

# Candidate's Guide to the Special Election State House District 25

January 7, 2014

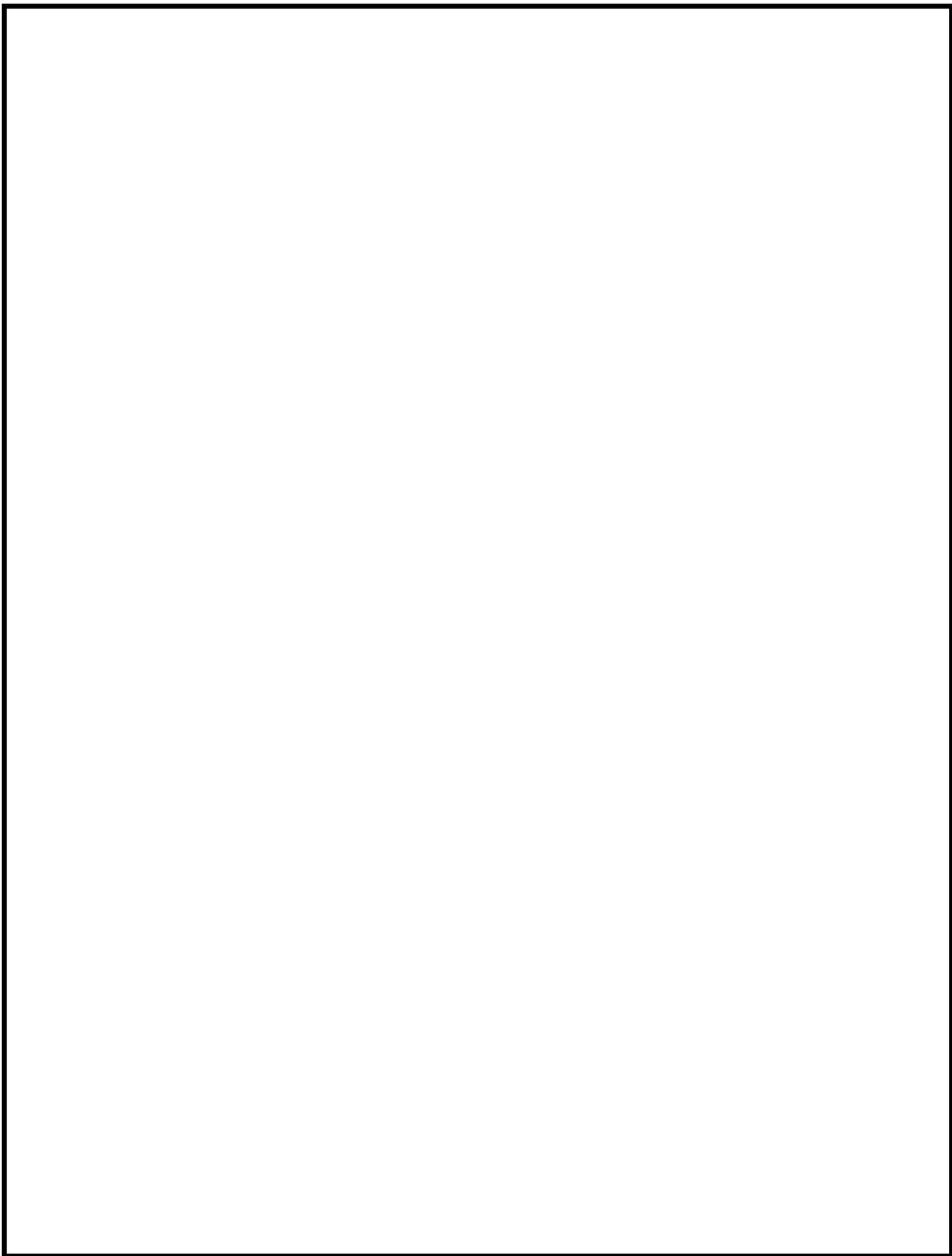
Prepared by the Office of the Iowa Secretary of State

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[sos.iowa.gov/elections/candidates/index.html](http://sos.iowa.gov/elections/candidates/index.html)

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



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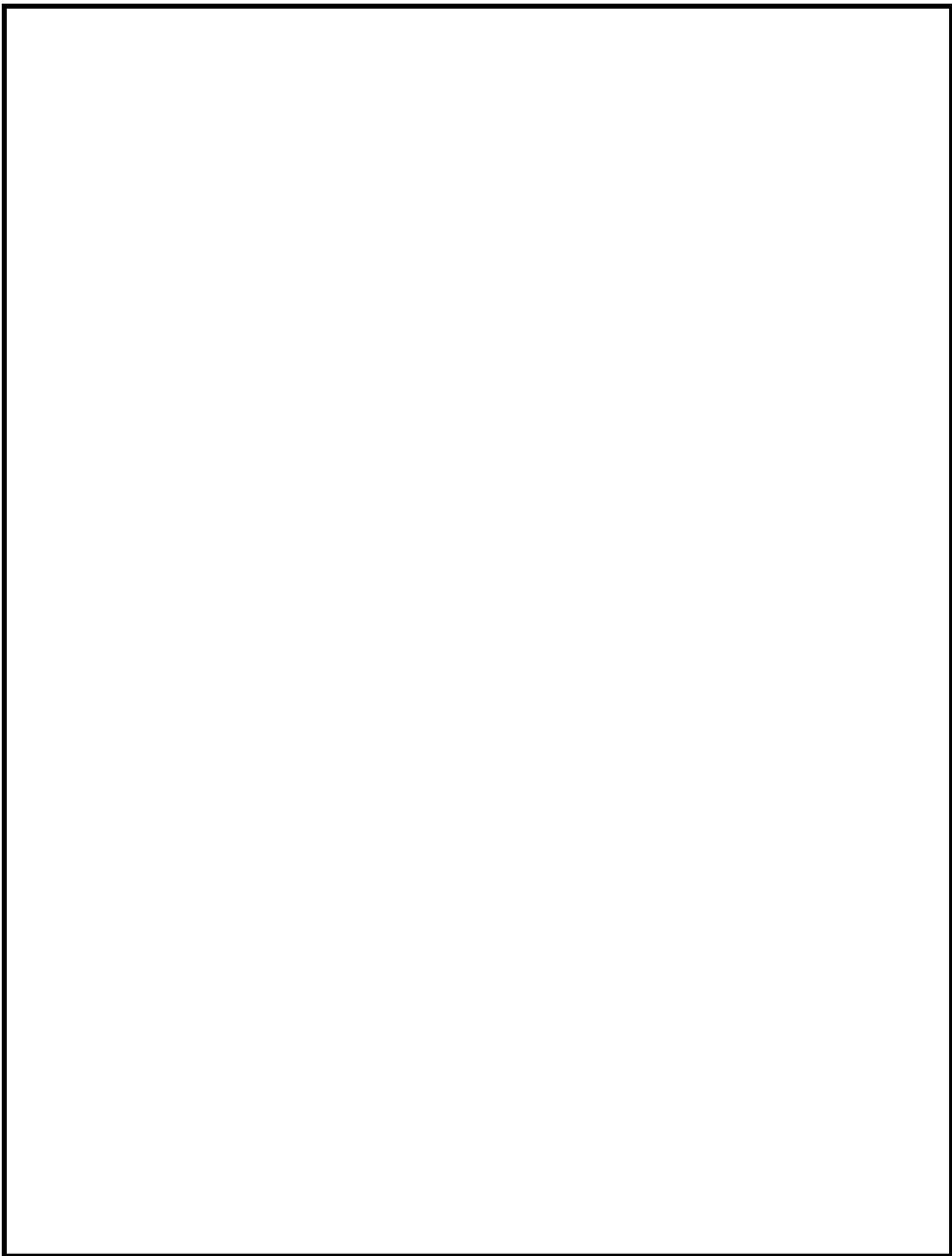
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## Overview

### Candidate Qualifications

Iowa General Assembly	U.S. Citizenship	Residence	Age	Term	Signatures Needed (if any)	Papers Filed In
State Representative [Iowa Constitution, Art. III, Sec. 3-4]	Citizen at the time of the election. [§39.26]	1 year in Iowa. 60 days in the district at the time of the election.	21 when sworn in.	2 years	50 from state representative district. [§45.1(4)]	Iowa Secretary of State's Office

A map of State House District 25 is available here:

<https://www.legis.iowa.gov/DOCS/Resources/Redist/2011/2011-03-31/House/House%20District%2025.pdf>

### Nomination Methods

There are three ways a candidate may be nominated to appear on this special election ballot.

#### 1. Nomination by Political Party Convention

Political party candidates are nominated by political party convention. Interested candidates should contact the county or state party. Contact information for the state political parties can be found at the end of this guide. Candidates must file an affidavit of candidacy and a political party convention certificate.

#### 2. Nomination by Petition

Candidates who are not affiliated with any political party or NPPO may circulate nomination petitions to get their names on this special election ballot. Candidates who are affiliated with an NPPO can also circulate nomination petitions that specify the name of the NPPO.

#### **Important Note about “Independent” Candidates:**

The term “independent” is used by candidates and the general public to refer to candidates who are not running under any party or NPPO’s ticket. In Iowa, if a candidate writes the word “Independent” on nomination papers, that candidate is indicating membership in the “Independent” NPPO and will be listed on the ballot that way. If a candidate intends to run without any party or NPPO affiliation, the box next to “Not affiliated with any organization” on the nomination petition and affidavit of candidacy should be checked and “Nominated by Petition” will appear on the ballot after the candidate’s name.

#### 3. Nomination by Non-Party Political Organization Convention

Non-party political organizations (NPPOs) are political organizations that do not meet the requirements to become a political party. NPPOs do not need to file any special paperwork to be officially recognized by the State. NPPOs can hold conventions to nominate candidates for this special election. Candidates must file an affidavit of candidacy and NPPO convention certificate.

## Preparing Nomination Papers

### Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy.

The affidavit of candidacy form is available on the Secretary of State's website:  
<http://sos.iowa.gov/elections/pdf/candidates/affidavit.pdf>.

The affidavit should include the following information:

- Candidate's Name

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

- Office Sought and District (if any)

Candidates must list "State House District 25" on their affidavit of candidacy.

- Vacancy Information

Candidates must check the "Yes" box.

- Type and Date of Election

Candidates must check the "Special Election" box and list January 7, 2014, as the election date.

- Candidate Affiliation

This is a required field. Only candidates who were nominated by Democratic or Republican party conventions may use those parties' distinctions. The name of a NPPO cannot be more than five words and no part or version of the words Democratic or Republican may be used as part of the NPPO's name.

### **Important Note about "Independent" Candidates:**

The term "independent" is used by candidates and the general public to refer to candidates who are not running under any party or NPPO's ticket. In Iowa, if a candidate writes the word "Independent" on nomination papers, that candidate is indicating membership in the "Independent" NPPO and will be listed on the ballot that way. If a candidate intends to run without any party or NPPO affiliation, the box next to "Not affiliated with any organization" on the nomination petition and affidavit of candidacy

should be checked and “Nominated by Petition” will appear on the ballot after the candidate’s name.

- Candidate’s Home Address

Candidates must provide their house number and street name, city, and county of residence. Mailing address, phone, and email are optional but do assist the filing office and the public in contacting the candidate.

- Candidate’s Affirmation, Signature, and Notarization

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

Affidavits missing the information listed below must be rejected:

- Candidate’s name,
- Office sought and district,
- Candidate’s signature, or
- Signature of notary public.

[§43.14(4), 43.14(5), 44.3(2), 45.3, 45.5(5)]

## **Political Party Convention Certificate**

Political party candidates are nominated by political party convention. Interested candidates should contact the county or state party for more information. Contact information for the state political parties can be found at the end of this guide. Candidates must file an affidavit of candidacy and political party convention certificate.

### **Convention Attendance Requirements**

<b>Office</b>	<b>Convention Convened By:</b>	<b>Convention Attendees</b>
State House	State Party Chairperson	Party precinct committee members whose precincts lie within the district

[§43.78]

### **Convention Certificate Requirements**

The convention certificate must include the following information:

1. Candidate's Name

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

2. Candidate's Home Address and Mailing Address (if different)

Candidates must provide their house number and street name.

3. Office Sought and District

Candidates must list "State House District 25."

4. Name of Political Party

Either Democratic or Republican must be included.

5. Signatures of Convention Chairperson and Secretary

The chairperson and secretary of the convention must sign the certification of nomination from the convention.

[§43.88]

The convention certificate should also include the following information:

6. Date of Convention

7. Type and Date of Election

Candidates should check the “Special Election” box and list January 7, 2014, as the election date.

8. Vacancy Information

Candidates should check the “Yes” box.

## **Nomination Petitions**

Candidates who are not affiliated with any political party or NPPO may circulate nomination petitions to get their names on this special election ballot. Candidates who are affiliated with an NPPO can also circulate nomination petitions that specify the name of the NPPO. Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed.

Nomination forms are available on the Secretary of State's website:

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

## **Preparing Nomination Petitions**

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

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

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

- **Candidate's Name**

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

[§45.1(7)(b)]

- **Office Sought**

Candidates must list "State House District 25" on their nomination petitions.

- **Office District (if any)**

Candidates must list "District 25" on their nomination petitions. Signatures on petition pages that do not provide the applicable district number (when required) cannot be counted.

- **Election Date**

Candidates must check the "Special Election" box and list January 7, 2014, as the election date.

- Signers' and Candidate's Affirmation of Residence

The following statement must appear on each petition page:

*"We, the undersigned eligible electors of the appropriate county, supervisor, legislative district, city, school district, or school or community college director district in the state of Iowa, hereby make the nomination outlined above. If the candidate named above accepts the nomination, we believe the candidate is or will be a resident of the appropriate county, supervisor, legislative district, city, school district, or school or community college director district within the time frame required by law (60 days prior to the general election for state senate and state house candidates)."*

[§45.5, 45.6]

The following information should also appear on each petition header for all offices:

- Vacancy Information

Candidates should check the "Yes" box.

- Candidate Affiliation

Either "Not affiliated with any organization" or "Name of Non-Party Political Organization" should be marked. If affiliated with an NPPO, the NPPO's name must be listed on each petition page header. The name of the NPPO cannot be more than five words and no part or version of the words Democratic or Republican may be used as part of the NPPO's name.

- Signers' County of Residence

This is not required for this type of election.

- Candidate's County of Residence

## **Signature Requirements**

Candidates must collect at least 50 signatures from the house district.

## **Collecting Signatures**

Eligible electors of State House District 25 may sign nomination petitions. An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote. An eligible elector must:

- Be a citizen of the United States,

- Be a resident of Iowa, and
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor),
- Be currently judged incompetent to vote by a court, and
- Claim the right to vote in any other place.

[§39.3(6)]

Candidates may sign their own petitions assuming they are eligible electors of the district.

Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

All signers must include the following information:

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

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

- The name of the city in which they live

[§45.5, 45.6]

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

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

## **NPPO Convention Certificate**

NPPOs can hold conventions to nominate a candidate for this special election. Candidates must file an affidavit of candidacy and NPPO convention certificate. If the minimum attendance requirements are not met, the nominations made at the convention cannot be included on the ballot.

### **Convention Attendance Requirements**

<b>Office</b>	<b>Minimum Attendance</b>	<b>Number of counties or precincts that must be represented by at least one eligible elector</b>
State House	10 eligible electors	½ precincts in district

[§44.1]

An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote. An eligible elector must:

- Be a citizen of the United States, and
- Be a resident of Iowa, and
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor),
- Be currently judged incompetent to vote by a court, and
- Claim the right to vote in any other place.

[§39.3(6)]

There is no limit on the number of conventions one elector may attend.

### **Convention Certificate Requirements**

The convention certificate must include the following information:

1. Name of NPPO

The name of the NPPO cannot be more than five words and no part or version of the words Democratic or Republican may be used as part of the NPPO's name.

2. Name of Each Candidate Nominated

3. Office(s) Sought and District or Ward (if any)

Candidates must list "State House District 25."

4. Home Address of Each Candidate

Candidates must provide their house number and street name.

5. Names and Addresses of NPPO's Executive or Central Committee Members

6. Method to Fill Ballot Vacancies

NPPOs may specify the organization's provisions (if any) for filling vacancies in nomination. If it wishes to make a substitution for a ballot vacancy, the NPPO must file these provisions.

7. Affidavit of Convention Chairperson and Secretary

The chairperson and secretary of the convention must certify the certification of nomination from the convention. They must also include their places of residence.

8. Names and Addresses of Each Delegate or Voter in Attendance

[§44.1, 44.2, 44.3]

The convention certificate should also include the following information:

9. Date of Convention

10. Type and Date of Election

Candidates should check the "Special Election" box and list January 7, 2014, as the election date.

11. Vacancy Information

Candidates should check the "Yes" box.

## Filing Checklist

- Review your affidavit and nomination petition headers or convention certificate.**

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

[§44.16, 45.5(4)]

- Count the signatures.**

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

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

- Bind nomination papers together.**

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

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

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

[§44.3, 45.3]

- File as early as possible.**

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

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

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

## Frequently Asked Questions

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

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

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

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

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

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

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

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

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

### **How do I contact the state's political parties?**

Iowa Democratic Party  
5661 Fleur Drive  
Des Moines, IA 50321  
515-244-7292  
<http://iowademocrats.org>

Iowa Republican Party  
621 E. 9<sup>th</sup> Street  
Des Moines, IA 50309  
515-282-8105  
<http://iowagop.org>

**January 7, 2014 - Special Election Calendar  
State House District 25**

Date	Event	Code Cite
Governor Calls for Special Election	<b>Candidate Filing Begins.</b> First day candidates to file nomination papers offices with the Secretary of State.	
Friday, December 13 – 5 p.m.	<b>Candidate Filing Deadline.</b> Last day to file nomination papers with the Secretary of State. Deadline is 5 p.m.	§43.88, 44.4(1)
Monday, December 16	<b>Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw. Notice of withdrawal must be submitted in writing to the Secretary of State. <i>This deadline falls on a Sunday and is therefore moved to the next business day.</i>  <b>Lots Drawn for Non-Party Political Organizations (NPPOs)</b> If multiple nominations for the office are received from candidates for the same NPPO, lots will be drawn to determine which candidate will have the NPPO's name appear with the candidate's name on the ballot. The other candidates will appear as "Nominated by Petition."	§44.9(4)(a)  IAC 721— 21.201(2)
Monday, December 23	<b>Worry-Free Postmark Date.</b> Mailed voter registrations forms which are postmarked on or before today are considered on time to pre-register for this special election even if they are received after Friday, December 27.  <b>Candidate Objection Deadline.</b> Last day to file written objections to nomination papers of political party candidates with the Secretary of State.	§48A.9(3)  §43.24(1)(b)
Friday, December 27 – 5 p.m.	<b>Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for this special election is 5 p.m. This applies to registration in person (including registration at driver's license stations or agencies) or by mail.  <b>Exceptions:</b> Mailed registration forms postmarked on or before Monday, December 23, are considered on time even if they are received after 5 p.m. today.  After today, a person may register to vote at the auditor's office or at a satellite absentee voting station and vote an absentee ballot. The process is the same as for registering to vote on election day.  <b>Auditor's office must be open from 8 a.m. to 5 p.m.</b>	§48A.9(1)
Friday, January 3 – 5 p.m.	<b>Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)

Date	Event	Code Cite
Saturday, January 4	<b>County Auditors' Offices Open.</b> The county auditor's office must be open for at least eight hours for absentee voting and other election business.	§47.2(5)
Monday, January 6	<b>Absentee Ballot Postmark Deadline.</b> Absentee ballots postmarked by this date and received by Thursday, January 9, are considered to be on time to be counted.	§53.17(2)
	<b>Absentee Ballot In-Person Deadline.</b> This is the last day to request and vote an absentee ballot in person at auditor's office.	§53.2(1)(a)
Tuesday, January 7	<b>Election Day.</b> Polls are open from 7 a.m. until 9 p.m. Absentee ballots may be delivered to the county auditor's office until 9 p.m.	§49.73, 53.17(1)(a)
Wednesday, January 8	<b>Number of Provisional Ballots Posted.</b> Number of provisional ballots cast in each precinct must be posted by the county auditor as soon as possible.	§50.20
	<b>Special Board Convened at Noon.</b> The county auditor must convene the special precinct board at noon to consider provisional ballots and absentee ballots that were received after the polls closed and postmarked before Tuesday, January 7.	§50.21, 50.22
Thursday, January 9	<b>Absentee Ballot Deadline.</b> Absentee ballots that were postmarked before election day and received after the polls closed but before the time established for the canvass by the county board of supervisors are considered to be on time to be counted.	§53.17
	<b>County Canvass of Votes</b> Must occur on this date no earlier than 1 p.m.	§50.46
Monday, January 13 – 5 p.m.	<b>Recount Request Deadline.</b> Written requests for a recount must be filed in the county auditor's office no later than 5 p.m. on the third day after the county canvass of votes.	§50.48(1)
Mid-January	<b>State Canvass of Votes Complete.</b> The state board of canvassers must convene within five days after receipt of county abstracts.	§50.46
Early February	<b>Election Contest Deadline.</b> The contest deadline will vary depending on the date of the state canvass. Notice of a contest cannot be served on the incumbent later than 20 days after the state canvass of votes.	§59.1