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State of Iowa

AUDITOR'S GUIDE TO ABSENTEE VOTING

November, 1995



**LEAVE YOUR
MARK ON
AMERICA...**

V O T E

Auditor's Guide to Absentee Voting

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Excerpt from Guide to Training Precinct Election

Officials: PART IV – ABSENTEE AND SPECIAL VOTERS

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Auditor's Guide to Absentee Voting

Introduction

Any registered voter in Iowa who wants an absentee ballot may receive one. There are no effective restrictions to limit who can vote by absentee ballot; no one must provide a reason, doctor's excuse or any proof of need. [53.1]

However, absentee voting ends the day before the election. With only a few very specific exceptions one cannot request and receive an absentee ballot on election day. Refer to the section about voting by patients and residents of hospitals and nursing homes. See page 15. [53.2]

The number of people voting by absentee ballot is increasing steadily. As the volume of absentee ballots grows, the questions and complications become more troublesome. This guide is intended to be used as a partner with the Election Laws of Iowa, and the Iowa Administrative Code. The numbers in brackets refer to the appropriate code sections and administrative rules.

You may find it useful to meet with representatives of the political parties, candidates or other political groups who are planning absentee balloting efforts. Explain how your office tracks absentee ballots, when the lists of absentee voters can be made available to them and find out what their needs and concerns are. This may avoid misunderstandings and smooth the process for everyone.

Security issues

Ballot accounting: Track the number of ballots you receive from the printer so that you can account for every one through the entire election process.

Ballot storage: Both unvoted and voted ballots must be stored in secure places so that no one can tamper with the ballots or steal them. Unvoted official ballots can be used in a variety of ways to corrupt an election. Every ballot should be accounted for throughout the whole election process.

Voted ballots should never be left unattended unless they are locked up. Consider who has access to the space in which the ballots are stored. Ballots stored in portable containers in the courthouse vault are secure only when the vault is locked and no one is inside. If anyone uses the room where the ballots are stored, the ballots should be locked in a cabinet.

Access to the keys to the containers should be restricted and controlled. Don't leave the keys to the ballot storage area hanging on a hook by the door.

Who may vote by absentee ballot?

The Code of Iowa lists three reasons for which a registered voter may request an absentee ballot. However, when all of the applicable Code sections are taken into consideration, it is clear that any person who requests an absentee ballot must be sent or given a ballot. [53.1]

1. Registered voters in your county may request that the ballot be sent to the address at which they are registered or to some other address.
2. Requests for ballots may be received from people living in your county who are not registered to vote. Send a voter registration form with the ballot. [53.2]
3. Residents or patients in hospitals and nursing homes. Their ballots are delivered by bi-partisan teams, in most cases. See also page 15. [53.22]
4. The Uniform and Overseas Citizens Absentee Voting Act includes people who do not neatly fit the usual residence qualifications for voting. They are United States citizens who are away from home for a variety of reasons; most often because they are serving in the military. It also includes citizens who are working or living outside the country.

Voters in this category have access to some special provisions to make it easier for them to vote from a long distance. The federal government pays the postage for sending their absentee ballots, and in some cases special ballots are used. For many years these special provisions were in effect only for primary and general elections. In 1994 the law was changed to ease participation of military and overseas voters in all elections.

Special envelopes are provided at cost by the secretary of state for absentee ballots for armed forces and overseas voters. They require no postage for you to mail to the voter or for the voter to return the ballot to you. They are for use only by these armed forces and overseas voters.

Military and overseas voters are not required to be registered to vote before an election. The affidavit on the absentee ballot envelope substitutes for a voter registration form. They may also file a single request to receive ballots for all elections held in a calendar year. This category of voters includes:

- a. People who are in the army, navy, marine corps, coast guard, and air force of the United States. [53.37]
- b. Spouses and dependents of members of the armed forces while in active service. [53.37(1)]
- c. Members of the merchant marine and their spouses and dependents. [53.37(2)]
- d. Civilian employees of the United States serving outside the territorial limits

of the U.S. and their spouses and dependents who live with them.[53.37(3)]

- e. 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. [53.37(4)]
- f. Citizens of the United States who live outside the U.S. may register and vote in Iowa if they were eligible electors of Iowa just before leaving the U.S. This includes citizens who were not old enough to register at the time they left the country, but who lived in Iowa just before leaving. [48A.4]
- g. Citizens whose parents qualify to vote in Iowa, but who have never lived in the U.S. [48A.5]
- h. A person who was discharged from military service within thirty days before an election may vote by presenting discharge papers to the precinct election officials. The person must also register to vote. [48A.6]

Application forms

No official form is required to be used to request an absentee ballot. Absentee ballot requests may be received by FAX machine. The original of the form must also be mailed. There are several forms you can expect to receive: [IAC 721-21.2(47)]

1. **Secretary of State's prescribed form.** Form 3-A. This form is not required to be used but it does include spaces for all required and desirable information to be provided. Feel free to photocopy and use this form. See page 5.
2. **Federal Postcard Application**, also called the FPCA, this form is available worldwide at all U.S. embassies, consulates and military bases. It is used by armed forces and over seas voters. See page 6.
3. **Special write-in absentee ballots** are used only in General Elections. They can be filed no earlier than 90 days before the General election. The request is made by the addition of a sticker on the FPCA. It looks like this:

<p>IOWA</p> <p>"To the best of my belief I will be outside the continental United States and unable to vote and return a regular absentee ballot by normal mail delivery within the period provided for regular absentee ballots. I request a special write-in absentee ballot."</p>

This sticker indicates that the requestor is so far away from home or so isolated that regular mail delivery usually won't get a ballot to the voter and back again on time. This method of voting is called "a submarine ballot" because sailors on nuclear submarines are often out of contact for months at a time; it was their situation that inspired this type of absentee voting. The voter receives a blank ballot and writes in the names of candidates. The Secretary of State provides the form for submarine ballots.

4. **Proxy Absentee ballot request forms.** This can be used in the General Election only. This form is for use by certain family members to request absentee ballots for relatives who qualify for armed forces and overseas ballots. See page 8.
5. **Forms from campaigns:** Political candidates and organizations often distribute absentee ballot applications. These often promote a particular candidate or slate of candidates. They may design their own forms, assuming that the required information is included.
6. **Letters from voters must include:**
 - a. Name of person requesting the ballot.
 - b. Signature of each person requesting a ballot.
 - c. The address at which the person is registered to vote.
 - d. Name and date of the election for which the ballot is requested.
 - e. Any other helpful information. For example, the address where the ballot should be mailed, date of birth, social security or voter identification number.

[53.2]

FORM 3-A (Rev.-95)
Prescribed by the
Iowa Secretary of State

STATE OF IOWA

APPLICATION FOR ABSENTEE BALLOT

Name * _____ Precinct _____

Social Security or
Voter ID Number: _____ Birth Date: ___/___/___ Sex: ___

Address at which Registered to Vote: _____ Address to which Ballot is to be Mailed, if different: _____

* _____
* _____
* _____

Check here if you have moved from the address at which you are registered to vote. A change of address form will be sent to you.

For Primary Elections only: I request a ballot for the
 Democratic Party Republican Party

Please note: Your voter registration record will be changed if you ask for a ballot for a political party different from the party shown on your voter registration record.

For Office Use Only

Please send an absentee ballot to me at the address indicated above for the * _____
Election to be held on * ___/___/___.

* _____
Signature of Voter Date

***This information must be provided.**

Iowa

The Federal Post Card Application is the primary form used when requesting registration and/or an absentee ballot from your local election official. Follow the instructions printed on the FPCA, as well as those below.

FEDERAL POST CARD APPLICATION (FPCA)

Complete all shaded areas

FEDERAL POST CARD REGISTRATION AND ABSENTEE BALLOT REQUEST (FPCA)					
APPLICATION FOR STATE OF _____		COUNTY OF _____		CITY OR TOWNSHIP OF _____	
Be sure to sign this form in Block 8 and address the small postcard above to your current address. All entries must be typed or printed.					
1. APPLICANT INFORMATION (See Instruction 1.)					
a. Typed or Printed Name (Last, First, Middle)			b. Sex	c. Race	
d. Social Security No.		e. Other Identification No. (Passport, ID Card)		f. Marital Status	
g. Date of Birth (Mo/Day/Yr)		h. Place of Birth (City, State, Country)			
i. If Naturalized (1) Naturalization No.		(2) Place of Naturalization		(3) Date of Naturalization (Mo/Day/Yr)	
2. I LAST VOTED					
a. Year	b. County, City or Township	c. State	d. Voter Registration No. (If known)		
3. VOTING RESIDENCE (Legal or last residence in the U.S.)			a. Last Date of Residency (Mo/Day/Yr)		
b. Number and Street (Do not use box or rural route)			A		
c. City, Town, or Village		d. County or Parish	e. State	f. Zip	
4. MAIL ABSENTEE BALLOT TO (Complete mailing address where you want ballot mailed)					
B					
5. REMARKS					
6. REASON FOR ABSENTEE BALLOT (X one. See Instruction 6.)					
C					
a. Member of armed forces, uniformed services or merchant marines in active service					
b. Spouse or dependent of 6a					
c. U.S. citizen temporarily residing outside U.S.					
d. U.S. citizen overseas by virtue of employment or accompanying dependent					
e. Other U.S. citizen residing outside U.S.					
f. Special					
7. I REQUEST ABSENTEE BALLOTS FOR THE FOLLOWING ELECTIONS (X as applicable. See Instruction 7.)					
D		a. Primary		If 7.a. or d. is marked, list party affiliation	
E		b. General		c. Special	
d. All elections if permitted by state law					
8. AFFIRMATION BY APPLICANT I swear or affirm, under penalty of perjury, that:					
a. I am a United States Citizen, eligible to vote in the above jurisdiction.					
b. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated.					
c. I am not requesting a ballot from or voting in any other U.S. state, territory or possession or subdivision thereof in the coming election(s).					
d. The information on this form is true and complete.					
e. SIGNATURE OF APPLICANT				f. DATE (Mo/Day/Yr)	
X					
9. OATH. SUBSCRIBED AND SWORN TO BEFORE ME (If oath is required by state, enter following information for the official administering oath.)					
a. TYPED OR PRINTED NAME		b. TITLE		c. ORGANIZATION	
d. SIGNATURE OF OFFICIAL				e. DATE SIGNED (Mo/Day/Yr)	

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

- A.** Provide the complete street address of your voting residence. A post office box or rural route is not sufficient. If your address includes a rural route or post office box number, describe its location. For example: "2 miles past Highway _____, across the street from the _____ gas station." This address must be different from the one provided in item 4 and must be within the county or township where you claim legal voting residence.
- B.** Print the complete address where you want your ballot sent — usually your current mailing address. Your current mailing address must be different from the address you provided in item 3.
- C.** Check ONE box.
- D.** Unless you state otherwise on the FPCA, the local election official treats a request for a primary election ballot as a request for a general election ballot also. If a special election is called, check "special" to receive a ballot for this election.
- E.** You must write the name of your political party choice (Example: Democrat, Republican) or write "none" in item 7 of the FPCA when applying for an absentee ballot. **If you do not list a party preference, you cannot vote in primary elections.** Political party choice is not required if you request absentee ballots only for general elections. If you are currently registered and want to change your political party choice or you have previously declined to indicate a political party and you now want to vote in a primary election, you must submit a completed FPCA to the local election official. Along with the ballot, the election official will send a "Change or Declaration of Party Affiliation" form which you need to complete and return with the ballot.

Reproduced from the Federal Voting Assistance Guide, 1994-1995 Edition

Applications for Primary Election ballots

In partisan primary elections each voter must request a ballot for only one of the political parties. *(These provisions do not apply to the nonpartisan primary elections conducted for some cities.)*

A request by a member of the armed forces for a primary election ballot that does not specify a political party is void and of no effect. [53.40]

A request for an absentee ballot that specifies a political party which is different from the party named on the requestor's voter registration record shall be accepted as a change of party affiliation. Send a notice with the ballot telling the voter that you have made a change in the voter's registration record. Use Form 3-H.

FORM 3-H (95)
 Prescribed by the
 Iowa Secretary of State

STATE OF IOWA
 NOTICE TO VOTER OF
 CHANGE OR DECLARATION OF PARTY AFFILIATION

Dear Voter:

The absentee ballot application you sent for the Primary Election to be held on June __, _____, asked for a ballot for a political party different from the party preference shown on your voter registration record. Because you requested a

Democratic Republican

ballot you are now registered with that party. The enclosed ballot includes candidates only from that party.

You were previously registered with

the Democratic Party the Republican Party No Party

If you believe this change of party to be in error, please call () _____ or return your ballot packet. If you want the ballot for the other party mark the appropriate party below and sign your name on the lower left corner of this form and return the form with your unvoted ballot. Mark the outside of the return envelope: Wrong Ballot.

Democratic Republican

Date: _____

Signed: _____

 County Auditor and
 Commissioner of Elections

FORM 4-D
Prescribed by
Iowa Secretary of State

STATE OF IOWA

PROXY ABSENTEE BALLOT REQUEST FORM

This form may be used by certain relatives to request general election absentee ballots for family members who are in the armed forces or who are overseas. The request may be filed no earlier than 70 days before the general election.*

☆ This is a request for an absentee ballot for the General Election to be held on November __, ____ ☆

1. Name of voter: _____

2. Iowa voting address: _____

4. Mail ballot to: _____

3. Length of residence in city or township, county & state: _____

5. Voter's birth date: __/__/__

6. Voter's social security number, if known: _____

7. The person for whom this ballot is requested is eligible to vote in Iowa and is (check one):

- a. A member of the army, navy, marine corps, air force, coast guard, merchant marine, or a spouse or dependant.
- b. A member of a religious group or welfare agency assisting members of the armed forces, who is officially attached to and serving with the armed forces, or a spouse or dependant.
- c. A civilian employee of the United States serving outside the U.S. territorial limits, or a spouse or dependant residing with a civilian employee.
- d. An eligible citizen residing outside the U.S.

8. Name and address } _____
of person making } _____
this request. } _____

9. Relationship* to voter: _____

10. Signature of requestor: **X** _____

11. Date of request: _____

* Request may be made by the voter's spouse, parent, parent-in-law, adult sibling, or adult child who lives in the same county as the voter's residence.

All those envelopes!

There are two types of envelopes used for absentee voting. The most frequently used envelopes can be purchased from any supplier. They must conform to the requirements in Forms Prescribed by the Secretary of State. The envelopes used to mail absentee ballots to Armed Forces and Overseas voters, generally called "military ballot envelopes" are available only from the Secretary of State. These special envelopes require no postage and may be used only to send ballots to overseas and military voters.

Each absentee ballot is mailed with at least three, and often four envelopes. Both types of envelopes, regular and military, come in groups of three. The fourth envelope, the secrecy envelope, can be used with either set of envelopes. From the outside in, they are:

1. **Delivery envelope.** This one is addressed to the voter and contains all of the other envelopes, instructions to the voter and the ballot.
 Armed Forces: use SoS Form 4-A
 No special form is prescribed for domestic absentee voters.
2. **Return carrier envelope.** Addressed to the County Commissioner of Elections, this envelope is used by the voter to return the ballot to you.
 Armed Forces: use SoS Form 4-B For domestic voters, see Form 3-D
3. **Affidavit envelope.** This envelope is very important! The voter must fill out and sign the affidavit in order for the ballot to be counted. This form is the equivalent of the voter's declaration of eligibility. **The envelope must be sealed in order for the ballot to be counted.**
 Armed Forces: use SoS Form 4-C For domestic voters, see Form 3-B
4. **Secrecy envelope.** Where optical scan systems are used, it is often impossible to fold the ballot so that all of the voter's marks are hidden. To protect the secrecy of the ballot as it is removed from the affidavit envelope (which has the voter's name on it) another envelope or folder is required to be used. No form is prescribed for the secrecy envelope. You may simply use a plain envelope. This does not have to seal and may be reused.

For samples of these forms, refer to the forms book.

Requests received before the ballots are ready

1. **When to begin.** Voters may begin sending in absentee ballot requests as early as seventy days before any election. There is no limit on how early armed forces and overseas voters may submit requests; they may also submit one request to request ballots for all elections to be held in a calendar year. [53.2, 53.40]
2. **Check contents of form.** Do you have enough information to determine the correct absentee ballot for the voter? If not, obtain the information by the best means available. [53.2]
3. **Check voter registration record.** If the requestor is not registered to vote, send a registration form to the requestor. Include a letter explaining the voter registration deadlines and requirements. For example, [53.2]

Dear Voter:

We have received your request for an absentee ballot for the [election name] election. The absentee ballots are not yet printed. As soon as the ballots are ready, one will be mailed to you. The ballots should be available [date].

Our records indicate that you are not currently a registered voter in this county. Please complete the enclosed registration form and return it to my office separately.

Do not enclose your voter registration form with the absentee ballot. If you are not registered to vote before the close of registration the envelope containing your absentee ballot will never be opened.

If you prefer to register in person you may register to vote at any of the following places:

[list registration sites]

You must be registered to vote by 5:00 pm on [date]. If you are not registered to vote by the deadline, you cannot legally vote in this election.

If you have questions, please call my office at (xxx) xxx-xxxx.

Sincerely,

County Auditor and
Commissioner of Elections

4. **Log in all requests.** Keep a log of absentee ballot requests showing: Serial number of request, name and address of requestor, precinct, ballot style, date the request

was received; date and time ballot was sent; and date and time ballot was returned. This record may be kept on paper or by computer. When the ballot is returned add the date and time to the log. [53.19]

5. **File requests in a secure place.** You will need to refer to the request forms again; request forms are attached to the envelope containing the ballot when it is returned to your office. Requests for absentee ballots must be kept for 22 months after the election. [53.18]
6. **Special write-in absentee ballots (submarine ballots).** If an application for a general election ballot includes a sticker like this--

<p>IOWA</p> <p>"To the best of my belief I will be outside the continental United States and unable to vote and return a regular absentee ballot by normal mail delivery within the period provided for regular absentee ballots. I request a special write-in absentee ballot."</p>

--the voter is requesting a special write-in ballot. This ballot is used before the ballots are printed and **only in the general election**. After the ballots are ready, send every voter the official, complete ballot. The special write-in ballot is a list of offices and questions which will appear on the ballot with spaces for the voter to write in the names of the voter's choices. The secretary of state provides the form for these ballots.

Requests for submarine ballots can be received no earlier than 90 days before the general election. The voter may also request and receive a regular ballot. If the voter has requested both types of ballots, hold the submarine ballot until the deadline for returning ballots has passed. The submarine ballot should be opened and counted only if the regular ballot is not received.

See also page 19.

Requests received after the ballots are ready

1. **Check contents of form.** Do you have enough information to determine the correct absentee ballot for the voter? If not, obtain the information by the best means available. [53.2]
2. **Check voter registration record.** If the requestor is not registered to vote, send a registration form with the absentee ballot. Include a letter explaining the voter registration deadlines and requirements. For example, [53.2]

Dear Voter:

We have received your request for an absentee ballot for the [election name] election. However, our records indicate that you are not currently a registered voter in this county. Please complete the enclosed registration form and return it to my office separate from the ballot.

Do not enclose your voter registration form with the absentee ballot. If you are not registered to vote before the close of registration the envelope containing your absentee ballot will never be opened.

If you prefer to register in person you may register to vote at any of the following places:

[list registration sites]

You must be registered to vote by 5:00 pm on [date]. If you are not registered to vote by the deadline, you cannot legally vote in this election.

If you have questions, please call my office at (xxx) xxx-xxxx.

Sincerely,

County Auditor and
Commissioner of Elections

3. **Mail ballot within 24 hours.** After the absentee ballots are printed you are required by law to mail absentee ballots within 24 hours after you receive the request. Send the ballot to the address requested by the voter. Each absentee voter must receive:
 - The correct ballot, initialed by the worker
 - Full text of any public measure or constitutional amendment summarized on the ballot
 - Instructions, See Appendix I
 - Affidavit envelope
 - Return carrier envelope

Secrecy envelope, if needed
All enclosed in delivery envelope

4. **Voting in the office.** After the ballots are ready voters may come to your office and vote there. The person must vote the ballot at your office and leave it there. Refer to the instructions on page 14.

A person who is not ready to vote may leave an application and receive a ballot by mail.

Absent voters log

The absent voter log is public information. Anyone who wishes to may see it or receive a copy. You may set reasonable times when copies of the list of absentee voters will be available for distribution. You may charge a reasonable copying fee.

Satellite absentee voting

Iowa law permits you to provide places outside the courthouse for people to vote by absentee ballot. Please refer to the Administrative Rules for specific details. They are reproduced in Appendix II.

HOW TO ISSUE ABSENTEE BALLOTS AT THE OFFICE

1. **Application.** Every absentee voter shall complete an application form.
2. **Check address.** Check to be sure that the applicant's address is in a precinct which will be voting at this election.
3. **Check registration.** Check to see whether the applicant is a registered voter at the applicant's current address. People who live in your county but who are not currently registered to vote may register to vote until the close of registration. Changes of name, address, telephone number or party affiliation may be made at any time.

After registration closes anyone who requests an absentee ballot and who is not a registered voter may only cast a special ballot (used for challenged voters). Use the special ballot envelopes. Be sure to fill out a challenge of absentee voter form: Form 3-G.

4. **Affidavit envelope.** Have the voter fill out the affidavit envelope before you issue the ballot.
5. **Voters may ask for help.** Anyone who is unable to mark a ballot without help may be helped by any person chosen by the voter. **EXCEPTIONS:** The following people may not help a voter -- the voter's employer, an agent of the employer, or an officer or agent of the voter's union. The voter may also request help from the auditor's office staff. Two workers from different political parties must assist the voter. **WARNING: Do not tell anyone how the person voted.**
6. **Issue ballot.** When a voting booth is available, initial the appropriate ballot and give it to the voter. Ballots must be voted at the office; they may not be taken from the office.
7. **Instruct voter.** Instruct each voter
 - a. to use only the pen or pencil provided by you,
 - b. how to mark the ballot so that it can be counted,
 - c. to enclose the ballot in the secrecy folder (if any), and
 - d. to place the ballot in the affidavit envelope and seal it before
 - e. returning it to the workers.
8. **Send voter to booth.** Each voter must use a voting booth.
9. **When the ballot is returned.** Number the request form and the affidavit envelope with a serial number and record the serial number in the log of absentee voters.
10. **Storing voted ballots and applications.** Attach the application to the sealed affidavit envelope and keep them in a secure place.

Hospitals and nursing homes

Absentee ballots for voters who are patients in hospitals and nursing homes in your county are required by law to be delivered by a **bipartisan team** during the ten days before the election. The only exception to this is that in nonpartisan elections absentee ballots may be mailed to a hospital or nursing home if no more than two applications are received from that institution. If three or more applications are received from a hospital or nursing home the bipartisan team must be sent. [53.22(1"a", & 3)]

Only registered voters who have been admitted to hospitals or nursing homes on election day or during the three days before the election may request absentee ballots on election day.

Late admissions inside the county. If a registered voter in your county is admitted to a hospital or became a patient in a nursing home inside the county on election day or during the three days before election day (after midnight on the Friday before the election) the voter can request a ballot as late as four hours before the polls close on election day. The request may be made by telephone or directly to the bipartisan team delivering ballots to other patients or residents. [53.22(2)]

Out of county requests. Absentee ballots requested by patients or residents of hospitals or nursing homes outside your county shall be mailed to the voter. [53.22(4)]

Late admissions outside the county. If a registered voter in your county is admitted to a hospital or became a patient in a nursing home outside the county on election day or during the three days before election day (after midnight on the Friday before the election) it is unlikely that you will be able to mail the ballot to the voter and have the voter return it in time to be counted. The request may be made by telephone as late as four hours before the polls close. Under these circumstances, the voter may choose someone to pick up and deliver the ballot. **This is the only situation in which an absentee ballot is delivered to a voter by someone other than election officials or the U.S. Postal Service.** [53.22(5)]

When someone goes home. If a person who has requested an absentee ballot is dismissed from the hospital or nursing home, the ballot can be delivered to the voter's home. [53.22(1)"b"]

Supplies needed for delivery team:

- ☛ Form 3-F: Absentee Ballot Delivery Team Log (2 pages).
- ☛ Ballot packets for each person to be visited.
- ☛ Markers (pens or pencils) for voters to use.
- ☛ Extra application forms.
- ☛ Extra ballots to replace spoiled ballots.
- ☛ Envelope for spoiled ballots.
- ☛ Envelope for unused ballot packets.
- ☛ Ballot box for voted ballots.

The absentee ballot delivery team must deliver all voted ballots to the auditor's office no later than the time the polls close on election day.

An excerpt from *The Auditor's Guide to Training Precinct Election Officials* is included beginning on page 21. Refer to this section for additional instructions for the precinct election officials.

Federal write-In ballots

Voters who are outside the United States often have problems receiving their absentee ballots in time to vote and mail them before election day. The Federal Write-in Absentee Ballot (FWAB) is available for emergency voting by the same people who qualify to receive ballots under the provisions of the armed forces voting division of Chapter 53 (beginning at section 53.37). The voter must have submitted an absentee ballot request that arrived in your office at least thirty days before the election.

Their use is restricted to the primary and general elections and special elections to fill vacancies in the U.S. House of Representatives and the state legislature. The FWAB cannot be counted if:

1. The ballot was submitted from within the United States.
2. The voter's request for an absentee ballot was received less than thirty days before the election.
3. The voter's completed regular or special (submarine) absentee ballot is received in time to be counted.
4. The FWAB arrives after noon on the Monday after the election. [53.53]

These ballots are blank ballots and are distributed at U.S. embassies, consulates and military bases all over the world. If you receive one, check to be sure that the voter has met all of the requirements to use the FWAB.

Wait until after the deadline for receiving ballots to deliver FWABs, and submarine ballots to the special precinct board.

Problems

Spoiled ballot. If a voter spoils a ballot it can be replaced only if the voter returns the ballot to you with the return envelope clearly marked, "Spoiled Ballot." Ballots which are received without any indication of a problem on the outside of the envelope cannot be replaced. [53.21]

Lost ballot. A voter who has lost an absentee ballot, or whose absentee ballot did not arrive in the mail, may request a replacement absentee ballot. Enclose two copies of form 3-E with the replacement ballot. [53.21]

See the sample form on the following page.

FORM 3-E (93)
 Prescribed by the
 Iowa Secretary of State

**STATEMENT OF VOTER
 LOST ABSENTEE BALLOT**

Instructions:

1. Please provide the date you requested your absentee ballot. If you are not sure of the exact date, please provide a reasonable guess.
2. Sign the form.
3. Write today's date.
4. **Do not enclose this statement with the ballot in the affidavit envelope.** Put one copy in the outer envelope addressed to the county auditor.
5. Keep one copy.

The absentee ballot which I requested on (1) _____ [date] has been lost or was never received. If I find this absentee ballot I will return it, unvoted, to the commissioner.

(2) _____
 Signature of Voter

(3) Date: _____

Voter wants the ballot back. After an absentee ballot has been returned to the county auditor, there is no provision under Iowa law for that ballot to be returned to the voter for any reason. Refer to *Iowa Code* section 53.21, the last sentence.

Absentee voters at polling places. A person who has requested an absentee ballot may vote at the voter's polling place if the voter surrenders the unvoted ballot to the precinct officials. If the absentee ballot is voted, it must be delivered to the auditor's office to be counted. [53.19]

If a person who requested an absentee ballot appears at the polls, the voter may be permitted to vote if the voter signs an affidavit claiming that the absentee ballot never arrived. You may request that the person cast a special ballot.

FORM 3-C (Rev.-90)
Prescribed by the
Iowa Secretary of State

STATE OF IOWA
AFFIDAVIT FOR VOTER WHO DID NOT RECEIVE ABSENTEE BALLOT

I do solemnly swear or affirm that I requested an absentee ballot by mail for this election, but I have not received the ballot. I am therefore eligible to vote in person at my precinct voting place.

I understand that if I receive the absentee ballot, I must return the ballot and all other accompanying materials to the county auditor.

Signature of Voter

Address

Approved:

Election Board Member

Date of Election

When ballots are returned

All those envelopes coming back in contain voted ballots and require immediate attention and careful security. Absentee ballot envelopes are easily indentifiable; tell the people who collect your mail who should receive them as they arrive. Don't leave them sitting around!

- ✉ Do not open the return carrier envelope.
- ✉ Log in each ballot, noting the date and time it was received.
- ✉ Attach the request form to the unopened return carrier envelope.
- ✉ Federal Write-in Ballots and Submarine ballots should be kept separate.
- ✉ **Store the returned ballots in a secure place.**

Ballot storage: Voted ballots must be stored in a secure place so that no one can tamper with the ballots or steal them. They should never be left unattended unless they are locked. Consider who has access to the space where the ballots are stored. Ballots stored in portable containers in the courthouse vault are secure only when the vault is locked and no one is inside. If anyone uses the room where the ballots are stored, the ballots should be locked in a cabinet. Access to the keys to ballot containers should be restricted and controlled.

Hint: Don't leave the keys to the ballot storage area hanging on a hook by the door.

Ballots received after election day

The envelope in which the ballot is returned must be postmarked before election day and received before noon on the Monday after most elections. Absentee ballots must be received before the canvass of elections which are canvassed the same week as the election (regular school election, city primary, regular city election in cities with runoff provisions).

Late postmark. If the postmark is election day or later, the ballot shall not be delivered to the special precinct board. Note on the absentee ballot log the date and time that it was received and indicate that it did not have a timely postmark.

No postmark. If the postmark is not legible or simply isn't there, open the return carrier envelope and check the date on the affidavit envelope. If the date is before election day the ballot may be delivered to the special precinct board. **Note: This is the only circumstance under which the auditor's office staff opens the return carrier envelope.**

If the affidavit envelope is not dated, the ballot cannot be counted.

[IAC 721--21.360(53)]

What to keep!

Federal and state laws require that important election documents be kept after the election is over. The reason for keeping the records is that in the event of an election contest or other court challenge to the validity of an election, the absentee ballot materials can play an important role in reconstructing how the election was conducted.

Because parts of the absentee voting process happen away from public or official scrutiny it is often the easiest way to corrupt an election. It is therefore very important that you keep and protect all absentee voting documents and the ballots in safe, secure storage.

The U.S. Department of Justice recommends that you keep the following:

1. Applications for absentee ballots
2. Envelopes in which absentee ballots were returned to election officers, including absentee ballot envelopes and absentee ballots that were returned too late to be counted.
3. Ballots that have been rejected, and records associated with them
4. Special (challenged) ballots and the challenged ballot forms.
5. Logs and other records pertaining to the administration of absentee voting, whether in hard copy or electronic media
6. Records of the tally of votes by absentee and special voters precinct (tally list)
7. Records of the appointment and service of officials

For additional information about document retention, please refer to Secretary of State form 5-D.

See also: *Innovations in Election Administration 8: Election Document Retention in an Age of High Technology* by Marie Garber. Published by the National Clearinghouse on Election Administration, Federal Election Commission, Washington, D.C., April, 1994.

ABSENTEE AND SPECIAL VOTERS PRECINCT

The absentee and special voters precinct includes the entire county. All absentee ballots and special ballots cast by challenged voters for all elections are counted by the precinct election officials of this unique precinct. If more than one election is held in the county on the same day the special precinct election board counts all of the absentee ballots cast in all elections. [53.23(2)]

The process of selecting members of the special precinct election board and their qualifications are the same as for other precinct election officials. However, their duties and the times they work are different. For any election they may have responsibilities as many as ten days before the election and until the day of the county canvass.

Members of the special precinct board are responsible for:

- delivery of ballots to nursing homes and hospitals
- reviewing absentee ballot affidavits
- counting absentee ballots
- reviewing the qualifications of challenged voters
- counting special ballots

DELIVERY OF BALLOTS TO NURSING HOMES AND HOSPITALS

Each absentee ballot delivery team consists of one Democrat and one Republican chosen from the election board panel, even for nonpartisan elections. The team members deliver absentee ballots to nursing homes and health care facilities during the ten days before an election.

The team members are to travel together in the same vehicle and deliver and return the voted ballots on the same day. Both officials shall remain with each voter while the person is voting and shall assist the voter only if requested to do so. Voted ballots shall be deposited in a sealed ballot box and returned to the county auditor's office the same day. [53.22]

A form for recording the activities of the delivery team appears on the following two pages.

FORM 3-F (93)
 Prescribed by the
 Iowa Secretary of State

**FORM 3-F (93)
 ABSENTEE DELIVERY TEAM LOG**

Records of absentee ballots to be delivered to a single health care facility or nursing home are to be listed on this form. The team members are to travel together in the same vehicle and deliver and return the voted ballots on the same day. Both officials shall remain with each voter while the person is voting and shall assist the voter only if requested to do so. Voted ballots shall be deposited in a sealed ballot box and returned to the county auditor's office the same day.

DATE: ___/___/___

Name of nursing home or health care facility: _____

Address: _____

Team Members: _____

Democratic Party

Republican Party

Ballots Provided to Delivery Team

Number of people to receive ballots	
Number of extra ballots provided to team	
Total number of ballots	*

Type of ballot	Number delivered
Total Ballots Delivered	*

Received by:

X _____, Democrat

X _____, Republican

Date: ___/___/___ Time: _____ am/pm

** All totals should be the same.*

Ballots Returned by Delivery Team

Type of Ballot	Number Voted	Number Spoiled	Not Voted	Total Returned
Totals				*

Received by:

X

Date:

Time: _____ a.m./p.m.

FORM 3-F (93)
ABSENTEE BALLOT DELIVERY TEAM LOG

Voter's Name	Ballot number	Ballot Type	Registration Address and/or Room Number	Time & Comments
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				

COMMENT CODES: A = *absent or did not vote*; V = *present and voted*;
 HT = *helped by team*; HO = *helped by other person*

REVIEWING ABSENTEE BALLOT AFFIDAVITS

The special precinct board may be convened by the auditor as early as the day before the election to begin preparing to count the ballots. [53.23] The absentee ballots which were returned to the auditor by mail will be enclosed in return carrier envelopes. The outer envelopes may be opened on the day before the election. *Affidavit envelopes may never be opened before election day.* It is important to keep all of the envelopes.

Log of absentee ballots and special ballots.

The special precinct board shall keep a log of the number of ballots received from the auditor, the number of ballots rejected before opening the affidavit envelope and the number of ballots accepted for counting. A sample log appears on the next page.

Special Precinct Board Ballot Log

Election: _____

Date: ___/___/___

Special Precinct Board Members:

Absentee Ballots						
Date	Time	#Ballots Delivered	Delivered by	Delivered to	Number Rejected	Number Accepted
Totals:			Totals:			

Special Ballots						
Date	Time	# Ballots Delivered	Delivered by	Delivered to	Number Rejected	Number Accepted
Totals:			Totals:			

Reviewing the affidavits, rejecting ballots

The day before the election the board may begin reviewing the absent voters' affidavits on the sealed envelopes to determine which ballots will be accepted for counting. The following rules from the *Iowa Administrative Code* apply to the rejection of absentee ballots:

721 – 21.13(53) Rejection of absentee ballot. The special precinct election board shall reject absentee ballots without opening the affidavit envelope if any of the conditions cited below exist.

21.361(1) An absentee ballot shall be rejected if the absentee voter's affidavit is insufficient. An insufficient affidavit lacks one or more of the following:

- a. The signature of the voter,*
- b. The voter's address,*
- c. In primary elections only, the political party affiliation of the voter.*

21.361(2) An absentee ballot shall be rejected if the applicant is not a duly qualified elector in the precinct in which the ballot is cast. "Precinct" means a precinct established pursuant to Iowa Code sections 49.3 through 49.5.

21.361(3) An absentee ballot shall be rejected if the affidavit envelope is open.

21.361(4) An absentee ballot shall be rejected if the affidavit envelope has been opened and resealed.

21.361(5) An absentee ballot shall be rejected if the envelope contains more than one ballot of any one kind.

21.361(6) An absentee ballot shall be rejected if the voter has voted in person.

21.361(7) An absentee ballot shall be rejected if in primary elections the political party declared on the affidavit envelope is different from the political party whose ballot was requested on the application for the ballot.

[43.38, 49.9, 53.25]

Notice of rejection of ballot

When a ballot has been rejected before the envelope containing the ballot has been opened, the voter must be notified of the reason for the rejection. The special precinct board is required to notify the voters by the time the official canvass by the board of supervisors is completed. This does not mean that a person whose ballot has been rejected is entitled to vote in person or to be notified to come make corrections that will permit the ballot to be counted.

Use the form below for this notice: [53.25]

FORM 1-D (Rev.-90)
Prescribed by the
Iowa Secretary of State

STATE OF IOWA
NOTICE TO VOTER OF REJECTION OF ABSENTEE OR SPECIAL BALLOT

TO:

You are hereby notified that your absentee or special ballot cast at the _____ election held on _____, _____, has been rejected for the following reasons:

Signature of Member of Absentee Ballot and
Special Voters Precinct Election Board

Rejected ballots kept separate

The sealed affidavit envelopes containing ballots which will not be counted must not be opened. Seal them in an envelope or container for storage separate from the ballots which have been accepted for counting.

COUNTING ABSENTEE BALLOTS

No affidavit envelopes may be opened and no ballots may be counted before election day.

Although the special precinct board may decide on the day before the election which ballots will be counted, the affidavit envelopes must remain sealed until election day. Counting may begin on election day before the polls have closed.

Deadline for completion

The counting of absentee ballots must be completed by 10 p.m. on election day. [53.23]

No partial results to be released

All of the ballots that were received before the hour that the polls closed must be counted before any results are announced. [53.23(6)]

Access restricted while polls are open

During the hours the polls are open access to the room where the ballots are being counted is limited to:

- ☛ the members of the special precinct board
- ☛ one challenger representing each political party
- ☛ one observer representing each:
 - nonparty political organization
 - candidate nominated by petition (Chapter 45)
 - nonpartisan candidate on the ballot for school or city elections,
(if the organization or candidate appears on the ballot at the current election.)
- ☛ the auditor or the auditor's designee. [53.23(4)]

Progress of count secret while polls are open

It is illegal for anyone who is present in the room while the ballots are being counted to communicate, or to attempt to communicate, information about the progress of the count at any time before the polls are closed. [53.23]

Opening the affidavit envelopes

It is very important to preserve the secrecy of each voter's ballot. To do this, separate the ballots from the affidavit envelopes without unfolding the ballots. If secrecy folders were used leave them on until after the ballots have been thoroughly intermingled. Gently stir, mix, or shuffle the ballots so that they are no longer in the same sequence as the affidavit envelopes. Unfold the ballots only after they have been shuffled. [53.23, 53.24]

Do not open any ballots before election day to flatten them for scanning.

Counties using voting machines

If the absentee ballots will be counted using a voting machine each absentee ballot will be recorded on the voting machine just as if the absent voter had voted in person.

One precinct official from each party shall participate in the operation of each machine.

COUNTING BALLOTS

If you have questions about the laws regarding counting ballots, refer to the sections in the current edition of the Code of Iowa listed below:

Iowa Laws About Marking Ballots and Counting Votes

- 49.92 *Voting mark.*
- 49.93 *But one vote for same office except in groups.*
[Voting for candidates who run as a team: President and Vice President; Governor and Lieutenant Governor.]
- 49.94 *How to mark a straight ticket.*
- 49.95 *Voting part of ticket only.*
- 49.96 *Group candidates for offices of same class.*
[Voting for offices with more than one person to be elected.]
- 49.97 *How to mark a mixed ticket.*
- 49.98 *Counting ballots.*
- 49.99 *Writing name on ballot.*
- 49.100 *Spoiled ballots.*
- 49.101 *Defective ballot does not nullify vote.*
- 49.102 *Defective ballots.*
- 49.103 *Wrong ballots.*

SPECIAL BALLOTS

Sometimes people who attempt to vote are challenged because another voter, pollwatcher or precinct official believes that the would-be voter is not qualified. Both absentee voters and voters who go to the polling place may be challenged. A challenged voter has the right to cast a special ballot. The voter and the challenger may offer written evidence to support their claims. Anyone may present written statements or documents supporting or opposing the counting of any special ballot. It is the duty of the special precinct board to examine the written evidence and determine whether the special ballots of challenged voters will be counted.

Time of meeting

The county auditor will set the time for the special precinct board to reconvene to review evidence and count any special ballots which are accepted. For most elections, this meeting may be held at any time after noon on the second day after the election. The board may be reconvened at noon on the day after the election under certain circumstances.

The auditor may increase or decrease the number of members of the special precinct board, depending upon the number of special ballots to be considered. If none were cast the board will not be reconvened. [50.21]

No partial results to be released

All special ballots must be counted before any results of that count are released. [53.23(6)]

Persons permitted to be present

Access to the affidavits while the board is in session is limited to:

- ☛ the members of the special precinct board
- ☛ one challenger representing each political party
- ☛ one observer representing each:
 - nonparty political organization
 - candidate nominated by petition (Chapter 45)
 - nonpartisan candidate on the ballot for school or city elections,
(if the organization or candidate appears on the ballot at the
current election.)
- ☛ the auditor or the auditor's designee. [50.20; 53.23(4)]

Three-person panels

The board may divide itself into panels of not less than three members each to consider more than one challenge at a time. Each panel must include members of each political party. Not more than a majority of the members of a panel may be from the same political party. [50.22]

Considering the evidence

The special precinct board is required to review all of the information on the special ballot envelopes and all of the information submitted in support or opposition to the right of each challenged person to vote in the election.

The decision to count or reject each ballot shall be made on the basis of information given on the envelope containing the special ballot, the evidence concerning the challenge, the registration and any pertinent voter registration documents.

Absentee ballots received after election day

The special precinct board shall also count any absentee ballots received after election day and before the deadline for their return. They may need to meet on canvass day to complete their tally of these absentee ballots. [50.22]

Sample forms for challenges

The forms used by challenged voters and challengers follow:

FORM 1-H (Rev.-95)
Prescribed by the
Iowa Secretary of State

STATE OF IOWA
ENVELOPE FOR SPECIAL BALLOT

Do not remove the voter registration form!

[Attach voter registration form here.]

Statement of Challenged Voter

I believe that I am registered voter of this precinct. I registered to vote in _____ County on or about _____ (date) at _____ (place). My name at that time was _____.

I have not moved to a different county since that time. I am a United States citizen, at least 18 years of age.

X _____
Signature of Voter

Date: ___/___/___

[The following information is to be provided by the precinct election official.]

Reason For Challenge:

Signature of Precinct Election Official

FORM 3-G (rev.-95)
Prescribed by the
Iowa Secretary of State

FORM 3-G (rev. - 95)

CHALLENGE OF ABSENTEE VOTER

Part I -- Statement by Challenger

Election: _____ Date: __/__/__

Name of Person being Challenged: _____

Registration Address: _____

Telephone Number: _____ Registration Number: _____

Absentee Ballot Number: _____ Date Issued: __/__/__

REASON FOR CHALLENGE: _____

CHALLENGE SUBMITTED BY (Print name): _____

Signature: X _____

Address: _____

Telephone: _____ Date: __/__/__

NOTICE TO VOTER: *Your qualifications as a registered voter have been challenged for the reasons stated above. Your right to vote will be reviewed by the special precinct counting board. You have the right and are encouraged to make a written statement and submit additional written evidence to this board supporting your qualifications as an elector. This written statement and evidence may be personally delivered, mailed, or FAXed to the county auditor no later than:*

____:____ am/pm Date: __/__/__

Send to: _____ County Auditor

Courthouse
_____, Iowa _____
Office telephone: () _____

Facsimile machine telephone: () _____
Mail original of facsimile to address at left.

The Special Precinct Board will convene at ____ am/pm, __/__/__.

If your ballot is not counted you will be notified.

OFFICE USE ONLY: *Keep the original in your office, and send a copy to the voter.*

Notice of this challenge was provided to the voter by: Telephone Mail FAX

Note date and time of notice: __/__/__ ____:____ am/pm

Response received: __/__/__ ____:____ am/pm

FORM 3-G (rev.-95)

CHALLENGE OF ABSENTEE VOTER

Part II -- Statement by Challenged Voter

Please answer each question carefully and completely. Return this form and the enclosed voter registration form to the address on the first page.

1. Where is your home? Please give the street address, if you have one. If you don't have a street address, describe where your home is.

2. How long has your home been at this place? _____

3. Do you have a home anywhere else? YES NO

If yes, where: _____

4. How old are you? _____ years.

5. Additional information showing that you are a legally registered voter for this election may be added here:

If you need more space, please feel free to attach extra pages. You may also attach copies of any documents which you believe show that you are a legally registered voter for this election.

6. *Statement:* I believe I am a registered voter of this precinct. I registered to vote

in _____ County on or about ___/___/___ [date] at _____

_____ [place]

My name at that time was: _____

I have not moved to a different county since that time. I am a United States citizen, at least eighteen years of age.

Print your name: _____

X _____

Signature of voter

Date: ___/___/___

Appendix I:

Instructions for Absentee Voters

The following instructions are a basic design that you can adapt for your own voting system and for different types of voters (such as armed forces and overseas voters).

STATE OF IOWA ABSENTEE VOTING INSTRUCTIONS

For General Elections -- Optical scan systems

READ ALL INSTRUCTIONS CAREFULLY BEFORE VOTING!

WARNING: Do not mark, fold or punch your ballot except as outlined in these instructions. If your ballot is not properly marked, your vote cannot be counted.

YOUR BALLOT PACKET CONTAINS

1. Official ballot(s).
2. Secrecy envelope for ballot.
3. Affidavit envelope.
4. Return envelope.

IF YOU SPOIL YOUR BALLOT

1. Put the ballot and other materials in return envelope.
2. Write "SPOILED BALLOT" on the return envelope.
3. Mail or take the entire ballot packet to the auditor.
4. A new packet will be sent to you.

IF YOU NEED HELP TO VOTE

If you are blind, can't read, or can't mark your own ballot because you are disabled, you may choose someone to help you vote. These people can't help you vote:

- your employer
- an agent of your employer
- an officer or agent of your union.

MARKING YOUR BALLOT

1. Vote in secrecy. Mark your ballot so that no one else will know how you voted, unless you need help to vote.
2. Study ballot carefully before voting. After you have marked your ballot, marks cannot be erased without spoiling the ballot.
3. **TURN THE BALLOT OVER.** There may be offices or questions on both sides of the ballot.
4. Use a #2 pencil. Marks made by other pens or pencils might not be seen by the machine that counts the votes.
5. Voting for candidates. After you have decided who you want to vote for, draw a line across (or fill in) the voting target (an oval or rectangle or arrow) opposite the person's name. For some offices you may vote for more than one person. Watch for instructions under each office title that say, "Vote for no more than ____."
6. Voting on questions. To vote in favor of a question, draw a line (or fill in) across the voting target opposite the word "YES." To vote against a question, draw a line across (or fill in) the voting target opposite the word "NO."
7. Voting on judges. To vote to keep a judge in office, draw a line across (or fill in) the voting target opposite the word "YES." To vote to remove a judge from office, draw a line across (or fill in) the voting target opposite the word "NO."
8. Straight party voting. To vote for all of the candidates of a political party, mark

the voting target opposite the name of that party. You can override a straight party vote by voting for a candidate of another party. If you can vote for more than one person for an office, you must mark all of your choices if you are splitting your vote between candidates of two or more parties.

9. Write-in votes. If you wish to vote for anyone whose name is not printed on the ballot--
 - a. Write the name of that person on the blank line under the names of the candidates for that office. AND
 - b. Mark the voting target opposite the name you have written. If you don't mark the voting target opposite the name you have written on the ballot, your write-in vote can't be read by the machine and will not be counted. Marking the voting target without writing in a name will not spoil the rest of your ballot.
10. Overvoting. If you mark voting targets next the names of more candidates than can be elected to any single office, your vote for that office will not be counted.
11. No extra marks. Don't make any marks on the ballot except the marks you make to vote.

RETURNING YOUR BALLOT

This ballot must be returned to the county auditor even if you don't vote.

1. Affidavit. After marking your ballot,
 - a. read the affidavit on the ballot envelope,
 - b. fill in all of the information requested, and
 - c. sign your name.

Your ballot will not be counted if you don't complete the affidavit.

2. Use the secrecy envelope. If the ballot was folded when you received it, fold it exactly as it was folded before. Place the ballot in the secrecy envelope.
3. Put the secrecy envelope containing the ballot(s) in the affidavit envelope.
4. Securely seal the envelope. Your ballot will not be counted if the affidavit envelope is not sealed, or if the envelope has been opened and resealed.
5. Enclose the affidavit envelope in the return envelope.
6. Postmark before election day. The carrier envelope must be postmarked no later than the day before the election and must be received by the county auditor no later than noon on the Monday following the election. Ballots postmarked election day or later, or received after the deadline will not be counted.
7. Return postage. Return postage for this ballot is _____.
8. Personal delivery. You may also return your ballot in person, or send it back to the auditor with someone you trust. If the ballot is not mailed, it must be received by the auditor no later than 9:00 p.m. on election day.

Do not return the ballot to a polling place; it will not be counted if you do.

**IF YOUR BALLOT IS REJECTED BEFORE THE BALLOT ENVELOPE IS OPENED,
YOU WILL BE NOTIFIED OF THE REASON.**

Appendix II:

**Administrative Rules
Satellite Absentee Voting**

DIVISION III
ABSENTEE VOTING

721—21.300(53) Satellite absentee voting stations. The county commissioner of elections may designate locations in the county for absentee voting stations. If the commissioner receives a petition requesting that a satellite absentee voting station be established at a location described on the petition, the commissioner shall provide the requested station if the petition was properly signed and filed. The petition must be signed by not less than 100 eligible electors of the county. The petition must be filed with the commissioner no later than 5 p.m. on the eleventh day before the election. Satellite absentee voting stations established by petition shall be open for at least one day from 8 a.m. until 5 p.m. These satellite absentee voting stations shall be accessible to elderly and disabled voters.

Only ballots from the county in which the site is located may be provided at the satellite absentee voting station. However, it is not necessary to provide ballots from all of the precincts in the county.

21.300(1) Form of petition. The petition requesting that a satellite absentee voting station be established at a specific location shall be in substantially the following form:

STATE OF IOWA
PETITION FOR ABSENTEE VOTING STATION

Instructions: This petition may be signed by people who

- are U.S. citizens,
- are at least 18 years old,
- have not been convicted of a felony,
- have not been declared mentally incompetent by a court,
- and who live in this county.

They do not need to be registered voters.

The petition must be taken to the county auditor's office before 5 p.m. on _____
(date = 11 days before the election for which the satellite absentee voting station is requested).

Date of election: _____

We, the people of _____ County, request that there be an absentee voting station at the place described below.

[Instructions: Give the address of the building, and the name of the building, if it has a name. Elderly and disabled voters must be able to get into the building to vote.]

Signature	Address, including street and number, if any.	Date signed
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		

page ____ of ____

21.300(2) Notice provided. Notice shall be published at least seven days before the opening of any satellite absentee voting station. If more than one satellite absentee voting station will be provided, a single publication may be used to notify the public of their availability.

If a satellite absentee voting station was established because the auditor received a petition, and it is not possible to provide at least seven days' notice, the notice shall be published as soon as possible after the receipt of the petition. If no newspaper will be published before the satellite absentee voting station opens, no published notice is required.

A notice shall also be posted at each satellite absentee voting station at least seven days before the opening of the satellite absentee voting station. The notice shall remain posted as long as the satellite absentee voting station is scheduled for service. If it is not possible to post the notice at least seven days before the station opens due to the receipt of a petition, the notice shall be posted as soon as possible.

Both the published and posted notices shall include the following information:

- a. The name and date of the election for which ballots will be available.
- b. The location(s) of the satellite absentee voting station(s).
- c. The dates and times that the station(s) will be open.
- d. The precincts for which ballots will be available.
- e. An announcement that voter registration forms will be available for new registrations

in the county until the time registration closes before the election and that changes in the registration records of people who are currently registered within the county may be made at any time.

If the satellite absentee voting station is located in a building with more than one public entrance, brief notices of the location of the satellite absentee voting station shall be posted on building directories, bulletin boards, or doors. These notices shall be posted no later than the time the station opens and shall be removed immediately after the satellite absentee voting station has ceased operation for an election.

21.300(3) Staff. Satellite absentee voting station workers may be selected from among the staff members of the commissioner’s office, from the election board panel drawn up pursuant to Iowa Code sections 49.15 and 49.16, or a combination of these two sources. Compensation of workers selected from the election board panel shall be at the rate provided in Iowa Code section 49.20.

At least three people shall be assigned to work at each satellite absentee voting station; more workers may be added at the commissioner’s discretion. All workers must be qualified electors of the county, and for primary and general elections the workers must be registered with a political party. No more than a simple majority of the workers shall be member of the same political party.

People who are prohibited from working at the polls pursuant to Iowa Code section 49.16 may not work at satellite absentee voting stations.

21.300(4) Oath required. Before the first day of service at a satellite absentee voting station each worker shall take the following oath:

I, _____ (name) _____, do solemnly swear or affirm that I will impartially, and to the best of my knowledge and ability, perform the duties of satellite absentee voting station worker, and will endeavor to prevent fraud, deceit and abuse in performing those duties.

Signature of worker

Address

Officer administering oath

Date

The oath must be taken before each election.

21.300(5) Supplies needed for each satellite absentee voting station. Each satellite absentee voting station shall be provided with the following supplies:

- a. Voter registration forms for new registrations and changes of registration information.
- b. Absentee ballot application forms.
- c. An absentee voters’ log in which to record the names of electors casting absentee ballots, the serial numbers on their applications and affidavit envelopes, and the date and time the ballots are returned. The log may also be used to record the return of absentee ballots which were mailed.
- d. Affidavit envelopes for absentee ballots.
- e. Secrecy envelopes or folders, if needed for use with electronic voting systems.
- f. Absentee ballots in sealed container(s).
- g. Marking devices appropriate for the voting system that will be used to tabulate the ballots.
- h. Two or more voting booths, at least one of which shall be suitable for use by a person seated in a chair or wheelchair.
- i. One or more ballot boxes equipped with locks and keys, or tamperproof seals.
- j. Table and chairs for workers.
- k. Two or more chairs for voters.
- l. Barricade system to control access to voting area.
- m. Secure containers for returning unused ballots. Containers used to send ballots to the satellite absentee voting station may be reused.

- n. Paper clips, tape or rubber bands to attach request forms to affidavit envelopes.
- o. Pens and other supplies for the workers.
- p. Instructions in large type explaining the proper method of marking the ballot.
- q. A list of other satellite absentee voting stations in the county, if any, and their addresses and scheduled times of operation.
- r. Precinct finder.
- s. Sample ballots for each precinct served by the satellite absentee voting station.
- t. Envelope to return spoiled ballots.
- u. Special ballot envelopes and return envelope.

21.300(6) *Ballot transport and storage.* At the commissioner's discretion the ballots may be transported between the commissioner's office and the satellite absentee voting station by the workers who will be on duty that day, or by two people of different political parties who have been designated as couriers by the commissioner. It is not necessary for the same people to transport the ballots in both directions.

If the ballots are transported by the satellite absentee voting station workers, all of the workers and the ballots must travel together in the same vehicle.

Ballots may be stored at the satellite absentee voting station during hours when the station is closed only if they are kept in a locked cabinet or container. The cabinet must be located in a room which is kept locked when not in use. Voted absentee ballots must be delivered to the commissioner's office at least once each week.

21.300(7) *Ballot receipts.* Satellite absentee voting station workers shall sign receipts for the ballots taken to the remote absentee voting site. The receipt shall be in substantially the following form:

SATELLITE ABSENTEE VOTING STATION BALLOT RECORD AND RECEIPT					
Precincts voting at satellite station: _____					
Location of satellite station: _____					
Satellite station address: _____					
BALLOTS DELIVERED TO THE SATELLITE ABSENTEE VOTING STATION					
Type of Ballot	Number Delivered	Delivered to: (print name)	(signature of each worker)		
TOTAL DELIVERED *	DATE:	TIME:	a.m.	p.m.	
BALLOTS RETURNED FROM THE SATELLITE ABSENTEE VOTING STATION					
Type of Ballot	Voted	Spoiled	Special	Not Voted	Returned
TOTAL NUMBER OF BALLOTS RETURNED:					* _____
*The number of ballots returned must equal the number delivered.					
Number of ballots issued by mail and returned to this station: _____					
Ballots received from:		Print name	Signature		
RECEIVED BY:		DATE:	TIME:	a.m.	p.m.

A copy of the ballot record and receipt shall be retained in the commissioner's office. The original shall be sent with the ballots to the satellite absentee voting station.

21.300(8) Arrangement of the satellite absentee voting station. Protection of the security of the ballots (both voted and unvoted) and the secrecy of each person's vote shall be considered in the arranging of the satellite absentee voting station.

a. Security. The satellite absentee voting station shall be arranged so that ballots are protected against removal from the station by unauthorized people.

b. Voting area. Voting booths without curtains shall be placed so that passersby and other voters may not walk directly behind a person using the booth. At least one voting booth must be accessible to the disabled. The booth must be designed to accommodate a person seated in a chair or wheelchair. A chair must be provided for voters who wish to sit down while voting.

c. Electioneering. No signs supporting or opposing any candidate or question on the ballot shall be posted within 30 feet of the satellite absentee voting station.

d. Chair provided. One or more chairs must be available for use by elderly or disabled voters waiting in line.

21.300(9) Operation of the satellite absentee voting station. At all times the station shall have at least two workers present to preserve the security of the ballots, both voted and unvoted. At satellite absentee voting stations used for primary and general elections, no more than a simple majority of the workers shall be registered with the same political party. If from time to time there is more than a simple majority of workers from a single political party present at the station, voting must be suspended until bipartisan balance is restored.

21.300(10) Voter registration at the satellite absentee voting station. Each satellite absentee voting station shall provide forms necessary to register voters and to record changes in voter registration records. Workers shall also be provided with a method of verifying whether people applying for absentee ballots are registered voters.

The commissioner may provide a list of registered voters in the precincts served by the station. The list may be on paper, microfiche or other media.

As an alternative, the commissioner may provide a computer connection with the commissioner's office.

21.300(11) Procedure for issuing absentee ballot. The following instructions for absentee voting are to be provided to all satellite absentee voting station workers:

HOW TO ISSUE ABSENTEE BALLOTS

1. Application. Each person who wishes to vote shall complete an application for an absentee ballot.

2. Check precinct. Check to be sure that the applicant's address is in a precinct served by this station.

3. Check registration. Check to see whether the applicant is a registered voter at the applicant's current address. People who live in (county name) County but who are not currently registered to vote in the county may register to vote at the satellite absentee voting station until (the date registration closes for the election). Changes of name, address, telephone number or party affiliation may be submitted at any time.

After (date registration closes) anyone who requests an absentee ballot and who is not a registered voter in the county may cast only a special ballot. Use the special ballot envelopes.

4. Affidavit envelope. Have the voter complete the affidavit envelope before you issue the ballot.

5. Voters may ask for help. Anyone who is unable to mark a ballot without help may be helped by any person chosen by the voter. EXCEPTIONS: The following people may not help a voter—the voter's employer, an agent of the employer, or an officer or agent of the voter's union.

The voter may also request help from the satellite absentee voting station workers. Two workers from different political parties must assist the voter.

WARNING: Do not tell anyone how the person voted.

6. Issue ballot. When a voting booth is available, give the voter the appropriate ballot. Ballots must be voted at the satellite absentee voting station. Ballots may not be taken away from the station.

7. Instruct voter. Instruct each voter to use only the pen or pencil provided by you, how to mark the ballot so that it can be counted, to enclose the ballot in the secrecy folder (if any), and to place the ballot in the affidavit envelope and seal it before returning it to the workers.

8. Send voter to booth. Each voter must use a voting booth. Do not permit anyone to vote anywhere else.

9. When the ballot is returned: Number the request form and the affidavit envelope with a serial number and record the serial number in the log of absentee voters.

10. Storing voted ballots and applications. Attach the application to the sealed affidavit envelope and insert them in the locked ballot box.

21.300(12) Closing the station. The following instructions for closing the absentee voting station are to be provided to all satellite absentee voting station workers:

INSTRUCTIONS FOR CLOSING THE SATELLITE ABSENTEE VOTING STATION

At the end of each day, after everyone has voted who arrived before the time established to close the station, close the satellite absentee voting station. Each task on the list must be completed.

DO NOT OPEN ANY AFFIDAVIT ENVELOPES. These ballots will be opened and counted on election day.

1. Count the number of ballots of each type which have not been voted.
2. Record number of unvoted ballots by precinct on the ballot receipt form.
3. Place the ballots in the container provided and securely seal or lock the container.
4. Record the number of spoiled ballots by precinct on the ballot receipt form.
5. Count the number of spoiled ballots by precinct and place in the envelope provided. Enter this number on the ballot receipt form. Securely seal the envelope. All officials must sign the envelope.

6. From the absentee voters' log determine how many ballots from each precinct have been voted.

7. Compare the total number of ballots in the ballot box with the number of voters listed in the log. If there is a discrepancy, you must resolve it before leaving the station. If you cannot discover the source of the discrepancy, write a detailed explanation of the problem. All workers must sign the report.

8. If couriers will be picking up the ballots, all workers must wait until both couriers arrive. Ask the couriers for identification before surrendering the ballots. If the workers are to return the ballots to the commissioner's office, all workers and the ballots must travel together in the same vehicle to return the ballots.

9. Never leave any ballots unattended.

10. If the ballots will be stored at the satellite absentee voting station all workers must be present when the ballots are locked up. A daily log sheet shall be used to record the information requested above. When ballots are returned to the auditor's office the information on the daily log sheets shall be accumulated and entered on the ballot record and receipt form.

This rule is intended to implement Iowa Code Supplement section 53.11.

721—21.301 to 21.359 Reserved.

721—21.360(53) Failure to affix postmark date. For any absentee ballot referred to in Iowa Code section 53.17, if the officially authorized postal service fails to affix a postmark date on the return carrier envelope, or the postmark date is illegible, but the date of the affidavit envelope is a date no later than the day prior to the election, the ballot shall be counted as provided in Iowa Code section 53.17. If no date can be read on either the return carrier envelope or the affidavit envelope, the affidavit envelope shall not be opened, and the ballot shall be rejected as provided in Iowa Code section 53.25.

This rule is intended to implement Iowa Code section 53.17.

721—21.361(53) Rejection of absentee ballot. The special precinct election board shall reject absentee ballots without opening the affidavit envelope if any of the conditions cited below exist.

21.361(1) An absentee ballot shall be rejected if the absentee voter's affidavit is insufficient. An insufficient affidavit lacks one or more of the following:

- a. The signature of the voter,
- b. The voter's address,
- c. In primary elections only, the political party affiliation of the voter.

21.361(2) An absentee ballot shall be rejected if the applicant is not a duly qualified elector in the precinct in which the ballot is cast. "Precinct" means a precinct established pursuant to Iowa Code sections 49.3 through 49.5.

21.361(3) An absentee ballot shall be rejected if the affidavit envelope is open.

21.361(4) An absentee ballot shall be rejected if the affidavit envelope has been opened and resealed.

21.361(5) An absentee ballot shall be rejected if the envelope contains more than one ballot of any one kind.

21.361(6) An absentee ballot shall be rejected if the voter has voted in person.

21.361(7) An absentee ballot shall be rejected if in primary elections the political party declared on the affidavit envelope is different from the political party whose ballot was requested on the application for the ballot.

This rule is intended to implement Iowa Code sections 43.38, 49.9 and 53.25.

721—21.362 to 21.399 Reserved.

DIVISION IV
INSTRUCTIONS FOR SPECIFIC ELECTIONS

721—21.400(376) Signature requirements for certain cities. This rule applies to cities which have all of the following characteristics:

1. Nomination procedures under Iowa Code section 376.3 are used. (This includes cities with primary or runoff election provisions. It does not include cities with nominations under Iowa Code chapter 44 or 45.)

2. Some or all council members are voted upon by the electors of wards, rather than by the electors of the entire city.

3. Ward boundaries have been changed since the last regular city election at which the ward seat was on the ballot.

4. The number of wards has not changed.

Calculation of the number of signatures for ward seats shall use the vote totals from the wards as the wards were configured at the time of the last regular city election at which the ward seat was on the ballot.

This rule is intended to implement Iowa Code section 376.4.

721—21.401 to 21.499 Reserved.

721—21.500(277) Signature requirements for school director candidates. The number of signatures required to be filed by candidates for the office of director in the regular school election shall be calculated from the number of registered voters in the district on May 1 of the year in which the election will be held. Candidates who are seeking election in districts with election plans as specified in Iowa Code section 275.12(2) "b" and "c," where the candidate must reside in a specific director district, but is voted upon by all of the electors of the school district, shall be required to file a number of signatures calculated from the number of registered voters in the whole school district. Candidates who will be voted upon only by the electors of a director district shall be required to file a number of signatures calculated from the number of registered voters in the director district in which the candidate resides and seeks to represent.

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