

October 2013 Handbook Changed Pages

Voter Registration – Chapter 1

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
1-4	Addition of Code citations.	N/A
5-6	Clarification of language regarding worry-free postmark deadline. Added recommendation of retention of scanned voter registration documents. Addition of Code citation.	§48A.9(3)
9-12	Addition of Code citations.	N/A
13-13a	Addition of information on election day registration at vote centers.	§48A.7A(1)(c), 49.11(3)(b)(1), IAC 721— 21.75(8)(b)
21-22	Move a Code citation.	N/A
25-26	Addition of Code citations.	N/A
33-34	Addition of Code citation. Correction of Code citation on pg. 34 under first “Exception.”	N/A
77-78	Refined a Code citation on pg. 77 under “At Least 17 ½ Years Old.”	N/A
81-82	Correction of Code citation on pg. 81 under “ID Will Not Verify.” Addition of information on processing registration forms when voter checked voting rights not restored and the voter does not match a felony conviction record in SCA search.	N/A

Pre-Election Day – Chapter 2

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
7-16	Addition and refined Code sections on pg. 8 and pg. 14. Addition of information on election day registration at vote centers. Addition of administrative rule citation for ballot rotation for vote centers section. Addition of information on reporting election results when using vote centers.	§49.11(3)(b)(1), IAC 721— 21.75(7), 21.75(8)
19-20	Addition of Code citation for sample ballots.	§52.29

23-26	Addition of Code citations.	N/A
31-32	Addition of information on sample ballots.	§43.30
63-64	Clarification of in which jurisdiction the notice of election must be published for elections other than primary and general elections. Revision of accessibility statement in notice of election publication.	IAC 721— 21.50(10)

Absentee – Chapter 3

Page	Change	Bill Sec. # Code Cite
31-32	Clarified when absentee ballots may be mailed to voters in health care facilities and hospitals.	§53.22(3)

Election Day – Chapter 4

Page	Change	Bill Sec. # Code Cite
TOC	Addition of headings.	N/A
5-6	Addition of information on campaign signs and electioneering on election day.	§39A.4(1)(a)(1), 68A.406(2)(a)(4)

Post Election Day – Chapter 5

Page	Change	Bill Sec. # Code Cite
11-12	Addition of calculation to determine the 5% threshold for reporting write-in candidates' names.	N/A
31-32	Addition of timeframe for swearing in of school board members elected to fill a vacancy at a special election.	§279.7(3)

City Elections – Chapter 11

Page	Change	Bill Sec. # Code Cite
19-20	Clarification of listing candidates in alphabetical order by last name.	§49.31(3)

Special Elections – Chapter 12

Page	Change	Bill Sec. # Code Cite
2, 2a, 2b, 3	Addition of filing deadlines for some special election petitions.	§278.2, 331.306
24-39	Addition of information on change in city council members. Correction of Code citation for levy elections for tax exceeding limits in Ch. 384. Addition of information on date for community college levy elections. Addition of information regarding notice of election for sanitary district elections.	§372.4(3-4), 384.12(19), 260C.15(1), 260C.22, 358.6

Vacancies – Chapter 13

Page	Change	Bill Sec. # Code Cite
TOC	Updated headings.	N/A
7-8	Clarification of deadline for special election date for school board vacancies.	§279.7(1)
11-12	Correction of occurrence date of a community college vacancy to be placed on a special election ballot.	§69.12(1)(a)(4)
13-14	Correction of occurrence date of a community college vacancy for special community college public measure elections.	§69.12(1)(a)(4)
25-26	Correction of occurrence date of a county partisan office vacancy to be placed on a special county election ballot.	§69.12(1)(a)(4)

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Overview

Voter Qualifications

To qualify to register to vote, a person must be an eligible elector. 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 adjudged incompetent to vote by a court, and
- Claim the right to vote in any other place.

[§48A.5(1), 48A.5(2), 48A.6]

Not Yet 18

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

Voters must be sent an acknowledgment within seven business days after receiving their registration forms. This may be a voter registration card with the registration effective date as the voter's 18th birthday or a letter informing the voter their form was received and their registration will not be effective until their 18th birthday. The notice must include the voter's precinct and polling place information.

If the voter's 18th birthday is after the pre-registration deadline for an upcoming election, the voter's "County Registration" date must be the day after the election unless the voter appears in person and completes the election day registration requirements.

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

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 is available in the Election Forms Library.

See the "What to do If" section for I-VOTERS instructions on processing registrations for voters who are not yet 18.

Residency

Generally, a voter's residence for voter registration purposes is where the voter claims it to be, as long as the voter does not claim any other residence for voter registration.

A voter's residence is the voter's home or dwelling (whatever place the voter considers to be "home"). A business or any other non-residential property cannot be used as a residential address for voter registration unless that place is truly a primary, nighttime residence for that registrant.

There is no restriction on how long one has to live somewhere before it can become a residence for voting purposes in Iowa.

Residency is not lost by going to another state or precinct temporarily. If a person moves to another state and missed the voter registration deadline in that state for a particular election, the person may continue to be registered in Iowa for that election.

[§48A.5, 48A.5A]

College Students

College students have the option of registering to vote at their hometown residence or at their residence where they are attending college. They can only register to vote in one location.

[§48A.5(2)(d), 48A.5A(5)]

Homeless Persons

The residence of a homeless person is the place where the person usually sleeps. The person must describe the location on the voter registration form so the registrar can determine in which precinct the person resides.

[§48A.5(2)(b), 48A.5A]

Voter Registration Applications

There are three acceptable forms which may be used for voter registration.

1. Official Iowa voter registration form

This form is approved by the voter registration commission. Previously approved versions of the Iowa voter registration form may be accepted as long as they contain all the currently required information. The required fields are set forth in *Iowa Code* §48A.11(8). Only the most recent version of the form may be distributed by auditors' offices and the SoS.

[§48A.11]

2. Federal mail-in voter registration form

Acceptance of this form is mandated by the National Voter Registration Act (NVRA).

[§48A.12, IAC 821—2.3]

3. Federal postcard application (FPCA)

This can be used by military and overseas (UOCAVA) citizens. See the "Voter Registration and UOCAVA Voters" section for more information.

[§53.38]

Where to Register to Vote

1. By mail (sent to the auditor or SoS) [§48A.8]
2. Auditor's office or at satellite absentee voting stations [§48A.17]
3. DOT offices or treasurers' offices that issue driver's licenses [§48A.18]
4. Voter registration agencies mandated by the National Voter Registration Act (NVRA) [§48A.19]

See the NVRA section for more information.

5. High schools, colleges, universities, trade and technical schools
 - Every high school (public or private) must offer every student who is 17 ½ or older the chance to register to vote at least twice a year.
 - Every state-funded college, university, trade, or technical school, or postsecondary school of any kind must offer each student the right to register to vote once each year. [§48A.23]

Voter registration forms may also be distributed and collected at voter registration drives (both sponsored and not sponsored by election offices), political party offices, naturalization ceremonies, and the state fair and county fairs. The SoS offers forms at the cost of production for organizations conducting voter registration drives.

[§48A.22, IAC 821—2.7]

Groups may pay people to help others register to vote. Iowa law prohibits paying someone based on the number of registration forms or political party affiliations listed on collected forms. Payment can be made only for a person's time. The Democratic and Republican parties are exempt from this requirement.

[§48A.25]

Pre-Registration Deadlines

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

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

[§48A.9(1)]

Worry-Free Postmark

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

[§48A.9(3)]

Military Discharges

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

[§48A.5(6)]

Electronically Submitted Forms

New Registrants

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

[§48A.13]

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

[IAC 721—21.320(2)(d), 821—2.8]

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

Voters Already Registered in County

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

[§48A.27(2)(a)(1)]

Election Official Oath

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

[§48A.4]

Retention of Voter Registration Records

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

[§48A.32]

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

[IAC 821—2.8(5)]

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

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

[§48A.32]

Scanned Documents

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

[§48A.32]

Voter Registration and UOCAVA Voters

Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)

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

UOCAVA voters include:

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

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

[§48A.5(4), 48A.5(5), 53.37]

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

[§48A.5(4)(b)]

Registering to Vote

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

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

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

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

See the Absentee Voting chapter for more information.

- Completing the affidavit envelope on an absentee ballot

[§53.38, 53.53(2)]

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

[IAC 721—21.320(2)(d), 821—2.8]

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

[§53.38]

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

[§48A.25A(3), 53.38]

Processing Registrations in I-VOTERS

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

Election Day Registration

Overview

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

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

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

[§48A.7A(1)(a), 48A.7A(3)]

ID Number Verification Not Required

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

[§48A.25A(1)(b)]

Proof of Identity

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

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

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

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

[§48A.7A(1)(b)(1), IAC 721—21.3(2)]

Proof of Residency

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

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

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

Attestation

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

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

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

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

[§48A.7A(1)(c)]

EDR Registrant Follow Up

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

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

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

[§48A.26A]

Election Day Registration at Vote Centers

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

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

Provisional Voting and Voter Registration

Processing Voter Registrations for Provisional Voters

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

[§49.81, 50.20, IAC 721—21.3(4)]

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

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

[IAC 821—2.12(1)]

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

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)]

Exception: If a voter registration card for an EDR registrant is returned 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.

“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)]

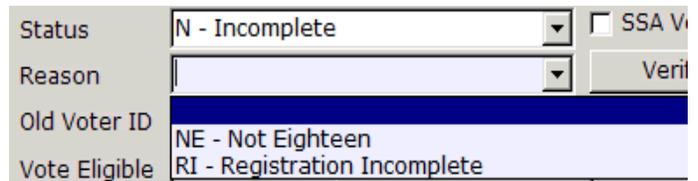
Incomplete Status Reasons

- **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 18th 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.



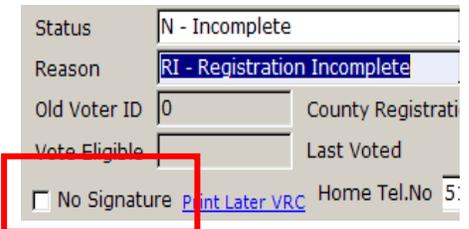
A screenshot of a web form showing a dropdown menu for 'Status' set to 'N - Incomplete'. Below it, a 'Reason' dropdown menu is open, showing two options: 'NE - Not Eighteen' and 'RI - Registration Incomplete'. The 'RI - Registration Incomplete' option is highlighted in blue. To the right of the dropdowns 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 web form showing a dropdown menu for 'Status' set to 'N - Incomplete'. Below it, a 'Reason' dropdown menu is open, showing two options: 'RI - Registration Incomplete' and another option. The 'RI - Registration Incomplete' option is highlighted in blue. Below the dropdowns are fields for 'Old Voter ID' (containing '0'), 'County Registrati', 'Vote Eligible', 'Last Voted', and 'Home Tel.No 5:'. A red box highlights a checkbox labeled 'No Signature' with a link 'Print Later VRC' next to it.

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.

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(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 Ver
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)]

Types of Correspondence

The correspondence described in this section will be automatically generated and sent to “Batch Management” in I-VOTERS if the minimum legally required correspondence rules are set up correctly in the county’s “System Configuration.” For assistance verifying compliance with minimal correspondence rules, please contact the I-VOTERS Help Desk at 1-877-442-7670.

Voter Registration Cards

These cards must be sent by nonforwardable mail. If the voter’s mailing address is different than the residential address, send the card to the mailing address.

[§48A.26(1), 48A.26(2)]

Notice of Incomplete Registration

Send this notice to voters with “Incomplete” status.

I-VOTERS will generate the notice with the appropriate reason for the “Incomplete” status if the status reason is “Registration Incomplete” and the DL and SSN fields are blank or the “No Signature” box is checked in the voter’s record.

If the voter’s status reason is “Registration Incomplete” due to lack of name, gender, date of birth, or residential address, use the “Notice of Incomplete Registration” available in the Election Forms Library.

This notice must be sent by nonforwardable mail. A voter registration form must be included.

[§48A.26(1), 48A.26(3)]

Notice of Pending Registration

Send this notice to voters with “Pending” status. I-VOTERS will generate the notice with the appropriate reason for the “Pending” status.

This must be sent by nonforwardable mail. A voter registration form must be included.

[§48A.25A(1)(a), 48A.26(1), 48A.26(3)]

Residential Confirmation Notice

This notice must be sent to voters with “Inactive” status. This notice must be sent by forwardable mail and must include a postage paid preaddressed return card.

[§48A.26(6), 48A.29]

Registration Cancellation Notice

Send this notice to any voter whose record has been cancelled for the following reasons:

- Felony conviction,
- Adjudged mentally incompetent to vote, or
- “Inactive” status through two successive general election.

Optional Practice: Send this notice to voters who have moved to other jurisdictions or who have requested their record to be cancelled.

I-VOTERS will generate the notice with the appropriate reason for the “Cancelled” status when the voter record is saved.

Send this notice by forwardable mail.

[§48A.30(2), IAC 721—28.4]

Notice to Election Day Registrant

This notice is not available in I-VOTERS. A sample notice is available in the Election Forms Library.

Send this notice to any EDR voters whose voter registration cards are returned as undeliverable. Voters must respond to this notice within 14 days after the notice is mailed. If the voter fails to respond to this notice, the voter’s registration record must be made “Inactive.”

[§48A.26A]

Mailing Correspondences

Notices must be sent within seven working days of receipt of the voter registration form or the update.

[§48A.26(1)(a)]

Exceptions:

If the voter used election day registration procedures, send notices within 45 days of receipt.

[§48A.26A(1)]

If a voter registration form was submitted at the caucuses, the voter registration card must be sent within 45 days of receipt.

[§48A.26(2)]

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 18th birthday is after the pre-registration deadline for an upcoming election, the voter's registration effective date must be the day after the election unless the voter uses election day registration procedures.

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

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

1. The voter's record will automatically be assigned "**Active**" status.
2. It will also automatically set the "**County Registration**" date and "**Vote Effective**" date to the day of the voter's 18th 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 is available in the Election Forms Library.

Residential Address Listed Outside the County/State

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

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

[§48A.26(8)]

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

Citizenship and/or Age Boxes Unchecked

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

[§48A.26(4)]

Citizenship and/or Age Boxes Checked No

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

[§48A.26(5)]

Registration Form Not Signed

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

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

[§48A.11(8), 48A.37(2)]

Registration Form Signed POA

An individual who has power of attorney does not have the authority to sign a voter registration form. Send the voter a letter explaining the voter must sign the form, ask for assistance in signing the form, or having someone sign the form on the voter's behalf as long as it is done in the voter's presence and with the voter's permission.

[§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 will not verify, 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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Planning in Odd-Numbered Years

Contact Cities and School Districts (school and city elections only)

Contact school districts and community colleges in mid-April (before school is out for the summer). Contact cities in mid-July. Make sure city clerks and school secretaries are aware of:

- Date of election
- Candidate filing period (including the requirement to be available until 5 p.m. on the last day for filing)
- Deadline for delivery of nomination papers to the auditor
- The responsibility they have as the filing officer for these elections
- Other responsibilities and duties as outlined for city and school elections

Best Practice: Mail or email all city clerks and school board secretaries a copy of the City Clerk's Guide or School Secretary's Guide (as appropriate) as well as the Filing Officer's Guide.

Contact Other Auditors (school, city, and special elections only)

If a city, school district, or other jurisdiction is located in more than one county, the auditor with the greatest taxable base is responsible for conducting the election. That auditor is known as the "control county auditor."

If you are the control county auditor, make sure you contact the other auditors whose constituents will be voting in the election. You will need to coordinate the processing of absentee ballot requests, transfer of election registers, and hiring of PEOs for the election you are conducting.

[§47.2(2)]

If you are not the control county auditor, make sure you have heard from the control county auditor about shared races and coordinating the tasks outlined above.

Community College Areas (school elections only)

Even if you are not the control county auditor for a community college, you will be responsible for including any community college offices or public measures on the ballots of the voters who live in school districts for which you are the control county auditor.

The community college control county auditor should contact you to let you know whether any offices or public measures need to appear on ballots in your county. If you don't hear anything from the community college control county auditor, make sure to confirm with him or her that there are no offices/public measures that need to be included.

Precincts and Polling Places

Voting precinct boundaries are established once every 10 years after the federal census is conducted. Once the precinct boundaries have been established, no changes are allowed to be made except in very specific circumstances as outlined in §49.8.

Designating Polling Places

Under Iowa law, the auditor is charged with designating a polling place for each precinct. You may collaborate with other local officials (city clerks, school secretaries, etc.) but ultimately this task is completely under the auditor's authority.

All buildings that are supported by taxation under the laws of the state of Iowa (all state, county, and city facilities, public schools, public universities, etc.) are required by law to allow the facilities to be used as a polling place. They are not allowed to charge any fee for doing this.
[§49.21(2)(a)]

The polling place for each precinct must be as centrally located within the precinct as possible. First consideration must be given to public buildings supported by taxation.
[§49.21(2)(b)]

You may choose the same building or room within a building as the polling place for more than one precinct. Each polling place must be clearly marked to indicate which precinct should vote at each location and arrangements must be made to prevent direct access from one polling place to another. For example, use different rooms or physical divisions between polling places (i.e. stanchions).
[§49.10(4)]

Accessibility

All polling places must be accessible to voters with disabilities. This applies in all elections.
[§49.21(1)]

If any structural changes have taken place in a polling place, you must survey the polling place and make sure it is still compliant with accessibility requirements.

The auditor must determine if any polling places are in need of re-inspection 90 days before each primary election. See the Primary Elections chapter for more information.

Best Practice: Survey all of your county's polling places using the polling place accessibility survey at least once before each primary election to make sure they are still compliant. The polling place accessibility survey is available in the Election Forms Library.

What to do if a Polling Place is not Accessible

If any polling places are not in compliance, you must attempt to find another suitable polling place or apply for a waiver of the accessibility requirements.

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)]

Vote Centers

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

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

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

[§49.11(3)(b), IAC 721—21.75]

Example:

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

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

Preparing for a Vote Center

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

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

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

Polling hours and posting requirements within the vote center are the same as for regular precinct polling places.

For the notice of election, see IAC 721—21.75(4) for the required language that must be included in the notice of election every time that vote centers are used.

Setting the Locations

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

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

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

[IAC 721—21.75(2), 21.75(5)]

Changes of Address Within the County

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

[IAC 721—21.75(8)(c)]

Election Day Registration at Vote Centers

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

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

Ballots for Vote Centers

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

[IAC 721—21.75(8)(d)]

Example:

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

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

Ballot Rotation for Vote Centers

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

[IAC 721—21.75(7)]

Reporting Election Results

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

Post Election Review

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

[IAC 721—21.75(9)]

Contact Facilities

Once you have determined which polling places or vote centers will be used, notify your polling place contacts (owners, facility managers, custodians, etc.) of the date and hours of the election. Arrange for PEOs to have access to the building at least one hour before the polls open and at least one hour (or more) after the polls close on election night.

When making contact:

- Check on the availability of telephones, tables, chairs, heat, lights, restrooms, and other necessities at the polling place.
- Confirm with facility managers that polling places have not had any structural changes (construction, natural disasters, demolition, etc.) that would affect accessibility for voters with disabilities.
- If any changes have taken place, **it is your responsibility to survey the polling place and ensure it is still compliant with accessibility requirements by filling out a new polling place accessibility survey.** It is not enough to “take the word” of the facility managers.

For more information see the polling place accessibility section of this chapter.

Determine Polling Place Hours

Must Open at 7 a.m.

All polling places must be open from 7 a.m. until 9 p.m. for partisan elections. This includes:

- Primary elections
- General elections
- Special partisan elections to fill vacancies

[§49.73(1)]

7 a.m. or Noon?

For the following 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 (including special city elections), regardless of the size of the city
- School elections (including special 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 the Special Elections chapter for more information.

- Rare special elections for the unincorporated area of the county (this would only be if the unincorporated area is the only area of the county voting at a particular election)

By default, all polling places in these elections open at 7 a.m. However, if based on the criteria in §49.73, the auditor determines that shortened voting hours are justified, the polls may be opened at noon. The criteria for making this decision are:

- Voter turnout for recent similar elections
- Factors considered likely to affect voter turnout for the forthcoming election

[§49.73(1)]

Voters in the jurisdiction can petition to have the polls opened at 7 a.m. instead of noon by filing a petition signed by 50 eligible electors 25 or more days before the election. If a petition is filed, the polls must be opened at 7 a.m.

[§49.73(2)]

All polling places where a particular office or public measure will appear must have the same polling hours. For example, if you are conducting a special city election with five precincts, two of which have traditionally low turnout, you cannot open the two polling places with low turnout at noon and have the other polling places open at 7 a.m.

[§49.73(2)]

Exception: For any election in which a community college office or question appears on the ballot, the polling places within each school district must have the same polling place hours. However, the time the polling places open may vary between school districts depending on what opening time the control auditor for each school district sets.

[§49.73(2)]

No Changes Allowed After Publication

Polling place hours cannot be changed once the notice of election has appeared in the newspaper.

[§49.73(2)]

Absentee Voting on Election Day

If you decide to open the polls at noon for any jurisdiction, you are required to offer absentee voting in your office from 8:00 a.m. to 11:00 a.m. on election day for those jurisdictions. Absentee voting is not available on election day for any jurisdiction in which the polling places open at 7 a.m.

[§53.2(1)]

See the Absentee Voting chapter for more information.

Satellite Voting Station Planning

Based on your estimated turnout, decide if you will offer satellite voting for this election.

Members of the public have the right to petition for satellite voting stations, whether the auditor decides to establish satellite voting or not.

For more information on satellite voting, see the Absentee Voting chapter.

Precinct Supplies Checklist

Polling Place Signs

- Sign showing the precinct number or name, election name and date, and polling place hours to be posted at the entrance to the polling place

[HAVA Section 302]

If multiple precincts are located in one building with one entrance, one notice can be posted as long as all precincts are listed in the notice.

- A map showing precinct boundaries to be posted at the entrance to the polling place
- "Vote Here" sign(s) to be posted at the entrance to each driveway leading to the polling place [§49.21(3)]
- Voting instructions

One copy is to be posted in each voting booth; one copy is to be posted in the polling place [§49.70; 49.71]

- "Voting is Your Right" poster [§49.70; 49.71]
- One sample ballot, front and back (if applicable) [§49.71, 52.29]
- Public measure text, if needed [§52.25]

This must be posted by the sample ballot and in each voting booth.

- EDR Instructions and Iowa Voter Identification Requirements Poster [§49.68]

PEO Written Instructions

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

Ballots and Voting Equipment

- Ballots:

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

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

[§49.64, 49.65]

- Ballot record and receipt

- Ballot boxes [§49.25(3)]
- Voting booths, including one accessible voting booth [§49.25]
- Request for additional ballots

Voter Check-In Materials

- Election register [§49.28]
- Precinct finders
- List of the names of persons who requested absentee ballots [§49.72]
- Declaration of eligibility slips, if used [§49.77]
- Voter rosters, if used [IAC 721—21.5]
- Voter registration forms for recording changes of address [§48A.27(2)(a)(3), 48A.7A(1)(a)]
- Provisional ballot envelopes [§49.81(4)]
- Affidavit of voter requesting assistance
- EDR forms [§48A.7A(4)]
- Challenger's Statement [§49.79(3)(a)]
- Notice to EDR Registrants [IAC 721—21.7(4)]

Precinct Canvass Materials

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

Compensation

PEOs must be paid for their time and travel expenses. The minimum rate of pay is minimum wage, which is currently \$7.25 per hour. The only exception to this is in the case of school elections or city elections when there are PEOs who have been designated by the city council or school board as willing to work without pay for these types of elections and the auditor has chosen to appoint those individuals.

[§49.20]

Oath

Every PEO working at every election must take an oath before engaging in any official duties. The election official/clerk oath is available in the Election Forms Library.

Qualifications of a PEO

1. PEOs must be a registered voter of the county.

There are two exceptions:

- High school students who are not yet old enough to register to vote (see the section on high school PEOs in this chapter).
 - Registered voters of a jurisdiction under the control of the auditor for a particular election who live in another county (ex. school elections).
2. PEOs may not work at the polls if they are related within the third degree by blood or by marriage to **opposed** candidates.

For a candidate to be “opposed” there must be more candidates running for an office than there are open seats up for election. If related to an opposed candidate, they may not work at any polling place where the office to which their relative(s) are seeking election appears on the ballot.

This includes the PEO’s:

- First degree: spouses, parents, children, parents in-law, children in-law
- Second degree: grandparents, grandchildren, siblings, grandparents in-law, grandchildren in-law, siblings in-law
- Third degree: great-grandparents, great-grandchildren, aunts, uncles, nieces, nephews, great-grandparents in-law, great-grandchildren in-law, aunts in-law, uncles in-law, nieces in-law, nephews in-law
- Cousins, regardless whether first, second, etc. are not prohibited. A first cousin is a fourth degree relative.

Any PEO who is related within the third degree to opposed candidates on the ballot must notify the auditor of the conflict 15 days or more before the election.

[§49.13, 49.16]

Drawing Up Election Board Panels

Every two years, before the primary election, the auditor must draw up an election board panel for each precinct in the county.

Each panel must include members of the Democratic and Republican parties.

Each panel may include:

- The names of workers for each political party designated by the county party chairperson as long as the party submits the names of designated PEOs to the auditor at least 30 days before the primary election.

If the county chairs don't submit enough names (or any names), the auditor may designate people known to be members of the political parties or people who are not members of any political party (i.e. people registered as "No Party," "Iowa Green" or "Libertarian").

- The names of people who are willing to serve without pay for elections conducted for a school district or a city.

The names must be submitted by the city council or the school board at least 30 days before the primary election.

- High school students (see the section on high school PEOs in this chapter).

The auditor must finalize the election board panels no later than 20 days before the primary election.

Once the panels are finalized, the auditor will draw workers from the panel when appointing precinct election boards every time an election is held during the following two years.

[§49.15]

Best Practice: Send letters each spring of an even-numbered year to the county political parties, cities, and school districts reminding them of the deadline to submit names for the election board panel. Once the panel has been drawn up, send copies of the list of workers to these entities.

Appointing Membership of Each Board Prior to Election

No later than 15 days before each election the auditor must select workers from the election board panels to work on each precinct election board.

Keep the following in mind when appointing boards:

- Boards consist of three or five members, ordinarily.

However, additional officials may be appointed to work at any election at the auditor's discretion. Three members is the minimum.

- Preference must be given to residents of the precinct.

If there are not enough residents of a precinct on the panel, the auditor can appoint other residents of the county as necessary.

- For partisan elections, every election board must include members of the Democratic and Republican parties if members of both parties are qualified and willing to work. The board must be party balanced, so no more than a simple majority of the membership can be from one party or the other (Ex: If the board has five members, no more than three can be from the same party).

- Election boards can also include PEOs who are not registered as Democrats or Republicans but no more than one-third of the board membership can be PEOs who are not members of the two political parties.

- For partisan elections, preference must be given to any workers who were designated by a county political party chairperson.

The auditor can refuse to appoint any of these people for good cause but must give notice to the chairperson. The chairperson then has two working days to designate a replacement.

- For school elections and city elections, the auditor may choose to give preference to the workers who have been designated by a city council or school board as willing to serve without pay.

- One member of each board must be designated as the chairperson. At the auditor's discretion, two co-chairs can be appointed. If co-chairs are used, one must be a Democrat and the other must be a Republican.

- High school students can be appointed for any election (see the section about high school PEOs in this chapter) but not more than one high school student can serve at any given precinct and they cannot be appointed as the chairperson. If working at a partisan election, the student must certify in writing to the auditor which political party the student is affiliated with.

[§49.13, 49.16]

Best Practice:

Consider any potential conflicts of interest that PEOs might have before appointing them to work at any given election. Consider appointing officials in different precincts or asking them not to work for a particular election in order to avoid any perceptions of conflicts of interest or impropriety. (For example, in a contentious city election, it may be a good idea not to appoint any members of the city council, the city clerk, etc., especially if any of these people have been involved in promoting a certain candidate or public measure.)

Ballots

Sample ballots for each election available in the election-specific chapters.

Ordering Ballots

Begin estimating how many ballots you will need as early as possible.

Determine how many ballots will be needed at each precinct, including the number of absentee ballots and ballots for satellite stations and sample ballots. It is always better to have too many ballots than too few.

- For general elections:
 - **Presidential general elections:** Calculate the number of ballots you need using turnout numbers from the last presidential general election. For every 50 votes in a given precinct in the last election, you must send 55 ballots to that precinct for the current election.
 - **For gubernatorial general elections:** Calculate the number of ballots you need using turnout numbers from the last gubernatorial general election. For every 50 votes in a given precinct in the last election, you must send 55 ballots to that precinct for the current election.

[§49.64–67]

- For all other elections:
 - There is no required formula for calculating how many ballots you must send to each precinct. Use turnout numbers from previous similar elections and always order extra ballots. Even elections where low voter turnout is expected can turn into contentious elections unexpectedly. Plan for all possible scenarios.

Important Note: EDR may increase the number of people who vote in any given election. You should plan for this additional turnout when determining the number of ballots to order.

Contact Ballot Printer

Tell the printer when you expect to deliver the ballot information and the date you want the printer to have the ballots ready.

This should be soon after the candidate withdrawal deadline (if applicable) or as soon as you have all the necessary information for the election.

The rate charged by a printer for ballots cannot exceed the usual and customary rates the printer charges its regular customers.

[§49.56]

Ballots for UOCAVA voters must be ready to transmit at least 45 days before all primary and general elections. Absentee ballots for in-person and domestic by-mail absentee voters can be made available 40 days before all primary and general elections. Ballots must be ready as soon as possible for all other elections (but in-person absentee voting can never begin earlier than 40 days before the election).

[§53.10(1), 53.39(2)]

Inspection of Ballots

Iowa law permits candidates and their agents to inspect the ballots after they are printed. If anyone finds mistakes, the errors must be corrected.

[§49.63]

Best Practice: Once you have your final proofs, send copies of the ballots marked “Sample” to candidates.

Ballot Records

Keep records of:

1. Types of ballots ordered
2. Quantity of each type
3. Quantity received for each type
4. Number of each type used for in-person and mailed absentee ballots each day

Sample Ballots

Make sample ballots available to the public. The ballots must be marked as “Sample.” A reasonable fee may be charged if a request for multiple sample ballots is made.

For the primary election, prepare sample ballots for each party.

[§43.30]

Publications and the Media

Contact Newspapers

Notify the newspaper(s) of the date you wish to have the official notice(s) published. The notice of election and notice of any changes in polling places must be published not more than 20 and not less than four days before the election. Find out the deadline for submission for each newspaper.

[§49.23, 49.53]

Press Releases

Notify news media of the election date, candidate filing period dates, voter pre-registration deadlines, availability of absentee ballots and other relevant information.

Notice of Election

Prepare the official notice of the election. For primary and general elections, you must publish the notice in at least two official newspapers in the county. For all other elections, you must publish the notice in at least one newspaper in the county or political subdivision that meets the requirements of §618.3.

Best Practice: Publish this notice as early as possible in the required period between 20 and four days before the election. Sometimes errors are made that require re-publication.

The notice must include the following information:

[§49.53]

- Date of the election.
- Hours the polls will be open.
- Location of each polling place.
- Names of the precinct(s) voting at each polling place.
- Changes in the usual polling places for any precinct.

[§49.23]

For the primary election, you must also list any polling place that is not the same one as the one used for that precinct at the last primary election. For the general election, you must also list any polling place that is not the same one as the one used for that precinct at the last general election.

In all cases, you must post a notice at the former polling place before the polls open on election day indicating where the polling place is for that precinct.

- **Accessibility Requirement:** Note which polling places are inaccessible (you must apply for a waiver from the SoS to be authorized to use an inaccessible polling place, see the Precinct and Polling Place section of this chapter for more information).

- Include the following statement about the rights of voters with disabilities, even if all polling places being used are accessible:

“Any voter who is physically unable to enter a polling place has the right to vote in the voter’s vehicle. For further information, please contact the county auditor’s office at the telephone number or E-mail address listed below.

Telephone: _____ Email address: _____

For TTY access, dial 711 + [auditor’s office number].”

[IAC 721—21.50(10)]

- Facsimile of the portion of the ballot showing the first rotation.

This may be reduced as long as the uppercase letters are not less than 9-point type. This is 9-point type.

White space may be cropped to reduce the space necessary to publish this and cut costs.

[§49.53]

- Any offices or candidates not included on the facsimile ballot.
- Proposed constitutional amendments and public measures being voted on (if any) and the full text of the public measure if only the summary appears on the ballot.
- If the public test of voting equipment has not yet been held, the date, time and place of the test may be included in the notice of election.

Important Note: The cost of publishing the notice of election cannot exceed the limitations established by the director of the department of administrative services. See IAC 11—102.7 for information.

[§49.54, IAC 11—102.7]

Be sure to specify the number of copies of the proof of publication that you will need for your records and accounting.

Publication Follow Up

Check with the newspaper to be sure that your notice was received and that it will be published on the date you requested.

Always make sure that the publication actually appeared in the newspaper on the correct date, and that all the required information was included. Save a copy of the publication for your files.

Request Methods

Voters who are residents of health care facilities must complete an absentee ballot request form and return it to the auditor by the appropriate absentee ballot request deadline.

You can see if a voter lives in a health care facility by looking at the voter's record in I-VOTERS provided all health care facilities are configured as such in I-VOTERS (see "Adding a Health Care Facility to I-VOTERS" instructions). A red "HCF" will be shown on the voter's residence tab.



The screenshot shows the 'Residence' tab in the I-VOTERS system. The 'HCF' label is highlighted with a red box. The form displays the following information:

House #	Suffix	Pre Dir	Street Name	Type
1			OAKNOLL	CT
Post Dir	Unit Type	4204A		
City/St/Zip	IOWA CITY	IA	52246	
County	JOHNSON	Precinct	Split	C.01.1

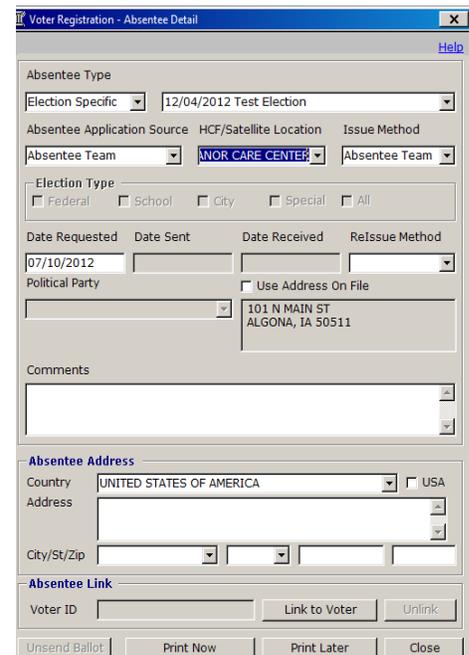
Voters who become a patient or resident of a hospital three days or less before an election may request a ballot in the following ways:

- Phone the auditor until four hours before the polls close
- Fax the auditor until four hours before the polls close
- Make their request to the bipartisan team delivering ballots to other voters

[§53.22]

Entering HCF Requests in I-VOTERS

1. Open the voter's record.
2. Click on the "**Absentee**" tab above the voter's residence. Click on "**Add.**"
3. When the "**Absentee Details**" screen opens, choose "**Election Specific**" as the request type.
4. Choose the appropriate election from the drop-down menu. The elections are listed in this menu in chronological order.
5. Choose "**Absentee Team**" as the "**Request Source.**"
6. Select the health care facility from the "**HCF/Satellite Location**" drop-down.
7. Choose "**Absentee Team**" as the "**Issue Method.**"
8. Click on "**Print Later**" to send a label to "**Election Management**" to print later. To print a label immediately, click on "**Print Now.**"



The screenshot shows the 'Voter Registration - Absentee Detail' form. The form is filled out with the following information:

Absentee Type	Absentee Application Source	HCF/Satellite Location	Issue Method
Election Specific	12/04/2012 Test Election	HEALTH CARE CENTER	Absentee Team
Election Type <input type="checkbox"/> Federal <input type="checkbox"/> School <input type="checkbox"/> City <input type="checkbox"/> Special <input type="checkbox"/> All			
Date Requested	Date Sent	Date Received	ReIssue Method
07/10/2012			
Political Party <input type="checkbox"/> Use Address On File			
101 N MAIN ST ALGONA, IA 50511			
Comments			
Absentee Address			
Country	UNITED STATES OF AMERICA <input type="checkbox"/> USA		
Address			
City/St/Zip			
Absentee Link			
Voter ID	Link to Voter	Unlink	
Unsend Ballot	Print Now	Print Later	Close

These ballots will need to be received in the "**Receive Absentee Ballots**" module like ballots that are received in the mail.

Delivering Ballots to HCF Voters

Iowa law requires that a bipartisan team deliver absentee ballots to voters who are patients in hospitals and health care facilities in your county.

The bipartisan team is made up of two PEOS, one Democrat and one Republican, that are appointed from the ASVP board.

[§53.22(1)]

The bipartisan team must make their deliveries during the 14 days immediately before the election and on election day. The auditor may also choose to send a bipartisan team to deliver ballots during the 10 days immediately after the ballots are printed.

[§53.8(3), 53.22(1)(a)]

After receiving an absentee request from a HCF voter, send a notice to each voter indicating the requested ballot will be delivered by the bipartisan team. Sample notices are available in the Election Forms Library.

If a voter notifies the auditor that the voter will not be available during the time the bipartisan team will be delivering ballots but will be available at some other time before election day or on election day, the bipartisan team must be sent when the voter will be available.

[§53.22(1)(b)]

Exception: For any election except primary elections, general elections, and special elections held pursuant to §69.14, absentee ballots may be mailed to a hospital or health care facility if no more than two requests are received from that institution. If there are three or more requests from a hospital or health care facility in any election, the bipartisan team must deliver the ballots.

[§53.22(3)]

If the voter is a patient in a hospital or health care facility outside your county, mail an absentee ballot to the voter. The voter must be already registered to vote in order to receive a ballot in this circumstance.

[§53.22(4)]

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Persons Permitted at the Polling Place

Other than voters, the following persons may be at the polling place, provided they do not solicit votes:

- Any person who is by law authorized to perform or is charged with the performance of official duties at the election
- Any peace officer assigned or called upon by request of the auditor or PEO chairperson
- Poll watchers (see Poll Watchers chapter)
- Educational programs: participants authorized by the auditor, in consultation with the SOS, may be present at the polling place for the purpose of conducting or attending a youth educational program.
- Members of the news media (see below)

[§49.104]

Electronic Devices

The use of cameras, cell phones, pagers, or other electronic devices is prohibited in the voting booth.

[§49.88(1)]

Campaign and Candidate-Related Clothing or Buttons

Poll watchers are not allowed to wear campaign or campaign-related items in the polling place. Voters can wear such items as long as they do not linger the polling place or solicit votes.

Regulations for Campaign Signs and Electioneering at Polling Places

During the hours the polls are open on election day, campaign signs may not be posted and electioneering is not allowed within 300 feet of any entrance to the polling place.

[§39A.4(1)(a)(1), 68A.406(2)(a)(4)]

Exit Polling

Exit polls may be conducted at any time but tend to be conducted in close races or in highly publicized contests. Exit polls may be conducted by the media or by political or interest groups.

People conducting surveys or exit polls are not permitted inside the polling place. In addition, they may not be inside the building in which the polling place is located or in the building's entryway regardless of weather or any other adverse condition. They must be outside the building but may be within 300 feet of the building or the entrance to the building used by voters entering the polling place.

Reporters and Photographers

Members of the media are common visitors to polling places but may notify the auditor ahead of time of their intention to visit a polling place. General guidelines for conduct of members of the media in the polling place include:

- Allow members of the media to be inside the polling place to take photographs or film activity, but do not allow them to interfere with the voting process. Members of the media cannot take images of how a voter marks or has marked a ballot.
- PEOs should ask members of the media to identify themselves and to show identification.
- Restrict interviews with voters until voters have cast ballots and are outside of the polling place. Members of the media should obtain permission from a voter to use the voter's name and/or image.
- PEOs may answer questions from or provide comments to members of the media only when authorized to do so by the auditor. Auditors should talk to their PEOs to let them know the auditor's expectations concerning media relations.

[§49.104(8)]

Preparing Abstracts of Votes

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

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

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

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

3. Scattering

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

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

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

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

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

[§50.24]

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

[§43.49]

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

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

[§50.25]

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

Proof the following items on the abstracts before the canvass:

1. Check the total votes for each candidate.

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

2. Check winners.

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

3. Check the canvass date.

4. Use zeros.

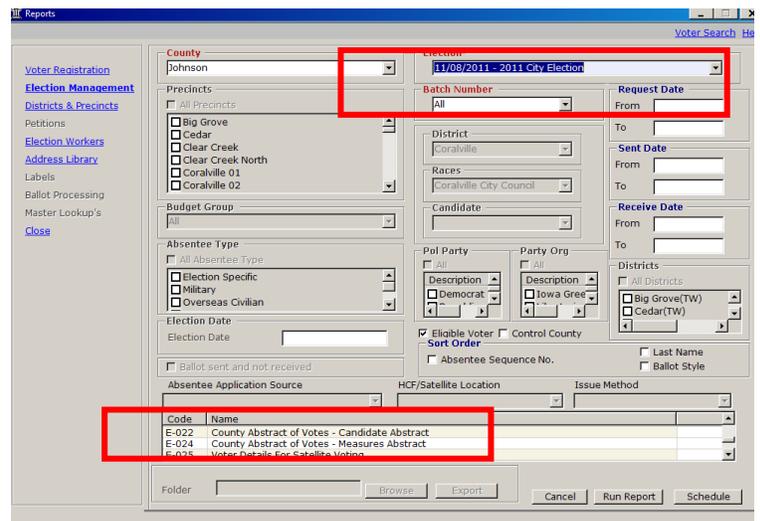
If no votes were cast for an office or candidate on the ballot, put the number of votes cast as "0" on the abstract.

5. Put the county seal on each abstract.

Printing Abstracts from I-VOTERS

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

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



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.state.ia.us/election/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 Exception: 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]

Ballot Layout

All offices on the ballot are non-partisan offices. No reference to 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)]

Pct. Off. Initials	Official Ballot - November 8, 2011 Regular City Election and Special Election In the County of Linn, State of Iowa	ATTEST: <i>Joel D. Miller</i> 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 MUST completely fill in the oval <input type="radio"/> 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 <input type="radio"/> . To vote against a question, fill in the oval to the left of the word "NO", like this <input type="radio"/> .		
Nonpartisan Offices City of Ely		
For Mayor (Vote for no more than one)		
<input type="radio"/> James E. Doyle Jr.		
<input type="radio"/> David Lambert		
<input type="radio"/> Dale A. Stanek II		
<input type="radio"/> (Write-in vote, if any)		
For Council Member (Vote for no more than three)		
<input type="radio"/> Bob Ballantyne		
<input type="radio"/> Bill Grove		
<input type="radio"/> (Write-in vote, if any)		
<input type="radio"/> (Write-in vote, if any)		
<input type="radio"/> (Write-in vote, if any)		

FRONT Card 23 SEQ# 1

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.

Post Election Day

“Final” Election?

The *Iowa Code* requires expedited post election day activities in the case of a city election that is not the final election for a city.

City Primary Election

This is not the final election. An expedited timeline will apply.

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 will apply.

All other cities:

The regular city election is the final election.

City Runoff Election

This is the final election.

What is Different About Special Elections?

Almost Everything

It is very important to make sure you have all the *Iowa Code* sections, *Iowa Administrative Code* sections, and any relevant information from this handbook as soon as you know that a special election is being held or planned. Timelines, publication requirements, filing periods, canvass requirements, etc. vary greatly for special elections. However, most of the basic planning and principles that apply to all elections also apply to special elections.

Please see page 22 for a list of types of special elections and the laws that apply specifically to those types of elections.

Additional Publications Required

For local option tax and county special levy elections, two publications are needed.

- 60 day publication date (for local option tax elections):
- Second publication date (no specific requirement for how many days prior to election) for county special levy elections

See also §331.425(5), §423B.1(5), and IAC 721—21.800(3).

For county supervisor representation plan elections, publication must be made once a week for three weeks in a row. The last in the series of publications must be published between four and 20 days before the election.

[§331.207(2)]

Temporary Polling Places

In I-VOTERS, when setting up a special election in “Election Management,” you will need to assign temporary polling places. This will need to be done after you generate ballot styles but before you pull the absentee voters.

See the Pre-Election Day chapter for more information on setting up the election in I-VOTERS.

Standards for Reviewing Special Election Petitions

Every time a petition requesting a special election is received in your office, you should do the following:

1. Make sure the petition is legally allowed to be filed in your office.

Check the *Iowa Code* section on the petition form (if the petitioners have listed one). Direct the petitioners to the correct filing officer (board of supervisors, county auditor, city clerk, school secretary, etc.) if you determine you are not the filing officer for this type of petition.

- Most county petitions must be filed with the board of supervisors.

Some county petitions must be filed with the auditor if the *Iowa Code* section authorizing the special election specifically indicates that.

- Most city petitions must be filed with the city clerk.
- Most school district petitions must be filed with the school secretary.

2. In some cases, make sure the petition was filed by the deadline for doing so:

- **County petitions pursuant to §331.306:**

If the petition is requesting a public measure to be placed on the general election ballot, the petition must be filed with the board of supervisors at least 82 days before the date of the election.

- **School district petitions pursuant to §278.2:**

If the petition is requesting a public measure to be placed on the regular school election ballot, the petition must be filed with the school secretary at least 75 days before the date of the election.

3. In all cases, petitions are accepted if they appear to be valid “on their face.” (i.e. no additional investigation or scrutiny on the part of the filing officer is authorized beyond checking for the legal requirements outlined below).

[§277.7, 331.306, 362.4]

4. Unless the *Iowa Code* section authorizing the petition contains different requirements, in order to count a signature on a special election petition, the signer must have included:

- Signature
- Statement of place of residence
- Date of signing

[§331.306, 362.4, 278.2]

5. Requirements for the number of signatures vary depending on the jurisdiction:

- **County petitions pursuant to §331.306:**

Petitions must contain signatures of eligible electors of the county equal to at least 10% of the votes cast in the county for president or governor at the last general election (unless the law governing the specific type of special election contains a different requirement).

[§331.306]

- **City petitions pursuant to §362.4:**

Petitions must contain signatures of eligible electors of the city equal to at least 10% of the people who voted at the last regular city election, but not less than 10 (unless the law governing the specific type of special election contains a different requirement).

[§362.4]

- **School district petitions pursuant to §278.2:**

Petitions must contain signatures of at least 100 eligible electors or a number equal to 30% of the people who voted at the last regular school election, whichever is greater.

[§278.2]

6. If you determine the petition lacks the required number of signatures or is in any other way invalid, reject the petition and return it to the filer(s).

[§331.306, 362.4, 277.7]

7. Written objections to petitions can generally be filed within 5 working days after the petition is filed.

The filing officer for objections and the laws to follow to act on objections vary depending on the jurisdiction:

- Objections to §331.306 county petitions must be filed with the auditor. The process outlined in §44.7 is followed when acting on written objections.
- Objections to §362.4 city petitions must be filed with the city clerk. The process outlined in §44.8 is followed when acting on written objections.
- Objections to §278.2 school district petitions must be filed with the school secretary. The process outlined in §277.5 is followed when acting on written objections.

Planning for a Special Election

Notice of Special Elections

On the local level, you may hear that a city or school district is planning to request a vote on a public measure or you may hear that an office holder has died, resigned, or otherwise left his or her seat vacant. When you hear news like this, it is a good idea to check on the election provisions related to what is being discussed since you will be responsible for conducting an election if it becomes necessary. Media will often call you to ask questions before a special election is officially requested.

A special election cannot be scheduled until you receive a copy of the governing body's action calling the special election.

For any special elections for state and federal office, the SOS will notify you.

There are also certain petitions requesting special elections that are allowed to be filed with the auditor or board of supervisors that will cause an election to be held.

Notification Requirements

Special Election Type	Days Before Election	Code Cite
Public Measures	46	§47.6(3)
Countywide Local Option Sales & Services Tax (LOSST)	84	IAC 721—21.800(1)(c), 21.800(2)
LOSST (use changes for a single city or unincorporated area of county)	No later than time required for the auditor to publish ballot proposition at least 60 days before election	§423B.1(6)(a)(2)
Local Vehicle Tax	84	IAC 721—21.802(1)(c)
To Fill Vacancies (most)	At least 32 days	
City Elections to Fill Vacancies	60 days for cities with primary provisions 32 days in all other cities	§372.13(2)(b)

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
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 277.7	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
City name change	G	City	368.2	Regular city election only	M	2 yrs
City officers' terms	P	City	376.2		M	4 yrs
City severance	G or P	City and City Development Board	368.11-.19		M	NR
City-County consolidation	G	Charter Commission - established by petition 25% of vote for president or governor	331.232(2); 331.247-.252	Yes! Many, read carefully General election only	M in city and overall county	2 yrs
Civil service commission, city - abolition by ordinance	G	City with population < 8,000	400.3	Regular city election only; extra publication	M	NR
Community clusters, revenue sharing	G	County, City, Township	28E.39	Must pass in each gov't unit	M	NR
Community commonwealth	G	Commission (331.232)	331.260-263	Commission required	M County & City	2 yrs
Conservation Board, county - established	P	County	331.306; 350.2	General Election only	M	2 yrs
Consolidated metropolitan corporation	G or P	Commission and cities	Chapter 373 373.6	General Election only - many special requirements	M in each city	2 yrs
Consolidation	G or P	City and City Development Board	368.11-19		M	2 yrs
Constitutional amendment	G	Iowa General Assembly	Constitution Art. X, §1; Chapter 49A	General or special election	M	NR
Constitutional convention question	Constitution	State	Iowa Constitution Art. X §3	Every year ending in 0; General Election only	M	10 yrs
Conveyance of Joint property	G	County	346.27	Extra publication	M	NR

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
County / County consolidation	G	County	331.253-256	YES! Read carefully.	M	NR
County Agricultural Extension Education Tax, see Agricultural Extension Education Tax County Fair revenue bonds, see Bonds – County Fair, revenue						
County government alternative forms	G	County Charter Commission - established by petition	331.231-263	Must keep 6 years - general election only	M 331.237	2 yrs
County government amendment	P	County	331.244-245	Yes!	M	2 yrs
County officers, combining duties, splitting combined duties	P	County	331.323	General Election	M	2 yrs
Director districts, school - establish or abandon	G or P	School District	275.35 - .36; 277.2; 278.1; 278.2	Must keep 6 years if approved	M	3 yrs
Drainage district, acceptance of improvements	G	Drainage district board	468.259(2); 468.261 468.500-523	Voter determined by property ownership. Special pub. required. Read code carefully! Auditor not required to conduct election.	60%	NR
Drainage district, dissolution	G	Drainage district board	468.259(1); 468.261 468.500-523	Voters determined by property ownership. Special pub required. Read code carefully!	60%	NR
Educational & recreational tax levy, see PEARL (page 34)						
Educational improvement program, discontinuance	P	School District	257.29(5)		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 Gambling, excursion boat (page 29)						
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. Some franchise elections are held only if requested by petition - see 364.2(4)(b)	M	NR
Franchise: City sewer & water, see Sewer and water franchise (page 36)						
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
Hospital, area: formation, protest of merger plan or amendment	P	County, City, School, Township	145A.6 - .9; 145A.21-.22	Election contest provisions 145A.22	M	NR
Hospital, area: special tax	G	County, City, School, Township	145A.19	Levy limits; question voted on at any regular election	M	NR
Hospital, city hospital changed to county hospital	P	County	347.23	Votes in city also count toward approval or disapproval by county	M in both city & county	NR
Hospital, county public; sale or lease, change to private	G	Hospital Board of Trustees	347.14(10)	Ballot language in code	M	NR
Hospital, county public; tax levy	G	County	347.7	IDPH Guidelines (Not available 12/30/02)	No election	
Hospital, county: revenue bonds	P	County	75.1, 347A.1, 331.461(2)(d) or (e), 331.442(2-4)	Publication	60%	6 mos
Hospital, memorial or county hospital supported by revenue bonds, changed to county hospital	G or P	County	347.23A	Yes, see 347.23A(2 & 3)	M	NR
Hotel and motel tax imposition, repeal, rate change	G	City or County	423A.4	Special election OK. Must keep one year	M	NR
Instructional support levy	G or P	School District	257.18	5 or 10 year limit	M	NR
Instructional support levy continuation	G or P	School District	257.27		M	120 days
Insurance: bond issue, tax levy	G	School Board	75.1; 296.1-7	Yes, see §296.7(3,5-6)	60%	6 mos

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Joint city-county property conveyance	G	City, County	346.27(25)		M	NR
Joint financing of public works and facilities	G	City	28F.1	Yes, see 28F.1	M	1 yr
Joint government bonds	G	County, City	75.1; 28E.16	May be joint or separate	60%	6 mos
Joint public buildings	G	Collective: County, City, School, Fire District	75.1, 28E.41; 28E.16		60%	6 mos
Joint water utility established, enlarged	G or P	2 or more cities	389.2		M in city	NR
Land use district, creation	P	County	303.41-48	Yes (ex. Amana)	M	NR
Law enforcement (unified) expansion of district tax levy	G	County, City	28E.25		M	NR
Law enforcement (unified) levy	G or P	Collective: County, City	28E.22		M in each jurisdiction	NR
Law enforcement (unified) levy - discontinue	P	Collective: County, City	28E.28A	District must exist for 5 years	M in each jurisdiction	NR
Law enforcement district levy, bonds, trustee election	G	County	357D.8; 357D.11	Yes publication (levy) per 357.4	60%	NR
Lease, lease purchase contracts	P	County	331.301(10); 331.442(2-4)	\$, population limits Reverse referendum	60%	NR
Lease, purchase for property or services outside city	P	City	362.4; 364.4(4)(e)(2b); 384.26(2-4)	\$, population limits many	60%	NR
Levy adjustment greater than \$2.70 / \$1,000	G	School Board	298.18A	Not more than \$4.05 / \$1,000	60%	NR

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Levy election (special city) for tax exceeding limits in ch 384	G	City Council	384.12(19)	Only on first Tuesday in March; canvass no earlier than 1p.m. Thursday	M	1 yr
Levy election (special county)	G	County	331.425	Yes. Only on first Tuesday in March; canvass no earlier than 1p.m. Thursday	M	1 yr
Levy for additional taxes	P	City	384.12	Available for many purposes. Canvass no earlier than 1p.m. Thursday	M	NR
Library board, city: change composition, selection, charge or replace	G or P	City	392.5		M	4 yrs
Library contract and levy: discontinue	P	School District	298.7(2)	Regular school election	M	2 yrs
Library district, county: withdrawal by county	G	County	336.16	Hearing required. General Election only	M	4 yrs
Library district, establishment	P	City(ies), County(ies)	336.2	General Election only	M	2 yrs
Library district, termination	G	County	336.16	General or other county election	M	4 yrs
Library district, withdrawal by city	G	City	336.16	Hearing required. With general or city election	M	4 yrs
Library tax levy	P	City	384.12(20)	Regular city election	M	2 yrs
Library use contract, county use of city library, termination	P	School corp. Township Library District	336.18	Unincorporated area only General election only	M	2 yrs

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Library use contract, termination	P	School, City, Township, County	336.18(2)		M	NR
Loan agreements, city	P	City	384.24A; 384.26(2-4)	\$, population limits many provisions reverse referendum	60%	Varies
Loan agreements, county	P	County	331.402; 331.442(2-4) 331.443	\$, population limits many provisions	60%	Varies
Local option income surtax - SEE emergency medical services tax (page 28)						
Local option tax: sales and services - imposition, repeal, rate or use change	G or P	County, Cities	423B.1; IAC 721-21.800; 721-21.801	Many! Extra publication 60 days before election; contiguous cities vote as a group. See IAC for ballot forms Multi-county LOSST new in 2006	M	NR
Local option tax: school infrastructure SILO – REPEALED				REPEALED. See Revenue Purpose Statement SAVE elections.	M	NR
Local option tax: vehicle tax	P	County	423B.1(3& 4a); 423B.2; 423B.3; IAC 721-21.801(2); 721-21.802	See IAC for ballot format	M	NR
Local transient guest tax fund: bonds	P	City or County	423A.7(4)(f)	May issue bonds without election unless petition filed	M	NR

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 Emergency medical service tax (page 28) PEARL, see Public educational and recreational tax levy (page 34)						
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 Bonds (pages 23-25)						
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; 277.7	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; 277.7	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

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
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; 277.7	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; 277.7	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; 277.7	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; 277.7	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; 277.7	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; 277.7	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; 277.7	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 277.7	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

Public Measure Election	Called By	Jurisdiction or Governing Body	Code & IAC Sections	Special Requirements	% to pass	Repeat after failure
Township Offices: change from appointment to election	G or P	County	39.22(1)	Keep for 4 years	M	NR
Township Offices: change from election to appointment	G	County	39.22(1)	Keep for 4 years	M	NR
Unified law enforcement district dissolution	P	Joint City and County	28E.28A	General Election	M	NR
Unified law enforcement district expansion	G	Joint City and County	28E.25		M	NR
Unified law enforcement tax levy	P	Joint, city(ies) and county(ies)	28E.22		M	NR
Utilities, city: establish, acquire, lease or dispose of; utility board established or discontinued	G or P	City	388.2	Petition: regular city election only; Gov't: any city election	M	4 yrs
Voting Machines or electronic voting systems 331.441 (b) (1), see Bonds-County General obligation (page 24)						
Water & sanitary district, combined – establishment	P	County	357.1B; 357.12; 358.2	No \$ for poll workers. Must be held with election for trustees	M	NR
Water & sanitary district: inadequate dummy assessment	G	County	357.15-.16		M	NR
Water & sewer district franchise to rural water district	G or P	City	364.2; 357A.23		M	NR
Zoo, city: contracts with other cities	G	City	394.4	If approved by voters not subject to termination	M	NR
Zoo, city: general obligation bonds	G	City	75.1; 394.2	General or regular city election	60%	1 yr
Zoo, city: tax	G	City	394.3	If tax exceeds 27¢ / \$1,000	M	NR

Local Option Tax Elections

Types of Local Option Taxes

There are two types of local option taxes requiring voter approval:

- Sales and services taxes (LOSST)
- Vehicle taxes

Each of these local option taxes may be imposed by ordinance by the county board of supervisors following an election approving imposition of the tax or taxes.

[§423B.1(1)]

More Than One Question

More than one local option tax may be voted on at the same election. If both the sales and services tax and the vehicle tax are presented to the voters at the same election, both questions must appear on the same ballot. If more than one local option tax is adopted, each tax is implemented separately.

[§423B.1(7)]

Extra Notice Required

Two separate notices are required to be published to inform the public that a local option tax election will be held. The first notice must be published at least 60 days before the election. This initial notice must include all the information that will be included on the ballot, but it does not need to include the ballot.

A notice of the election including a sample ballot and notice to voters of the locations of the polling places and voting hours must also be published not more than 20 days nor less than 4 days before the election.

[§49.53, 423B.1(5), IAC 721—21.800(3), 21.802(2)]

Ordinance Required

After the voters have approved a local option tax, the board of supervisors must adopt an ordinance imposing the tax. For help in drafting the ordinance the board should consult with the director of the department of revenue and finance, or for the vehicle tax, the director of the department of transportation.

[§423B.3, 423B.6(2)(b)]

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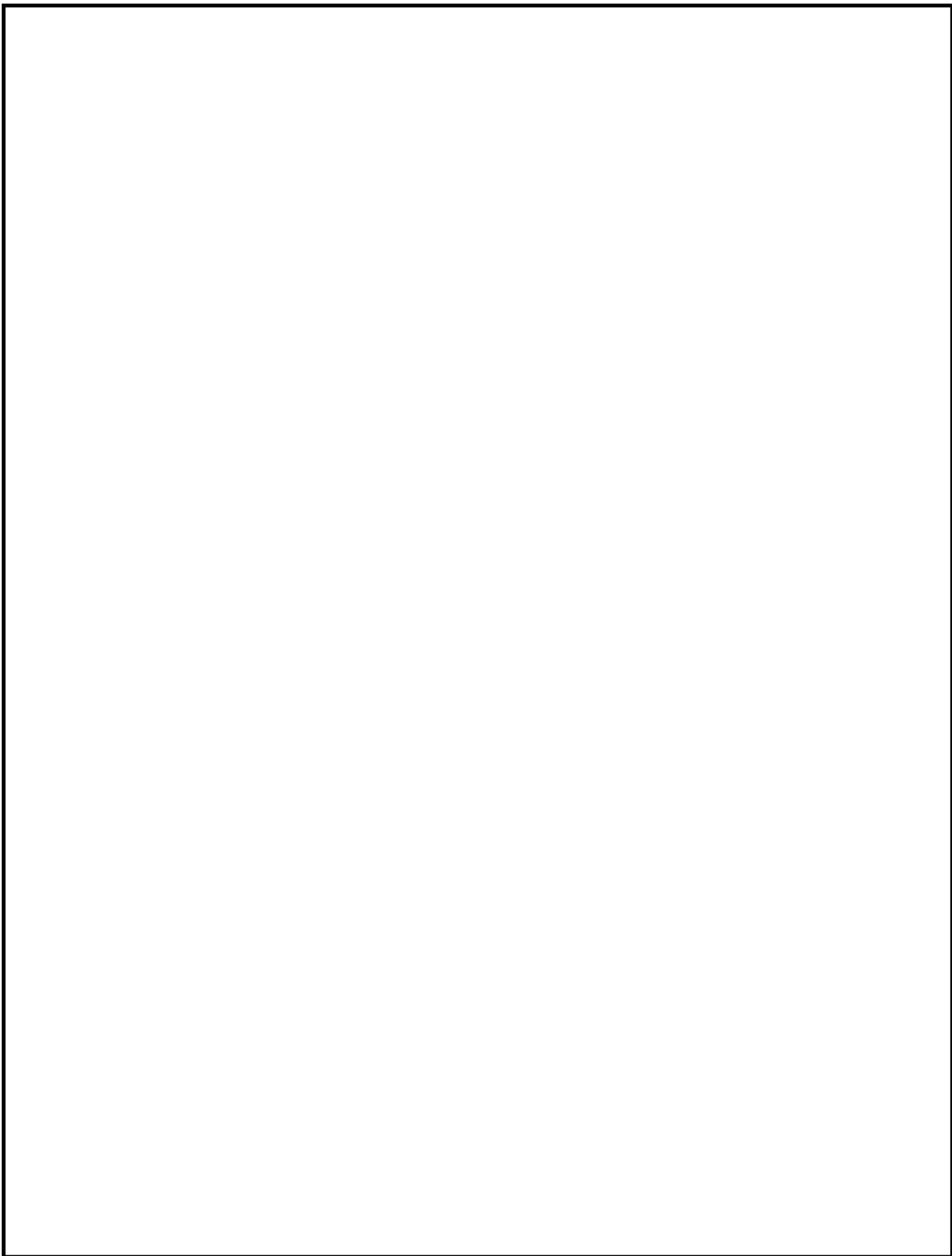
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Appointing Replacements

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]

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)]

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.

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, then the office must appear on the ballot at the regular school election for the full term, not as “To Fill Vacancy.”

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

Vacancies on City Councils

Laws Related to City Council Vacancies

Iowa Code sections 372.13 and 69.12 apply to vacancies in city offices.

Filling Vacancies

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

[§372.13(2)]

Extra or Special Publication Requirements

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

[§372.13(2)(a), 362.3]

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

[§372.13(2)(b)]

Appointing Replacements

Deadline

The appointment must be made within 40 days after the vacancy occurs.

[§372.13(2)(a)]

Appointment not Made Before Deadline

There is no penalty set forth in the *Iowa Code* if the city council does not make the appointment before the deadline.

Withdrawal and Objection Deadlines

Withdrawal Deadline

Political Party Candidates: The *Iowa Code* does not specify a procedure for withdrawing from a special election. Consult the county attorney.

NPPO and “Nominated by Petition” Candidates: 25 days before the election
[§44.9(5)]

Objection Deadline:

Political Party Candidates: The *Iowa Code* does not have a specific provision applicable to special elections. Consult the county attorney.

NPPO and “Nominated by Petition” Candidates: The *Iowa Code* does not have a specific provision applicable to special elections. Consult the county attorney.
[§43.24(1)(b)(2), 44.4(2)(a)(2)]

Public Measures

A public measure may also be placed on the ballot. The deadline for the county 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)]

Filling Vacancy at Special County Public Measure Election

If a special county election for a public measure was scheduled before the vacancy occurred, the vacancy must be filled at the upcoming special election 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), 69.14A(1)(a)(1)]

Filling Vacancy at Next General Election

A mid-term vacancy needs to be placed on the primary election ballot and filled at the next general election if it occurs after the previous general election but more than 73 days before the next primary unless a special election was called to fill the office at least 73 days before the primary. If no special election was called and the office is still vacant or was filled by appointment, the office must be placed on the ballot at the primary election.

[§43.6(2)]

A mid-term vacancy occurring during the period beginning 73 days before the primary election and ending on the date of the primary election must be filled at the general election. The office will appear on the ballot as "To Fill Vacancy." Political parties must make nominations by convention for this office. NPPOs and "Nominated by Petition" candidates follow the usual general election filing process during the general election filing period.

[§43.77(5)(a)]

If a mid-term vacancy occurs after the date of the primary election and more than 73 days before the general election, the vacancy must be filled at the general election. A special election cannot be called. The office will appear on the ballot as "To Fill Vacancy." Political parties must make nominations by convention for this office. NPPOs and "Nominated by Petition" candidates follow the usual general election filing process during the general election filing period.

[§43.77(5)(b)]

Mid-term vacancies occurring fewer than 73 days before the general election cannot be placed on the general election ballot. The county board of supervisors or the county committee must decide if the vacancy will be filled by appointment until the next pending election or if a special election will be held.