify a procedure for withdrawing from a special election. Consult with your county attorney for information on how to proceed in these cases before acting on a withdrawal for a special election. Candidates nominated by petition or by NPPO convention have until the 25th day before the election. Written notice of withdrawal must be filed with the auditor.

[§44.9(5)]

### **Special City Elections in Cities with Primary Provisions**

Written notice of withdrawal must be filed with the control county auditor no later than 5 p.m. on the 50th day before the election.

[IAC 721—21.403(2)(b)]

### **Special City Elections in Cities Without Primary Provisions**

Written notice of withdrawal must be filed with the control county auditor no later than 5 p.m. on the 22nd day before the election.

[IAC 721—21.404(3)(b)]

### **Special School Board Elections**

Written notice of withdrawal must be filed with the school secretary no later than 25 days before the election.

[§44.9(5)]

## **Objections**

### **Special Elections Held Pursuant to §69.14 with 40 Days Notice**

The deadline for objections to political party candidates is 15 days before the election. Written objections must be filed with the SOS. For candidates nominated by petition or by NPPO convention, the *Iowa Code* says that objections must be filed 74 days before the election (which in most cases is before the call for the election has been issued).

[§43.24(1)(b)(3), 44.4(2)(a)(1)]

### **Special Elections Held Pursuant to §69.14 with 18 Days Notice**

The deadline for objections to political party candidates is the day before the election. For candidates nominated by petition or by NPPO convention, the *Iowa Code* says that objections must be filed 74 days before the election (which in most cases is before the call for the election has been issued).

[§43.24(1)(b)(3), 44.4(2)(a)(1)]

### **Special Partisan Elections in County Office**

For all candidates, the *Iowa Code* does not have a specific provision applicable to special elections. Consult with your county attorney before proceeding.

[§43.24(1)(b)(2), 44.4(2)(a)(2)]

### **Special City Elections in Cities with Primary Provisions**

Written notice of the objection must be filed with the control county auditor no later than noon on the 50th day before the election.

[IAC 721—21.403(2)(d)]

### **Special City Elections in Cities Without Primary Provisions**

Written notice of the objection must be filed with the control county auditor no later than noon on the 22nd day before the election.

[IAC 721—21.404(3)(d)]

### **Special School Board Elections**

Written objections must be filed with the school secretary no later than 35 days before the election (this may be before the notice of election is received). The school secretary should consult with the school district attorney for information on how to proceed in these cases before acting on an objection for this type of election after the 35 day deadline. If the school secretary has proceeded on an objection filed after the 35 day deadline, the auditor should consult with the county attorney before proceeding.

[§277.5]

## **Ballot Preparation**

### **Voting Equipment**

For all special partisan elections, voting equipment is required.

[§52.1]

For special elections held for any school district or for a city with a population of 3,500 or less, the auditor can decide whether to use voting equipment or whether to have the ballots counted by hand. If counting by hand will cause a significant savings in election costs, the auditor may use hand-counted paper ballots. Voters in the jurisdiction can petition for the use of voting equipment if the auditor decides not to use it. See §49.26 for more information.

[§49.26]

For all other special elections, voting equipment is required if the auditor is conducting the election.

[§49.26, 52.1]

### **Partisan or Non-Partisan Election?**

Special school, city, and benefitted district elections are non-partisan. Candidates' names appear on the ballot with no reference to political affiliation.

Special elections to fill vacancies in partisan office are partisan elections. The political affiliation of candidates is listed with each individual candidate's name on the ballot for these elections.

[§49.31(1)(a), 49.31(3)]

### **When Ballots Must be Ready**

Ballots must be ready as soon as practicable, but there is no date specifically set. As soon as ballots are prepared, you must begin mailing out absentee ballots. In-person voting cannot begin more than 40 days before the election.

[§53.10(1)]

**Exception:** In the rare event of a special election to fill a vacancy in the U.S. House, the MOVE Act of 2009 requires that ballots be ready to transmit to UOCAVA voters 45 days before the election.

[2009 MOVE Act]

### **Vacancies**

See the Vacancies chapter for more information.

## **Rotation**

### **Non-Partisan Offices**

Rotation is required if:

- Candidates are running opposed (ex. three people seeking two at-large school board seats)

AND

- The office will appear on the ballot in more than one precinct.

### **Partisan Offices**

Candidate names are rotated only if more than one person is to be elected to the office. This would only happen if two at-large county supervisors were being elected at the same special election. Otherwise the names of candidates for partisan offices are arranged by party.

[§49.31(2-3)]

## **Tabulating ASVP Results**

Decide whether the ASVP results will be reported as a single precinct or whether ASVP results will be reported by the resident precincts of the voters.

For all special elections, results from the ASVP must be reported separately from the results of the ballots cast at the polls on election day.

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

The auditor may decide whether to program by precinct or whether to program by ballot style. If the decision is made to program by ballot style, there can be a single ASVP for purposes of rotation and results cannot be reported by residence precincts.

**Important Note About Community College Special Elections:** For community college special elections, the results must be tabulated by school district, including the absentee and special precinct results. The auditor may program the voting equipment to tabulate the ballots in this manner or may manually sort and tabulate the ballots by school district.

[IAC 721—21.204]

**Ballot Layout**

Example of a ES&S Special Election Ballot To Fill Vacancy (Non-partisan):

A	B	C
<p style="text-align: center;">Johnson County</p> <p style="text-align: center;"><b>City of Tiffin, County of Johnson, State of Iowa</b></p> <p>Special Election held on the 1st day of April, 2008</p> <p style="text-align: center;"><i>Tom Shockett</i></p> <p style="text-align: center;">County Auditor and Commissioner of Elections</p> <p><b>INSTRUCTIONS TO VOTERS:</b></p> <ol style="list-style-type: none"> <li>1. You must fill in the oval completely (●) next to your choice.</li> <li>2. Use only the recommended marking device.</li> <li>3. DO NOT CROSS OUT - if you change your mind, exchange your ballot for a new one.</li> <li>4. Write-in votes. To vote for a person whose name is not on the ballot, write the name on the write-in line below the list of candidates and fill in the oval next to it.</li> <li>5. After voting, put the ballot into the Ballot Secrecy Folder. Take it to the voting machine and insert the ballot.</li> </ol> <p style="text-align: center;"><b>ROTATION A</b></p> <p style="text-align: center;">TF</p> <p style="text-align: center;">TF ANX</p>	<p style="text-align: center;">State of Iowa</p> <p style="text-align: center;"><b>CITY OFFICES</b></p> <p style="text-align: center;"><b>FOR CITY COUNCIL AT-LARGE (TO FILL VACANCY)</b></p> <p style="text-align: center;">(Vote for no more than one.)</p> <p><input type="radio"/> Chris J. Ball</p> <p><input type="radio"/> Monika Deatsch</p> <p><input type="radio"/> Kevin Surber</p> <p><input type="radio"/> Roger Utsler</p> <p><input type="radio"/> _____</p> <p>Write-in vote, if any</p>	<p style="text-align: center;">April 1, 2008</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>Rotation Required if office appears in more than one precinct: Candidates opposed</p> </div>
<p>Official's Initials _____</p>	<p>Typ:01 Seq:0001 Spt:01</p>	<p>7.4.2.0 / 012503-14 © Election Systems &amp; Software, Inc. 1981, 2002</p>

<b>Public Measure Election</b>	<b>Called By</b>	<b>Jurisdiction or Governing Body</b>	<b>Code &amp; IAC Sections</b>	<b>Special Requirements</b>	<b>% to pass</b>	<b>Repeat after failure</b>
Bonds—County Combined general and essential purpose	G	County	75.1, 331.445, 331.442		60%	6 mos
Bonds—County General obligation: essential county purpose - hospital improvements	P	County	75.1, 331.441(2)(b)(7); 331.442(2-4); 331.445	Extra publication	60%	6 mos
Bonds—County General obligation: essential county purpose - urban renewal projects	P	County	75.1 331.441(2)(b)(14) 331.442(5)		60%	6 mos
Bonds—County General obligation: essential county purpose - water facilities	P	County	75.1; 331.441(2)(b)(12)		60%	6 mos
Bonds—County General obligation: general county purpose - see list at 331.441(2)(c)	G	County	75.1; 331.441(2)(c); 331.442	Special election Reverse referendum 331.442(5)	60%	6 mos
Bonds—County Fair, revenue	P	County and Fair Society	174.17		60%	6 mos.
Bonds—Hospital Revenue bonds for county public hospital under chapter 347 or 347A or 37 (County enterprise)	P	Hospital trustees	75.1; 331.461(2)(d); 331.461(2)(e); 331.442(2-4)	Reverse referendum Petitions 20% # Votes for governor	60%	6 mos
Bonds—Hospital	G	Area hospital board of trustees	75.1; 145A.17		60%	6 mos
Bonds—Merged area community college	G	Community college board	75.1; 260C.21	Special Election OK	60%	6 mos
Bonds—School	G or P	School District	75.1; 277.2; 279.39; Chapter 296; 298.21	See Chapter 296	60%	6 mos

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Bonds—School Bond levy, leasing buildings exceed \$2.70 / \$1,000 valuation	G	School District	298.18	Not more than \$4.05 / \$1,000	60%	6 mos
Capitol improvement reserve fund; establish or terminate	G or P	City	384.7	Maximum levy: 67 1/2 ¢ / \$1,000	M	NR
Care facility, county - established	G	County	347B.2	Election needed, if cost > \$15,000	M	NR
City annexation, involuntary	G or P	City and City Development Board	368.11-.19		M	NR
City consolidation	G or P	City and City Development Board	368.11-.19	Favorable vote in each city required to pass.	M	NR
City council, change in number of members	G or P	City	372.4(3) and 372.4(4)	Provisions for change depend on the population of city.	M	NR
City council representation plan	P	City	372.13(11)	Choices limited	M	2 yrs
City discontinuance	G or P	City and City Development Board	368.3 or 368.11-.19	Favorable vote in each city required to pass.	M	NR
City government: change form	P	City	372.1-12	Must keep 6 years	M	4 yrs
City home rule charter	P or G	Charter commission	372.3; 372.9, 721-21.402	YES! Read carefully. Must keep adopted charter 6 years. More than one proposal may be on ballot.	M Runoff Possible	4 yrs
City incorporation	G or P	City and City Development Board	368.11-.19	Cost paid by petitioners if question does not pass. Special Pub. Requirements for cities.	M	NR

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Educational improvement program, establishment	G	School Board	257.29	See statute	M	NR
Emergency 911 surcharge	G	E911 Board for service area	34A.6-7; IAC 721-21.810	No separate special election allowed-pending or general only	M	NR
Emergency medical services district, city: tax levy, bonds	G	City	357G.4; 357G.8; 357G.11	YES. Extra publication. Auditor not required to conduct this election. PEOs unpaid.	60%	NR
Emergency medical services district, county: tax levy, bonds	G	County	357F.4; 357F.8; 357F.11	YES extra publication. Auditor not required to conduct election.	60%	NR
Emergency medical services tax: income surtax, ad valorem property tax	G	County	422D.1; 422D.5	Regular city, General, or Special Election. Maximum time: 5 years. Extra publication 60 days before election	M	NR
Enterprise commission, county - establish or dispose of, acquire or lease	G or P	County	331.471		M	4 yrs
Equipment replacement & program sharing levy	G	Community College Board	260C.28	Regular or special election	M	355 days
Excursion boat gambling, see <b>Gambling, excursion boat (page 29)</b>						
Facilities levy, merged area community college	G	Community College Board	260C.15(1), 260C.22	Only at regular school election or second Tuesday in September of even-numbered years.	M	NR

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Franchise for utilities	G or P	City	364.2	Ordinance on ballot, utility company pays for election. Franchise elections for electric light and power, heating, or gas work franchises are held only if requested by petition - see 364.2(4)(b).	M	NR
Franchise: City sewer & water, see <b>Sewer and water franchise (page 36)</b>						
Gambling, excursion boat	P	County	99F.7(11); IAC 721-21.820	After initial approval, must be placed on ballot once more after 8 years. After approved twice, do not need to re-submit approval to voters.	M	8 yrs
Gambling, games at race tracks	G	County	99F.7(11)(c); IAC 721-21.820	Election called when race track licensee applies for gambling game license. Special election must be held ASAP. See above for renewals.	M	8 yrs
Historical preservation district	P	Dep't of Cultural Affairs	303.20-26	Includes write-in ballot for commissioners. Dep't hires election workers, sets polling places	M	NR
Historical preservation district - termination	P	Historical Preservation District Commission	303.33	Must exist for 2 years	M	2 yrs

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Memorial halls & monuments-bonds	P 362.4	County, City	37.1-6, 75.1, County: 331.441-9, City: 384.26(2-4)	Special election may be requested in petition	60%	6 mos
Merged areas, combining	G	2 or more community college boards	260C.39	Special election must be > 30 days before or after general election	M in each merged area	NR
Multi-county consolidation	G	County	331.253-257	YES! Read carefully.	M	NR
Optional taxes for emergency medical services, see <b>Emergency medical service tax (page 28)</b> PEARL, see <b>Public educational and recreational tax levy (page 34)</b>						
Physical plant & equipment levy (PPEL) \$1.34 / \$1,000	G or P	School District	277.2; 298.2; 298.9	Biennial school or special election.	M	NR
Public educational & recreational tax levy, school (PEARL)	G or P	School District	300.2 impose 300.3 discontinue	If filed more than 3 months before regular school election a special election must be held	M	NR
Real estate improvement district: establishment	P	County or City	358C.3; 358C.7-.9	YES Extra publication > 30 days before election	M	NR
Recreational & educational tax levy, school - discontinuance	G or P	School District	300.3	If filed more than 3 months before regular school election a special election must be held	M	
Recreational lake district tax levy, bonds	G	County	357E.8; 357E.11; IAC 721-21.830	YES	M	NR

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Revenue Bonds, see <b>Bonds (pages 23-25)</b>						
Revenue Purpose Statement for SAVE fund	G	School District	423F.3	After failure, no revenue purpose statements can be submitted for 6 months.	M	6 mos
Regional metropolitan service area	G or P	Counties or Cities	28E.40, 331.332, 331.260, 331.261 and 331.262(9)	Yes. Must keep 6 years	M	2 yrs
Roads for access to schools	G or P	School District	278.1(f); 278.2	Only at regular school election	M	2 yrs
Sanitary district, annexation of territory	P	County	358.26-.29	Hearing, special petition required. Extra publication	M	NR
Sanitary district: establishment	P	County	358.2; 358.5-.8	Petitioners must post bond. Hearing required. Notice of election must be published at least 30 days before date of election.	M	NR
School board, change method of election; increase or decrease membership	G or P	School District	275.35-38, 277.2; 277.23, 278.1(g-h), 278.2(1)	Cannot submit more than one question pursuant to 278.1(g-h) at the same election. Must keep 6 years if approved. If school district includes all of a city with population of 15,000 or more, district must have 7 directors.	M	3 yrs

<b>Public Measure Election</b>	<b>Called By</b>	<b>Jurisdiction or Governing Body</b>	<b>Code &amp; IAC Sections</b>	<b>Special Requirements</b>	<b>% to pass</b>	<b>Repeat after failure</b>
School Bond tax, exceed \$2.70 / \$1,000 valuation Leasing buildings	G	School District	298.18	Not more than \$4.05 / \$1,000	60%	NR
School buildings: rental extended time payments	G or P	School District	278.1(b); 278.2	Bids required	60%	NR
School buildings: rescind restricted use	G	School Board	297.11	Regular or special election	M	NR
School buildings: restrict use	G or P	School District	278.1(d); 278.2; 297.11	Only at regular school election	M	2 yrs
School curriculum, determine additional branches to be taught	G or P	School District	278.1(c); 278.2	Only at regular school election	M	2 yrs
School district, change name	G or P	School District	278.1(i); 278.2	Only at regular school election	M	2 yrs
School district, dissolution	G	School Board	275.55, 275.57	Special election	M	NR
School districts: reorganization (merging two or more into one school district)	P + Affidavit filed with AEA	School Districts	275.11-13, 275.18, 275.20, 275.22- .24, 275.25-27	Many special provisions. Separate vote in existing districts. If approved must keep 5 years	M in 75% of all districts 275.20	6 mos wait for new petition 275.22
School funds, transfer surplus debt service funds to general fund	G or P	School District	278.1(e); 278.2	Only at regular school election	M	2 yrs
School Levy Adjustment	G	School Board	298.18A	Not more than \$4.05 / \$1,000	60%	NR
School property, sale	G or P	School District	277.2; 278.1(b); 278.2; 297.22	Special election OK	M	NR
Sewer & water franchise, city grant to rural water district	G or P	City	357A.23; 364.2	Ordinance on ballot. Utility co. pays for election. 40 year maximum	M	NR

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Soil & water conservation district discontinuance	P	Soil & Water Conservation District	161A.10	Only land owners vote	65%	5 yrs
Special Charter Amendment	P	City	420.286-288	Yes	M	NR
State debts	G	General Assembly	Iowa Constitution Art. VII	General Election only	M	2 yrs
Storm water drainage construction project: revenue bonds	P	City	384.84A	\$, population restrictions. Reverse referendum	M	NR
Street lighting district: tax levy, bonds	G	County	357C.7; 357C.10	Yes	60%	NR
Surplus funds, transfer to general fund	G or P	School District	278.1(e); 278.2	Only at regular school election	M	2 yrs
Taxes: additional city, impose or discontinue	P	City	384.12(1-7, 9, 17, 21)	Only at regular city election	M	2 yrs
Taxes: to pay bonds, increase levy limit	G	County	331.447	Yes	M	NR
Teachers' pensions ratified	G	School Board	294.8	Population restrictions. School Election only.	M	2 yrs
Textbooks: change	G or P	School District	278.1(1)(a); 278.2	Regular school election only	M	2 yrs
Textbooks: free	P 30 days before School Election	School District	301.24-.25	Regular school election only	M	2 yrs
Textbooks: free - discontinue	P	School District	301.24, 301.27	Regular school election only	M	2 yrs
Township Hall acquisition	P	Township	360.1	Petition from: "majority of resident free holders"	M	NR

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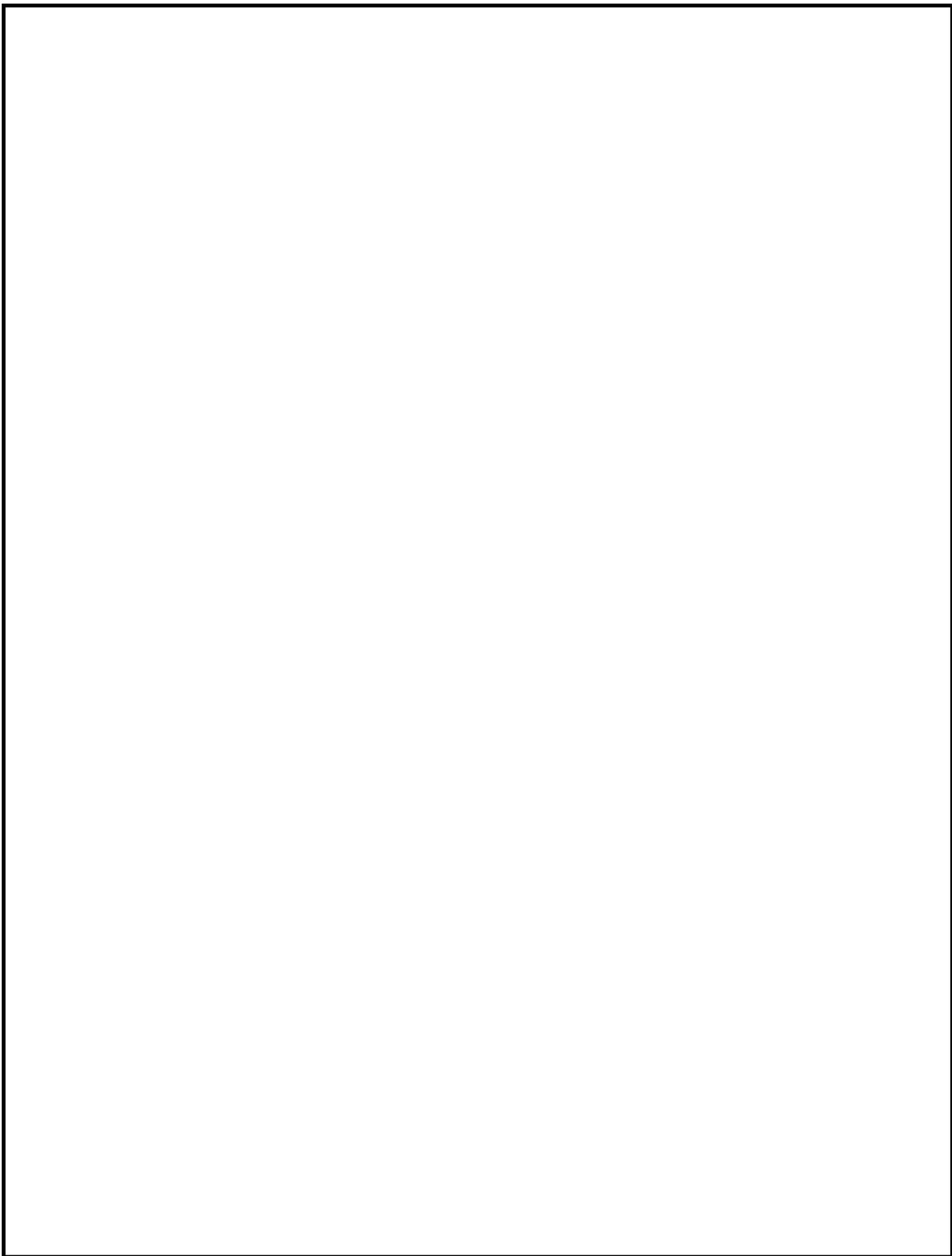
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### **County Hospital Trustees**

Vacancies in the office of county hospital trustee must be filled by appointment. The remaining members of the board of trustees make the appointment. There is no deadline in the statute setting forth the deadline for appointing a replacement.

Unlike most vacancy appointments, these appointments last until the expiration of the original term. County hospital trustee offices never appear on ballot at special county elections.

If there are fewer than four trustees remaining on the board, the board of supervisors appoints replacements until the expiration of the original term.

[§347.10]

### **City Hospital Trustees**

Vacancies in the office of city hospital trustee must be filled by appointment. The remaining members of the board of trustees make the appointment. There is no deadline in the statute setting forth the deadline for appointing a replacement.

These appointments last until the expiration of the original term. City hospital trustee offices never appear on the ballot at special city elections.

[§392.6]



## Overview

### **Absentee and Special Voters Precinct (ASVP)**

The absentee and special voters precinct (ASVP) is one precinct that includes ballots from the entire county. The precinct is established for the counting of all absentee and provisional ballots and for delivering absentee ballots to residents and patients in health care facilities. All elections will have an ASVP board. The precinct is sometimes referred to as the “absentee precinct” or the “special precinct.”

### **What is the ASVP Board?**

The ASVP board is comprised of precinct election officials appointed by the auditor to carry out the duties of the precinct. It is also referred to as the “absentee board” or “counting board.”

### **Board Responsibilities**

The ASVP board is responsible for reviewing and rejecting or counting absentee and provisional ballots. The board also delivers ballots to voters in health care facilities. This guide explains the process of reviewing and rejecting or counting absentee and provisional ballots.

### **Board Membership**

The number of board members will vary based on the election. The board must consist of at least three but can be expanded if the auditor determines that is necessary. The board must be large enough to ensure all absentee ballots received before the polls close are counted by 10 p.m. on election night.

In partisan election, the board as a whole must have an equal number of Democrats, Republicans, and no-party or NPPO affiliated PEOs. The board cannot be out of balance by more than one. If the board is divided into smaller groups to consider ballots, the groups must consist of no fewer than three officials and cannot be out of party balance by more than one.

[§50.22, 53.23(1)]

**Meeting Times**

- **Before Election Day:** The board may be called to review affidavit envelopes.  
 \*For the General Election only, and at the direction of the auditor only, the board may begin counting votes. This is the only circumstance in which ballots can be counted before election day under Iowa law.
- **Election Day:** All ballots received before the polls close must be counted by 10 p.m.
- **After Election Day:** The board will reconvene after election day at the direction of the auditor to consider any provisional ballots, challenged absentee ballots, or absentee ballots that arrived in time to be considered for counting.

**ASVP Initial Meeting Times and Reconvening Times**

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

**Important Note:** If the canvass is scheduled to be earlier than the Monday following the election, the ASVP board must be reconvened at noon on the day following the election.

**Ballots and Supplies**