

House File 2486

1 Amend House File 2486, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 SECRETARY OF STATE EMERGENCY POWERS

6 Section 1. Section 47.1, subsection 2, Code 2020, is amended  
7 to read as follows:

8 2. The state commissioner of elections may exercise  
9 emergency powers over any election being held in a district in  
10 which either a natural or other disaster or extremely inclement  
11 weather has occurred within twenty-one days of the election.  
12 The state commissioner of elections may also exercise emergency  
13 powers during an armed conflict involving United States armed  
14 forces, or mobilization of those forces, or if an election  
15 contest court finds that there were errors in the conduct of  
16 an election making it impossible to determine the result. The  
17 state commissioner of elections shall exercise emergency powers  
18 as provided in section 47.12.

19 Sec. 2. Section 47.1, Code 2020, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 2A. The general assembly may, by concurrent  
22 resolution, rescind an emergency declaratory order. If the  
23 general assembly is not in session, the legislative council  
24 may, by a majority vote, rescind the emergency declaration  
25 order. Rescission shall be effective upon filing of the  
26 concurrent resolution or vote of the legislative council with  
27 the secretary of state.

28 Sec. 3. Section 47.1, subsection 4, Code 2020, is amended by  
29 striking the subsection.

30 Sec. 4. NEW SECTION. 47.12 **Emergency election procedures.**

31 1. For purposes of this section:

32 a. *"Election contest court"* means any of the courts  
33 specified in sections 57.1, 58.4, 61.1, 62.1A, and 376.10.

34 b. *"Extremely inclement weather"* means a natural occurrence,  
35 such as a rainstorm, windstorm, ice storm, blizzard, tornado,

1 or other weather conditions, that makes travel extremely  
2 dangerous, that threatens the public health and safety, or that  
3 damages and destroys public and private property.

4 *c. "Natural disaster"* means a natural occurrence, such  
5 as a fire, flood, blizzard, earthquake, tornado, windstorm,  
6 ice storm, or other events, that threatens the public health  
7 and safety or that damages and destroys public and private  
8 property.

9 *d. "Other disaster"* means an occurrence caused by machines  
10 or people, such as fire, hazardous substance, or nuclear power  
11 plant accident or incident, that threatens the public health  
12 and safety or that damages and destroys public and private  
13 property.

14 2. The county commissioner of elections, or the county  
15 commissioner's designee, may notify the state commissioner  
16 that due to a natural or other disaster or extremely inclement  
17 weather an election cannot safely be conducted in the time  
18 or place for which the election is scheduled to be held. If  
19 the county commissioner or the county commissioner's designee  
20 is unable to transmit notice of the hazardous conditions,  
21 the notice may be given by any elected county official.  
22 Verification of the county commissioner's agreement with the  
23 severity of the conditions and the danger to the election  
24 process shall be transmitted to the state commissioner as soon  
25 as possible. Notice may be given by telephone, electronic  
26 mail, or by facsimile machine, but a signed notice shall also  
27 be delivered to the state commissioner.

28 3. After receiving notice of hazardous conditions, the  
29 state commissioner, or the state commissioner's designee, may  
30 declare that an emergency exists in the affected precinct or  
31 precincts. A copy of the declaration of the emergency shall  
32 be provided to the county commissioner and posted on the  
33 internet site for both the state commissioner and the county  
34 commissioner.

35 4. *a.* When the state commissioner has declared that an

1 emergency exists due to a natural or other disaster or to  
2 extremely inclement weather, the county commissioner, or the  
3 county commissioner's designee, shall consult with the state  
4 commissioner to develop a plan to conduct the election under  
5 the emergency conditions.

6 *b.* Modifications may be made to the method for conducting  
7 the election including relocation of polling places,  
8 postponement of the hour of opening the polls, postponement of  
9 the date of the election if no candidates for federal offices  
10 are on the ballot, reduction in the number of precinct election  
11 officials in nonpartisan elections, or other reasonable and  
12 prudent modifications that will permit the election to be  
13 conducted, but no modifications shall be made to requirements  
14 for voter identification and absentee ballot request  
15 and delivery. All modifications to the usual method for  
16 conducting elections shall be approved in advance by the state  
17 commissioner unless prior approval is impossible to obtain.

18 *c.* If an emergency exists in all precincts of a county,  
19 the number of polling places shall not be reduced by more than  
20 thirty-five percent. The polling places allowed to open shall  
21 be equitably distributed in the county based on the ratio of  
22 regular polling places located in unincorporated areas in the  
23 county to regular polling places in incorporated areas in the  
24 county.

25 5. *a.* A substitute polling place shall be as close as  
26 possible to the originally designated polling place and shall  
27 be within the same precinct if possible. Preference shall  
28 be given to buildings that are accessible to the elderly and  
29 disabled. Public buildings shall be made available without  
30 charge by the authorities responsible for their administration.  
31 If necessary, more than one precinct may be located in the same  
32 room.

33 *b.* A notice of the location of the substitute polling place  
34 shall be posted on the door of the former polling place not  
35 later than one hour before the scheduled time for opening the

1 polls or as soon as possible. If it is unsafe or impossible  
2 to post the sign on the door of the former polling place, the  
3 notice shall be posted in some other visible place at or near  
4 the site of the former polling place. If time permits, notice  
5 of the relocation of the polling place shall be published in  
6 the same newspaper in which notice of election was published,  
7 otherwise notice of relocation may be published in any  
8 newspaper of general circulation in the political subdivision  
9 that will appear on or before election day. The county  
10 commissioner shall inform all broadcast media and print news  
11 organizations serving the jurisdiction of the modifications and  
12 publish a notice on the county commissioner's internet site.

13 6. An election, other than an election at which a federal  
14 office appears on the ballot, may be postponed until the  
15 following Tuesday. If the election involves more than one  
16 precinct, the postponement must include all precincts within  
17 the political subdivision. If the election is postponed,  
18 ballots shall not be reprinted to reflect the modification in  
19 the election date. The date of the close of voter registration  
20 by mail for the election shall not be extended. Precinct  
21 election registers prepared for the original election date may  
22 be used or reprinted at the commissioner's discretion. Except  
23 as provided in this section, a postponed election shall be  
24 conducted in the same manner as an election taking place on the  
25 regularly scheduled election day.

26 7. a. Absentee ballots shall be delivered to voters  
27 pursuant to section 53.22 until the date the election is  
28 actually held. Absentee ballots shall be accepted at the  
29 commissioner's office until the hour the polls close on  
30 the date the election is held. Absentee ballots that are  
31 postmarked no later than the day before the election is  
32 actually held or that bear a barcode traceable to a date of  
33 entry into the federal mail system no later than the day before  
34 the election is actually held shall be accepted if received no  
35 later than the length of time prescribed for the usual conduct

1 of the election. The time shall be calculated from the date on  
2 which the election is held, not the date for which the election  
3 was originally scheduled.

4 *b.* If absentee ballots have been tabulated before the  
5 election is postponed, the absentee ballots shall be sealed in  
6 an envelope by the absentee and special voters precinct board  
7 and stored securely until the date the election is actually  
8 held. The sealed envelopes shall be opened by the absentee  
9 and special voters precinct board on the date the election is  
10 actually held, counters on the tabulating equipment, if any,  
11 shall be reset to zero, and all absentee ballots tabulated on  
12 the original election date shall be retabulated.

13 8. The absentee and special voters precinct board shall  
14 meet to consider provisional ballots at the times specified in  
15 sections 50.22 and 52.23, calculated from the date the election  
16 is held. No absentee ballots shall be counted until the date  
17 the election is held.

18 9. The canvass of votes shall be rescheduled for one week  
19 after the originally scheduled canvass date.

20 10. *a.* If the emergency is declared while the polls are  
21 open and the decision is made to postpone the election, each  
22 precinct polling place in the political subdivision shall be  
23 notified to close its doors and to halt all voting immediately.  
24 People present in the polling place who are waiting to vote  
25 shall not be given ballots. People who have received and  
26 marked their ballots shall deposit them in the ballot box.  
27 Unmarked ballots shall be returned to the precinct election  
28 officials.

29 *b.* The precinct election officials shall seal all ballots  
30 that were cast before the declaration of the emergency in  
31 secure containers. The containers shall be clearly marked as  
32 ballots from the postponed election. If it is safe to do so,  
33 the ballot containers, election register, and other election  
34 supplies shall be transported to the county commissioner's  
35 office. The ballots shall be stored in a secure place. If

1 it is unsafe to travel to the county commissioner's office,  
2 the chairperson of the precinct election board shall securely  
3 store the ballots and the election register until it is safe  
4 to return the ballots and election register to the county  
5 commissioner. If no contest is pending six months after the  
6 canvass for the election is completed, the unopened, sealed  
7 ballot containers shall be destroyed.

8 *c.* If automatic tabulating equipment is used, the automatic  
9 tabulating equipment shall be closed and sealed without  
10 printing the results. Before the date the election is held,  
11 the automatic tabulating equipment shall be reset to zero.  
12 Documents showing the progress of the count, if any, shall be  
13 sealed in an envelope and stored. No person shall reveal the  
14 progress of the count. After six months, the sealed envelope  
15 containing the vote totals shall be destroyed if no contest is  
16 pending.

17 11. The state commissioner shall maintain records of each  
18 emergency declaration. The records of emergency declarations  
19 for federal elections shall be kept for twenty-two months  
20 and records for all other elections shall be kept for six  
21 months following the election. The records shall include the  
22 following information:

23 *a.* The county in which the emergency occurred.

24 *b.* The date and time the emergency declaration was  
25 requested.

26 *c.* The name and title of the person making the request.

27 *d.* The name and date of the election affected.

28 *e.* The jurisdiction for which the election is to be  
29 conducted.

30 *f.* The number of precincts in the jurisdiction.

31 *g.* The number of precincts affected by the emergency.

32 *h.* The nature of the emergency.

33 *i.* The date or dates of the occurrence of the natural or  
34 other disaster or extremely inclement weather.

35 *j.* The conditions affecting the conduct of the election.

1     *k.* Whether the polling places may safely be opened on time.

2     *l.* Any action taken such as but not limited to moving the  
3 polling place, changing the voting system, or postponing the  
4 election until the following Tuesday.

5     *m.* The method to be used to inform the public of changes  
6 made in the election procedure.

7     *n.* The signature of the state commissioner or the state  
8 commissioner's designee who was responsible for declaring the  
9 emergency.

10    12. *a.* (1) If an emergency occurs that will adversely  
11 affect the conduct of an election at which candidates for  
12 federal office will appear on the ballot, the election shall  
13 not be postponed or delayed. Emergency measures shall be  
14 limited to relocation of polling places, modification of  
15 the method of voting not including requirements for voter  
16 identification and absentee ballot request and delivery,  
17 reduction of the number of precinct election officials at  
18 a precinct, and other modifications of prescribed election  
19 procedures that will enable the election to be conducted on the  
20 date and during the hours required by law.

21    (2) The primary election held in June of even-numbered years  
22 and the general election held in November of even-numbered  
23 years shall not be postponed. Special elections called by  
24 the governor pursuant to section 69.14 shall not be postponed  
25 unless no federal office appears on the ballot.

26    *b.* If a federal or state court order extends the time  
27 established for closing the polls pursuant to section 49.73,  
28 any person who votes after the statutory hour for closing the  
29 polls shall vote only by casting a provisional ballot pursuant  
30 to section 49.81. Provisional ballots cast after the statutory  
31 hour for closing the polls shall be sealed in a separate  
32 envelope from provisional ballots cast during the statutory  
33 polling hours. The absentee and special voters precinct board  
34 shall tabulate and report the results of the two sets of  
35 provisional ballots separately.

1 13. A voter who is entitled to vote by absentee ballot under  
2 the federal Uniformed and Overseas Citizens Absentee Voting  
3 Act, 42 U.S.C. §1973ff et seq., and the provisions set forth  
4 in chapter 53, subchapter II, may return an absentee ballot  
5 via electronic transmission only if the voter is located in an  
6 area designated by the federal department of defense to be an  
7 imminent danger pay area or if the voter is an active member of  
8 the army, navy, marine corps, merchant marine, coast guard, air  
9 force, or Iowa national guard and is located outside the United  
10 States or any of its territories. Procedures for the return of  
11 absentee ballots by electronic transmission shall be determined  
12 by the state commissioner by rule.

13 14. *a.* If an election contest court finds that there were  
14 errors in the conduct of an election that make it impossible  
15 to determine the result of the election, the contest court  
16 shall notify the state commissioner of its finding. The state  
17 commissioner shall order a repeat election to be held. The  
18 repeat election date shall be set by the state commissioner.  
19 The repeat election shall be conducted under the state  
20 commissioner's supervision.

21 *b.* The repeat election shall be held at the earliest  
22 possible time, but it shall not be held earlier than fourteen  
23 days after the date the election was set aside. Voter  
24 registration, publication, equipment testing, and other  
25 applicable deadlines shall be calculated from the date of the  
26 repeat election.

27 *c.* The repeat election shall be conducted under the same  
28 procedures required for the election that was set aside,  
29 except that all known errors in preparation and procedure  
30 shall be corrected. The nominations from the initial election  
31 shall be used in the repeat election unless the contest court  
32 specifically rejects the initial nomination process in its  
33 findings. Precinct election officials for the repeat election  
34 may be replaced at the discretion of the auditor.

35 *d.* The following materials prepared for the original



1 election shall be used or reconstructed for the repeat  
2 election:

3 (1) Ballots showing the date of repeat election, which may  
4 be stamped on ballots printed for the original election.

5 (2) Notice of election showing the date of repeat election.

6 DIVISION II

7 COUNTY SEALS

8 Sec. 5. Section 331.552, subsection 4, Code 2020, is amended  
9 to read as follows:

10 4. a. Keep the official county seal provided by the county.  
11 The official seal shall be an impression seal on the face of  
12 which shall appear the name of the county, the word "county"  
13 which may be abbreviated, ~~the word "treasurer" which may be~~  
14 ~~abbreviated,~~ and the word "Iowa". A county shall have only one  
15 official county seal.

16 b. Notwithstanding paragraph "a", the county commissioner  
17 of elections may use a facsimile of the official county seal  
18 or a modified facsimile of the official county seal for the  
19 purposes of election duties set forth in sections 43.36 and  
20 49.51, and section 49.57, subsection 6. If modified, the  
21 county seal shall contain the name of the county, the word  
22 "county", which may be abbreviated, the word "auditor", which  
23 may be abbreviated, and the word "Iowa".

24 DIVISION III

25 VOTER IDENTIFICATION

26 Sec. 6. Section 53.2, subsection 4, paragraph a, unnumbered  
27 paragraph 1, Code 2020, is amended to read as follows:

28 ~~Each application shall contain the following information To~~  
29 request an absentee ballot, a registered voter shall provide:

30 Sec. 7. Section 53.2, subsection 4, paragraph b, Code 2020,  
31 is amended to read as follows:

32 b. If insufficient information has been provided, including  
33 the absence of a voter verification number, either on the  
34 prescribed form or on an application created by the applicant,  
35 the commissioner shall, ~~by the best means available, obtain~~

1 ~~the additional necessary information~~ within twenty-four hours  
2 after the receipt of the absentee ballot request, contact the  
3 applicant by telephone and electronic mail, if such information  
4 has been provided by the applicant. If the commissioner is  
5 unable to contact the applicant by telephone or electronic  
6 mail, the commissioner shall send a notice to the applicant  
7 at the address where the applicant is registered to vote, or  
8 to the applicant's mailing address if it is different from  
9 the residential address. If the applicant has requested the  
10 ballot to be sent to an address that is not the applicant's  
11 residential or mailing address, the commissioner shall send an  
12 additional notice to the address where the applicant requested  
13 the ballot to be sent. A commissioner shall not use the voter  
14 registration system to obtain additional necessary information.  
15 A voter requesting or casting a ballot pursuant to section  
16 53.22 shall not be required to provide a voter verification  
17 number.

18 Sec. 8. Section 53.2, subsection 4, Code 2020, is amended by  
19 adding the following new paragraph:

20 NEW PARAGRAPH. *d.* If an applicant does not have current  
21 access to the applicant's voter verification number, the  
22 commissioner shall verify the applicant's identity prior to  
23 supplying the voter verification number by asking the applicant  
24 to provide at least two of the following facts about the  
25 applicant:

26 (1) Date of birth.

27 (2) The last four digits of the applicant's social security  
28 number, if applicable.

29 (3) Residential address.

30 (4) Mailing address.

31 (5) Middle name.

32 (6) Voter verification number as defined in paragraph "c".

33 Sec. 9. Section 53.10, subsection 2, paragraph a, Code 2020,  
34 is amended to read as follows:

35 *a.* Each person who wishes to vote by absentee ballot at

1 the commissioner's office shall first sign an application  
2 for a ballot including the following information: name,  
3 current address, voter verification number, and the election  
4 for which the ballot is requested. The person may report a  
5 change of address or other information on the person's voter  
6 registration record at that time. Prior to furnishing a  
7 ballot, the commissioner shall verify the person's identity  
8 as provided in section 49.78. The registered voter shall  
9 immediately mark the ballot; enclose the ballot in a secrecy  
10 envelope, if necessary, and seal it in the envelope marked  
11 with the affidavit; subscribe to the affidavit on the reverse  
12 side of the envelope; and return the absentee ballot to the  
13 commissioner. The commissioner shall record the numbers  
14 appearing on the application and affidavit envelope along with  
15 the name of the registered voter.

16 Sec. 10. Section 53.10, subsection 2, Code 2020, is amended  
17 by adding the following new paragraph:

18 NEW PARAGRAPH. *Ob.* If an unregistered person offering  
19 to vote an absentee ballot pursuant to this section prior to  
20 the deadline in section 48A.9 does not have an Iowa driver's  
21 license, an Iowa nonoperator's identification card, or a voter  
22 identification number assigned to the voter by the state  
23 commissioner pursuant to section 47.7, subsection 2, the person  
24 may satisfy identity and residence requirements as provided in  
25 section 49.78. This section shall also apply to a registered  
26 voter casting a ballot pursuant to this section who has not yet  
27 received a voter verification number.

28 Sec. 11. Section 53.18, subsections 2 and 3, Code 2020, are  
29 amended to read as follows:

30 2. a. If the commissioner receives the return envelope  
31 containing the completed absentee ballot by 5:00 p.m. on the  
32 Saturday before the election for general elections and by 5:00  
33 p.m. on the Friday before the election for all other elections,  
34 the commissioner shall review the affidavit marked on the  
35 return envelope, if applicable, for completeness or shall open

1 the return envelope to review the affidavit for completeness.  
2 ~~If the affidavit is incomplete, the commissioner shall, within~~  
3 ~~twenty-four hours of the time the envelope was received, notify~~  
4 ~~the voter of that fact and that the voter may complete the~~  
5 ~~affidavit in person at the office of the commissioner by 5:00~~  
6 ~~p.m. on the day before the election, vote a replacement ballot~~  
7 ~~in the manner and within the time period provided in subsection~~  
8 ~~3, or appear at the voter's precinct polling place on election~~  
9 ~~day and cast a ballot in accordance with section 53.19,~~  
10 subsection 3. If the affidavit lacks the signature of the  
11 registered voter, the commissioner shall, within twenty-four  
12 hours of the receipt of the envelope, notify the voter of the  
13 deficiency and inform the voter that the voter may vote a  
14 replacement ballot as provided in subsection 3, cast a ballot  
15 as provided in section 53.19, subsection 3, or complete the  
16 affidavit in person at the office of the commissioner not later  
17 than noon on the Monday following the election, or if the law  
18 authorizing the election specifies that the votes be canvassed  
19 earlier than the Monday following the election, before the  
20 canvass of the election.

21 b. If the commissioner receives the return envelope  
22 containing the completed absentee ballot after the deadline  
23 in paragraph "a", the commissioner shall submit the affidavit  
24 to the absentee and special voters precinct board for review.  
25 If the absentee and special voters precinct determines that  
26 the affidavit is incomplete, the commissioner shall, within  
27 twenty-four hours of the determination, notify the voter. If  
28 the affidavit lacks the signature of the registered voter, the  
29 commissioner shall notify the voter that the voter may complete  
30 the affidavit in person at the office of the commissioner  
31 not later than noon on the Monday following the election, or  
32 if the law authorizing the election specifies that the votes  
33 be canvassed earlier than the Monday following the election,  
34 before the canvass of the election.

35 3. If the affidavit envelope or the return envelope marked

1 with the affidavit contains a defect that would cause the  
2 absentee ballot to be rejected by the absentee and special  
3 voters precinct board, the commissioner shall immediately  
4 notify the voter of that fact and that the voter's absentee  
5 ballot shall not be counted unless the voter requests and  
6 returns a replacement ballot in the time permitted under  
7 section 53.17, subsection 2. ~~For the purposes of this section,~~  
8 ~~a return envelope marked with the affidavit shall be considered~~  
9 ~~to contain a defect if it appears to the commissioner that~~  
10 ~~the signature on the envelope has been signed by someone~~  
11 ~~other than the registered voter, in comparing the signature~~  
12 ~~on the envelope to the signature on record of the registered~~  
13 ~~voter named on the envelope. A signature or marking made~~  
14 ~~in accordance with section 39.3, subsection 17, shall not~~  
15 ~~be considered a defect for purposes of this section.~~ The  
16 voter may request a replacement ballot in person, in writing,  
17 or over the telephone. The same serial number that was  
18 assigned to the records of the original absentee ballot  
19 application shall be used on the envelope and records of the  
20 replacement ballot. The envelope marked with the affidavit and  
21 containing the completed replacement ballot shall be marked  
22 "Replacement ballot". The envelope marked with the affidavit  
23 and containing the original ballot shall be marked "Defective"  
24 and the replacement ballot shall be attached to such envelope  
25 containing the original ballot and shall be stored in a secure  
26 place until they are delivered to the absentee and special  
27 voters precinct board, notwithstanding sections 53.26 and  
28 53.27.

29 Sec. 12. Section 53.18, Code 2020, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 04. For the purposes of this section, a  
32 return envelope marked with the affidavit shall be considered  
33 incomplete if the affidavit lacks the registered voter's  
34 signature. A signature or marking made in accordance with  
35 section 39.3, subsection 17, shall not cause an affidavit to be

1 considered incomplete.

2 Sec. 13. Section 53.22, subsection 3, Code 2020, is amended  
3 to read as follows:

4 3. Any registered voter who becomes a patient, tenant, or  
5 resident of a hospital, assisted living program, or health care  
6 facility in the county where the voter is registered to vote  
7 ~~within three days prior to the date of any election~~ after the  
8 deadline to make a written application for an absentee ballot  
9 as provided in section 53.2 or on election day may request an  
10 absentee ballot during that period or on election day. As an  
11 alternative to the application procedure prescribed by section  
12 53.2, the registered voter may make the request directly to  
13 the officers who are delivering and returning absentee ballots  
14 under this section. Alternatively, the request may be made by  
15 telephone to the office of the commissioner not later than four  
16 hours before the close of the polls. If the requester is found  
17 to be a registered voter of that county, these officers shall  
18 deliver the appropriate absentee ballot to the registered voter  
19 in the manner prescribed by this section.

20 Sec. 14. Section 53.22, subsection 6, paragraph a, Code  
21 2020, is amended to read as follows:

22 a. If the registered voter becomes a patient, tenant, or  
23 resident of a hospital, assisted living program, or health  
24 care facility outside the county where the voter is registered  
25 to vote ~~within three days before the date of any election~~  
26 after the deadline to make a written application for an  
27 absentee ballot as provided in section 53.2 or on election  
28 day, the voter may designate a person to deliver and return  
29 the absentee ballot. The designee may be any person the voter  
30 chooses except that no candidate for any office to be voted  
31 upon for the election for which the ballot is requested may  
32 deliver a ballot under this subsection. The request for an  
33 absentee ballot may be made by telephone to the office of the  
34 commissioner not later than four hours before the close of the  
35 polls. If the requester is found to be a registered voter of

1 that county, the ballot shall be delivered by mail or by the  
2 person designated by the voter. An application form shall be  
3 included with the absentee ballot and shall be signed by the  
4 voter and returned with the ballot.

5 DIVISION IV

6 CONDUCT OF ELECTIONS

7 Sec. 15. Section 43.14, subsection 1, paragraph g, Code  
8 2020, is amended by striking the paragraph.

9 Sec. 16. Section 43.24, subsection 1, paragraph a, Code  
10 2020, is amended to read as follows:

11 a. Objections to the legal sufficiency of a nomination  
12 petition or certificate of nomination filed or issued under  
13 this chapter or to the eligibility of a candidate may be filed  
14 in writing by any person who would have the right to vote for  
15 the candidate for the office in question. Objections relating  
16 to incorrect or incomplete information for information that is  
17 required under section 43.14 or 43.18 shall be sustained.

18 Sec. 17. Section 44.6, Code 2020, is amended to read as  
19 follows:

20 **44.6 Hearing before state commissioner.**

21 Objections filed with the state commissioner shall be  
22 considered by the secretary of state and auditor of state and  
23 attorney general, and a majority decision shall be final; but  
24 if the objection is to the certificate of nomination of one  
25 or more of the above named officers, said officer or officers  
26 so objected to shall not pass upon the same, but their places  
27 shall be filled, respectively, by the treasurer of state,  
28 the governor, and the secretary of agriculture. Objections  
29 relating to incorrect or incomplete information for information  
30 that is required under section 44.3 shall be sustained.

31 Sec. 18. Section 44.7, Code 2020, is amended to read as  
32 follows:

33 **44.7 Hearing before commissioner.**

34 Except as otherwise provided in section 44.8, objections  
35 filed with the commissioner shall be considered by the county

1 auditor, county treasurer, and county attorney, and a majority  
2 decision shall be final. However, if the objection is to the  
3 certificate of nomination of one or more of the above named  
4 county officers, the officer or officers objected to shall not  
5 pass upon the objection, but their places shall be filled,  
6 respectively, by the chairperson of the board of supervisors,  
7 the sheriff, and the county recorder. Objections relating to  
8 incorrect or incomplete information for information that is  
9 required under section 44.3 shall be sustained.

10 Sec. 19. Section 44.8, Code 2020, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 3. Objections relating to incorrect or  
13 incomplete information for information that is required under  
14 section 44.3 shall be sustained.

15 Sec. 20. Section 45.5, subsection 1, paragraph f, Code 2020,  
16 is amended by striking the paragraph.

17 Sec. 21. NEW SECTION. **49.42B Form of official ballot —**  
18 **candidates for president and vice president.**

19 When candidates for president and vice president of the  
20 United States appear on the ballot, the following statement  
21 shall appear directly above the section of the ballot listing  
22 such candidates:

23 [A ballot cast for the named candidates for president and vice  
24 president of the United States is considered to be cast for  
25 the slate of presidential electors nominated by the political  
26 party, nonparty political organization, or independent  
27 candidate.]

28 Sec. 29. Section 50.48, subsection 3, Code 2020, is amended  
29 by adding the following new paragraph:

30 NEW PARAGRAPH. *c.* In addition to the persons listed in  
31 paragraph "a", the candidate requesting the recount and the  
32 apparent winning candidate may each submit a request to a  
33 commissioner from a county other than the county conducting the  
34 recount to be present at the recount. Such a commissioner may  
35 report any irregularities observed by the commissioner at any



1 time after the election to the state commissioner.

2 Sec. 23. Section 53.8, Code 2020, is amended by adding the  
3 following new subsection:

4 NEW SUBSECTION. 4. a. The state commissioner shall not  
5 mail an application for an absentee ballot to a person who has  
6 not requested such application.

7 b. The commissioner and the state commissioner shall not  
8 mail an absentee ballot to a person who has not submitted an  
9 application for an absentee ballot.

10 Sec. 24. Section 53.30, Code 2020, is amended to read as  
11 follows:

12 **53.30 Ballots, ballot envelopes, and other information**  
13 **preserved.**

14 1. At the conclusion of each meeting of the absentee and  
15 special voter precinct board, the board shall reconcile the  
16 number of signed affidavits provided to the board by the  
17 commissioner and the number of ballots that were counted and  
18 tabulated. The board shall record the number of ballots that  
19 were rejected prior to opening the affidavit envelope, the  
20 number of absentee ballots that have been challenged and are  
21 currently unopened, and the number of absentee ballots that  
22 were accepted for counting and tabulation. The board shall  
23 also reconcile the number of provisional ballots provided  
24 to the board by the commissioner, the number of provisional  
25 ballots that were accepted for counting and tabulation, and the  
26 number of provisional ballots that were rejected.

27 2. At the conclusion of each meeting of the absentee and  
28 special voters precinct board, the board shall securely seal  
29 all ballots counted by them in the manner prescribed in section  
30 50.12. The ballot envelopes, including the affidavit envelope  
31 if an affidavit envelope was provided, the return envelope, and  
32 secrecy envelope bearing the signatures of precinct election  
33 officials, as required by section 53.23, shall be preserved.  
34 All applications for absentee ballots, ballots rejected without  
35 being opened, absentee ballot logs, and any other documents

1 pertaining to the absentee ballot process shall be preserved  
2 until such time as the documents may be destroyed pursuant to  
3 section 50.19.

4 3. Following each primary and general election,  
5 commissioners shall report to the state commissioner the  
6 number of voted absentee ballots received by the commissioner,  
7 the total number of absentee ballots counted and tabulated  
8 by the board, and the number of absentee ballots rejected by  
9 the board. The commissioner shall also provide the number of  
10 provisional ballots cast, the number of provisional ballots  
11 rejected, and the number of provisional ballots that were  
12 counted and tabulated by the board.

13 Sec. 25. Section 54.5, subsection 2, Code 2020, is amended  
14 to read as follows:

15 2. The state central committee shall also file a list of  
16 the names and addresses of the party's presidential electors  
17 and alternate electors, one from each congressional district  
18 and two from the state at large, not later than 5:00 p.m.  
19 on the eighty-first day before the general election. A  
20 political party may elect up to two alternate electors at the  
21 party's state convention. Additionally, the party's state  
22 central committee may nominate one alternate elector for each  
23 congressional district.

24 Sec. 26. Section 54.5, Code 2020, is amended by adding the  
25 following new subsection:

26 NEW SUBSECTION. 2A. Each elector nominee and alternate  
27 elector nominee of a political party or group of petitioners  
28 shall execute the following pledge, which shall accompany  
29 the submission of the corresponding names to the state  
30 commissioner:

31 If selected for the position of elector, I agree to serve  
32 and to mark my ballots for president and vice president for  
33 the nominees for those offices of the party (or group of  
34 petitioners) that nominated me.

35 Sec. 27. Section 54.7, Code 2020, is amended to read as

1 follows:

2 **54.7 Meeting — certificate.**

3 1. The presidential electors and alternate electors shall  
4 meet in the capitol, at the seat of government, on the first  
5 Monday after the second Wednesday in December next following  
6 their election.

7 2. If, at the time of such meeting, any elector for any  
8 cause is absent, those present shall at once proceed to  
9 elect, from the citizens of the state, a substitute elector or  
10 electors, and certify the choice so made to the governor, and  
11 the governor shall immediately cause the person or persons so  
12 selected to be notified thereof the state commissioner shall  
13 appoint an individual to substitute for the elector as follows:

14 a. If the alternate elector is present to vote, by  
15 appointing the alternate elector for the vacant position.

16 b. If the alternate elector is not present to vote, by  
17 appointing an elector chosen by lot from among the other  
18 alternate electors present to vote who were nominated by the  
19 same political party or group of petitioners.

20 c. If the number of alternate electors present to vote is  
21 insufficient to fill a vacant position pursuant to paragraphs  
22 "a" and "b", by appointing any immediately available citizen  
23 of the state who is qualified to serve as an elector and  
24 chosen through nomination by a plurality vote of the remaining  
25 electors, including nomination and vote by a single elector if  
26 only one remains.

27 d. If there is a tie between at least two nominees to  
28 substitute as an elector in a vote conducted under paragraph  
29 "c", by appointing an elector chosen by lot from among those  
30 nominees.

31 e. If all elector positions are vacant and cannot be filled  
32 through the processes set forth in paragraphs "a", "b", "c", and  
33 "d", by appointing a single presidential elector with remaining  
34 vacant positions filled pursuant to the method set forth in  
35 paragraph "c" and, if necessary, paragraph "d".

1     3. To qualify to substitute for an elector under subsection  
2 2, an individual who has not executed the pledge required for  
3 elector nominees and alternate elector nominees under section  
4 54.5 shall execute the following pledge:  
5 I agree to serve and to mark my ballots for president and vice  
6 president consistent with the pledge of the individual whose  
7 elector position I have succeeded.

8     Sec. 28. Section 54.8, Code 2020, is amended by striking the  
9 section and inserting in lieu thereof the following:

10     **54.8 Elector voting — certificate of governor.**

11     1. At the time designated for elector voting and after all  
12 vacant positions have been filled under section 54.7, the state  
13 commissioner shall provide each elector with a presidential  
14 and a vice presidential ballot. The elector shall mark the  
15 elector's presidential and vice presidential ballots with  
16 the elector's votes for the offices of president and vice  
17 president, respectively, along with the elector's signature and  
18 the elector's legibly printed name.

19     2. Except as otherwise provided by law of this state outside  
20 of this chapter, each elector shall present both completed  
21 ballots to the state commissioner who shall examine the ballots  
22 and accept and cast all ballots of electors whose votes are  
23 consistent with their pledges executed under section 54.5  
24 or 54.7. Except as otherwise provided by law of this state  
25 outside of this chapter, the state commissioner shall not  
26 accept and shall not count an elector's presidential and vice  
27 presidential ballots if the elector has not marked both ballots  
28 or has marked one ballot in violation of the elector's pledge.

29     3. An elector who refuses to present a ballot, presents  
30 an unmarked ballot, or presents a ballot marked in violation  
31 of the elector's pledge executed under section 54.5 or 54.7  
32 vacates the office of elector. The state commissioner shall  
33 declare the creation of the vacancy and fill the vacancy  
34 pursuant to section 54.7.

35     4. The state commissioner shall distribute ballots to

1 and collect ballots from a substitute elector and repeat the  
2 process set forth in this section for examining ballots,  
3 declaring and filling vacant positions as required, and  
4 recording appropriately completed ballots from the substituted  
5 electors until all of the state's electoral votes have been  
6 cast and recorded.

7 5. The governor shall duly certify the results, under the  
8 seal of the state, to the United States secretary of state, and  
9 as required by Act of Congress related to such elections.

10 Sec. 29. NEW SECTION. **54.8A Elector replacement —**  
11 **associated certificates.**

12 1. After the vote of this state's electors is completed,  
13 if the final list of electors differs from any list that the  
14 governor previously included on a certificate of ascertainment  
15 prepared and transmitted under 3 U.S.C. §6, the state  
16 commissioner shall immediately prepare an amended certificate  
17 of ascertainment and transmit the amended certificate to the  
18 governor for the governor's signature.

19 2. The governor shall immediately deliver the signed  
20 amended certificate of ascertainment to the state commissioner  
21 and a signed duplicate original of the amended certificate  
22 of ascertainment to all individuals entitled to receive this  
23 state's certificate of ascertainment, indicating that the  
24 amended certificate of ascertainment is to be substituted for  
25 the certificate of ascertainment previously submitted.

26 3. The state commissioner shall prepare a certificate  
27 of vote. The electors on the final list shall sign the  
28 certificate. The state commissioner shall process and  
29 transmit the signed certificate with the amended certificate of  
30 ascertainment under 3 U.S.C. §§9 through 11.

31 Sec. 30. Section 54.9, Code 2020, is amended to read as  
32 follows:

33 **54.9 Compensation.**

34 The electors shall each receive a compensation of  
35 ~~five dollars~~ one-half of the federal general services

1 administration's per diem rate for the relevant date and  
2 location for every day's attendance, and the same mileage as  
3 members of the general assembly which shall be paid from funds  
4 not otherwise appropriated from the general fund of the state.

5 Sec. 31. REPEAL. Section 43.80, Code 2020, is repealed.

6 Sec. 32. EFFECTIVE DATE. The following takes effect January  
7 1, 2021:

8 The section of this division of this Act repealing section  
9 43.80.

10 DIVISION V

11 NOMINATIONS BY PETITION

12 Sec. 33. Section 43.20, subsection 1, Code 2020, is amended  
13 by striking the subsection and inserting in lieu thereof the  
14 following:

15 1. Nomination papers shall be signed by eligible electors as  
16 provided in section 45.1.

17 Sec. 34. Section 43.20, subsection 2, Code 2020, is amended  
18 by striking the subsection.

19 Sec. 35. Section 45.1, Code 2020, is amended to read as  
20 follows:

21 **45.1 Nominations by petition.**

22 1. Nominations for candidates for president and vice  
23 president, governor and lieutenant governor, and ~~for other~~  
24 ~~statewide elected offices~~ United States senator may be made  
25 by nomination petitions signed by not less than ~~one thousand~~  
26 ~~five hundred eligible electors residing in not less than~~  
27 ~~ten counties of the state~~ four thousand eligible electors,  
28 including at least two hundred eligible electors each from at  
29 least ten counties of the state.

30 2. Nominations for candidates for statewide offices other  
31 than those listed in subsection 1 may be made by nomination  
32 petitions signed by not less than two thousand five hundred  
33 eligible electors, including at least one hundred twenty-five  
34 eligible electors from not less than ten counties of the state.

35 ~~2.~~ 3. Nominations for candidates for a representative

1 in the United States house of representatives may be made by  
2 nomination petitions signed by not less than ~~the number of~~  
3 ~~eligible electors equal to the number of signatures required in~~  
4 ~~subsection 1 divided by the number of congressional districts.~~  
5 ~~Signers of the petition shall be eligible electors who are~~  
6 ~~residents of the congressional district~~ two thousand eligible  
7 electors who are residents of the congressional district,  
8 including at least seventy-seven eligible electors each from at  
9 least one-half of the counties in the congressional district.

10 ~~3.~~ 4. Nominations for candidates for the state senate  
11 may be made by nomination petitions signed by not less than  
12 one hundred eligible electors who are residents of the senate  
13 district.

14 ~~4.~~ 5. Nominations for candidates for the state house of  
15 representatives may be made by nomination petitions signed by  
16 not less than fifty eligible electors who are residents of the  
17 representative district.

18 ~~5.~~ 6. Nominations for candidates for offices filled by the  
19 voters of a whole county may be made by nomination petitions  
20 signed by not less than two hundred eligible electors who are  
21 residents of the county ~~equal in number to at least one percent~~  
22 ~~of the number of registered voters in the county on July 1 in~~  
23 ~~the year preceding the year in which the office will appear on~~  
24 ~~the ballot, or by at least two hundred fifty eligible electors~~  
25 ~~who are residents of the county, whichever is less.~~

26 ~~6.~~ 7. Nominations for candidates for the office of county  
27 supervisor elected by the voters of a supervisor district may  
28 be made by nomination petitions signed by not less than two  
29 hundred eligible electors who are residents of the supervisor  
30 district ~~equal in number to at least one percent of the number~~  
31 ~~of registered voters in the supervisor district on July 1 in~~  
32 ~~the year preceding the year in which the office will appear on~~  
33 ~~the ballot, or by at least one hundred fifty eligible electors~~  
34 ~~who are residents of the supervisor district, whichever is~~  
35 less.

1     ~~7.~~ 8. *a.* Nomination papers for the offices of president  
2 and vice president shall include the names of the candidates  
3 for both offices on each page of the petition. A certificate  
4 listing the names of the candidates for presidential electors,  
5 one from each congressional district and two from the state at  
6 large, shall be filed in the state commissioner's office at the  
7 same time the nomination papers are filed.

8     *b.* Nomination papers for the offices of governor and  
9 lieutenant governor shall include the names of candidates for  
10 both offices on each page of the petition. Nomination papers  
11 for other statewide elected offices and all other offices shall  
12 include the name of the candidate on each page of the petition.

13     ~~8.~~ 9. Nominations for candidates for elective offices in  
14 cities where the council has adopted nominations under this  
15 chapter may be submitted as follows:

16     *a.* Except as otherwise provided in subsection 9 10, in  
17 cities having a population of ~~three thousand five hundred~~  
18 twenty thousand or greater according to the most recent federal  
19 decennial census, nominations may be made by nomination papers  
20 signed by not less than ~~twenty-five~~ one hundred eligible  
21 electors who are residents of the city or ward.

22     *b.* In cities having a population of ~~one hundred five~~  
23 thousand or greater, but less than ~~three thousand five hundred~~  
24 twenty thousand, according to the most recent federal decennial  
25 census, nominations may be made by nomination papers signed by  
26 not less than ~~ten~~ fifty eligible electors who are residents of  
27 the city or ward.

28     *c.* In cities having a population ~~less than one hundred of~~  
29 one thousand or greater, but less than five thousand, according  
30 to the most recent federal decennial census, nominations may  
31 be made by nomination papers signed by not less than ~~five~~  
32 twenty-five eligible electors who are residents of the city.

33     *d.* In cities having a population less than one thousand  
34 according to the most recent decennial census, nominations  
35 may be made by nomination papers signed by not less than ten



1 eligible electors who are residents of the city.

2 ~~9. 10. Nominations for candidates, other than partisan~~  
3 ~~candidates, for elective offices in special charter cities~~  
4 ~~subject to section 43.112 may be submitted as follows:~~

5 ~~a. For the office of mayor, and alderman at large,~~  
6 ~~nominations and ward alderman in special charter cities subject~~  
7 ~~to the provisions of section 43.112 may be made by nomination~~  
8 ~~papers signed by not less than one hundred eligible electors~~  
9 ~~residing in the city equal in number to at least two percent of~~  
10 ~~the total vote received by all candidates for mayor at the last~~  
11 ~~preceding city election.~~

12 ~~b. For the office of ward alderman, nominations may be made~~  
13 ~~by nomination papers signed by eligible electors residing in~~  
14 ~~the ward equal in number to at least two percent of the total~~  
15 ~~vote received by all candidates for ward alderman in that ward~~  
16 ~~at the last preceding city election.~~

17 Sec. 36. EFFECTIVE DATE. This division of this Act takes  
18 effect January 1, 2021.

19 DIVISION VI

20 VOTER REGISTRATION

21 Sec. 37. Section 47.7, Code 2020, is amended by adding the  
22 following new subsection:

23 NEW SUBSECTION. 3. The state registrar of voters shall use  
24 information from the electronic registration information center  
25 to update information in the statewide voter registration  
26 system, including but not limited to the following reports:

- 27 a. In-state duplicates.
- 28 b. In-state updates.
- 29 c. Cross-state matches.
- 30 d. Deceased.
- 31 e. Eligible but unregistered.
- 32 f. National change of address.

33 Sec. 38. Section 48A.10A, subsection 1, Code 2020, is  
34 amended to read as follows:

35 1. The state registrar shall compare lists of persons who

1 are registered to vote with the department of transportation's  
2 driver's license and nonoperator's identification card files  
3 and shall, on an initial basis, issue a voter identification  
4 card to each active, registered voter whose name does not  
5 appear in the department of transportation's files or upon the  
6 request of the registered voter. The voter identification  
7 card shall include the name of the registered voter, a  
8 signature line above which the registered voter shall  
9 sign the voter identification card, the registered voter's  
10 identification number assigned to the voter pursuant to section  
11 47.7, subsection 2, and an additional four-digit personal  
12 identification number assigned by the state commissioner.

13 Sec. 39. Section 48A.28, subsections 1 and 2, Code 2020, are  
14 amended to read as follows:

15 1. Each commissioner shall conduct a systematic program  
16 that makes a reasonable effort to remove from the official list  
17 of registered voters the names of registered voters who have  
18 changed residence from their registration addresses. ~~Either or~~  
19 ~~both of the methods described in this section may be used.~~

20 2. a. A commissioner ~~may~~ shall participate in the United  
21 States postal service national change of address program, as  
22 provided in section 48A.27. The state voter registration  
23 commission shall adopt rules establishing specific requirements  
24 for participation and use of the national change of address  
25 program.

26 b. A commissioner participating in the national change of  
27 address program, in the first quarter of each calendar year,  
28 shall send a notice and preaddressed, postage paid return card  
29 by forwardable mail to each registered voter whose name was  
30 not reported by the national change of address program and who  
31 has not voted in ~~two or more consecutive general elections~~ the  
32 most recent general election and has not registered again, or  
33 who has not reported a change to an existing registration, ~~or~~  
34 ~~who has not responded to a notice from the commissioner or~~  
35 ~~registrar during the period between and following the previous~~

1 ~~two general elections.~~ Registered voters receiving such  
2 notice shall be marked inactive. The form and language of the  
3 notice and return card shall be specified by the state voter  
4 registration commission by rule. A registered voter shall not  
5 be sent a notice and return card under this subsection more  
6 frequently than once in a four-year period.

7 Sec. 40. Section 48A.28, subsection 3, Code 2020, is amended  
8 by striking the subsection.

9 Sec. 41. Section 48A.30, subsection 1, paragraph g, Code  
10 2020, is amended to read as follows:

11 g. The registered voter's registration record has been  
12 inactive pursuant to section 48A.28 or 48A.29 for two  
13 successive general elections.

14 Sec. 42. Section 48A.37, subsection 2, Code 2020, is amended  
15 to read as follows:

16 2. Electronic records shall include a status code  
17 designating whether the records are active, inactive,  
18 incomplete, pending, or canceled. Inactive records are records  
19 of registered voters to whom notices have been sent pursuant  
20 to section 48A.28, ~~subsection 3,~~ and who have not returned  
21 the card or otherwise responded to the notice, and those  
22 records have been designated inactive pursuant to section  
23 48A.29. Inactive records are also records of registered  
24 voters to whom notices have been sent pursuant to section  
25 48A.26A and who have not responded to the notice. Incomplete  
26 records are records missing required information pursuant to  
27 section 48A.11, subsection 8. Pending records are records of  
28 applicants whose applications have not been verified pursuant  
29 to section 48A.25A. Canceled records are records that have  
30 been canceled pursuant to section 48A.30. All other records  
31 are active records. An inactive record shall be made active  
32 when the registered voter requests an absentee ballot, votes  
33 at an election, registers again, or reports a change of name,  
34 address, telephone number, or political party or organization  
35 affiliation. An incomplete record shall be made active when

1 a completed application is received from the applicant and  
2 verified pursuant to section 48A.25A. A pending record shall  
3 be made active upon verification or upon the voter providing  
4 identification pursuant to section 48A.8.

5 **Sec. 43. NEW SECTION. 48A.39A Voter list maintenance**  
6 **reports.**

7 1. The commissioner of registration shall annually  
8 submit to the state registrar of voters a report regarding  
9 the number of voter registration records marked inactive or  
10 canceled pursuant to sections 48A.28 through 48A.30. The state  
11 registrar of voters shall publish such reports on the internet  
12 site of the state registrar of voters.

13 2. The state registrar of voters shall determine by rule the  
14 form and submission deadline of reports submitted pursuant to  
15 subsection 1.

16 **DIVISION VII**  
17 **ISSUANCE OF BONDS**

18 **Sec. 44. Section 49.45, Code 2020, is amended to read as**  
19 **follows:**

20 **49.45 General form of ballot.**

21 1. Ballots referred to in section 49.43 shall be  
22 substantially in the following form:

23 Shall the following amendment to the Constitution (or public  
24 measure) be adopted?

- 25  Yes
- 26  No

27 (Here insert the summary, if it is for a constitutional  
28 amendment or statewide public measure, and in full the proposed  
29 constitutional amendment or public measure. The number  
30 assigned by the state commissioner or the letter assigned  
31 by the county commissioner shall be included on the ballot  
32 centered above the question, "Shall the following amendment to  
33 the Constitution [or public measure] be adopted?".)

34 2. A public measure to approve the issuance of a  
35 voter-approved physical plant and equipment levy pursuant

1 to section 298.2 shall include on the ballot the current  
2 voter-approved physical plant and equipment levy, which shall  
3 immediately follow the proposed levy, and the term of the levy.  
4 Such a public measure shall also include on the ballot the  
5 average increase or decrease in the property tax burden of an  
6 average home in the county, or the average of such averages if  
7 the levy impacts multiple counties, according to data provided  
8 by the United States census bureau.

9 DIVISION VIII

10 CAMPAIGN FINANCE

11 Sec. 45. Section 68A.406, subsection 1, paragraph f, Code  
12 2020, is amended to read as follows:

13 f. Property Notwithstanding paragraphs "d" and "e",  
14 property leased by a candidate, committee, or an organization  
15 established to advocate the nomination, election, or defeat of  
16 a candidate or the passage or defeat of a ballot issue that  
17 has not yet registered pursuant to section 68A.201, when the  
18 property is used as campaign headquarters or a campaign office  
19 and the placement of the sign is limited to the space that is  
20 actually leased.

21 Sec. 46. Section 68A.406, subsection 2, paragraph a,  
22 subparagraph (1), Code 2020, is amended to read as follows:

23 (1) Any property owned by the state or the governing  
24 body of a county, city, or other political subdivision of  
25 the state, including all property considered the public  
26 right-of-way. ~~Upon a determination by the board that a sign~~  
27 ~~has been improperly placed, the sign shall be removed by~~  
28 ~~highway authorities as provided in section 318.5, or by county~~  
29 ~~or city law enforcement authorities in a manner consistent with~~  
30 ~~section 318.5. Improperly placed signs shall be removed in the~~  
31 ~~following manner with appeals heard by the board:~~

32 (a) If a sign is in the public right-of-way and constitutes  
33 an immediate and dangerous hazard, the highway authority shall  
34 immediately, without notice or liability in damages, remove the  
35 sign.

1       **(b) If a sign is on property owned by the state or a**  
2 **political subdivision of the state, including on a public**  
3 **right-of-way, but does not constitute an immediate and**  
4 **dangerous hazard, the sign shall only be removed by the highway**  
5 **authority, county law enforcement, or city law enforcement**  
6 **without liability in damages after the relevant authority has**  
7 **provided forty-eight hours of notice through written certified**  
8 **mail or in any other manner reasonably calculated to notify the**  
9 **person responsible for the obstruction that the obstruction is**  
10 **subject to removal upon the conclusion of the notice.**

11       **(c) Notwithstanding the provisions of subparagraph division**  
12 **(b), if a sign is on property owned by the state or a political**  
13 **subdivision of the state, including on a public right-of-way,**  
14 **within forty-eight hours of an election but does not constitute**  
15 **an immediate and dangerous hazard, the sign shall only be**  
16 **removed by the highway authority, county law enforcement, or**  
17 **city law enforcement.>**

18       2. Title page, by striking line 1 and inserting <An Act  
19 relating to the conduct of elections, including the use of  
20 emergency powers during elections, nomination procedures,  
21 issuance of bonds, voter registration, absentee ballots,  
22 campaign finance, and the use of a county seal on materials  
23 related to elections, and including effective date provisions.>

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PROPOSED COMMITTEE AMENDMENT