



HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	Senate File 399	House Committee:	PASSED on March 29 (21-0)
Committee:	State Government	House Floor:	
Floor Manager:	Rep. Koester	Senate Floor:	PASSED on March 27 (45-0)
Date:	April 10, 2017	Governor:	
Staff:	Mackenzie Nading (1-3626)		

Secretary of State Technical Voter Bill

Division I:

- Creates a process that allows for a candidate who was placed on a ballot by nominee at convention to remove themselves from the ballot within a certain time frame before the election

Division II:

- Technical changes with regards to outdated terminology

Division III:

- Changes regulations with regards to precinct election officials who change their political party affiliation to vote in the election they are supposed to be monitoring

Division IV:

- Adds residents living in dementia specific assisted living homes to a list of people who must have absentee ballots delivered and administered by a bipartisan precinct team

Division V:

- Mandates that persons appointed to fill vacancies as community college trustees shall serve until a new member is selected at the next school election or special election held for the merged area

Section by Section Analysis

Division I

Candidate Withdrawal

Section 1 – 43.78 – Filling ballot vacancies – New Subsection:

Creates a process that allows for a candidate who was placed on a ballot by nominee at convention to remove themselves from the ballot within a certain time frame before the election

Division II

Voter Registration

Section 2 – 48A.27 – Changes to voter registration records:

Makes technical changes with regards to outdated terminology

**Division III
Elections Administration Generally**

Section 3 – 49.16 – Tenure of election board panel:

Mandates that if a precinct election official changes their political party affiliation to vote on an absentee ballot, and then after voting changes their political affiliation again, the official's name shall be removed from the list of precinct election officials for that election

Section 4 – 49.104 – Persons permitted at polling places:

Allows for any individual to be present in precincts for the purpose of conducting and attending education voting programs (currently only youths are allowed)

**Division IV
Absentee Voting**

Section 5 – 53.8 – Ballot mailed:

Adds "a tenant of an assisted living program" in a dementia specific facility to a list of places that require an absentee ballot be delivered and administered by a bipartisan special precinct team

Section 6 – 53.22 – balloting by confined person

Conforming changes

Adds clarifying language that "an assisted living program means a program certified pursuant to section 231C.3 that meets the standards for a dementia-specific assisted living program, as established by rule by the department of inspections and appeals"

Section 7 – 53.37 – Definitions:

Conforming changes

Section 8 – 231C.21 Certification list to county commissioner of elections – new section:

Mandates that the director of the Department of Inspections and Appeals shall supply to each county commissioner a list of certified dementia specific assisted living facilities in their county

**Division V
School Elections**

Section 9 – 260C.11 – Statement of policy:

Mandates that persons appointed to fill vacancies as community college trustees shall serve until a new member is selected at the next school election or special election held for the merged area

This change is in response to a law change made last year that affected public schools, and this change will align community colleges with that change

Section 10 -279.6 – Vacancies – qualifications – tenure:

Conforming changes

Section 11 – Effective upon enactment

Section 12 – Retroactive applicability:

Changes made to section 260C.11 shall apply retroactively to July 1, 2016