

NEW IOWA ELECTION LAW Q&A

Q: When do the polls close for the General Election?

A: The polls close at 8:00 pm for ALL elections.

Q: How many days before an election do I need to register to vote if I'm not registered or if I moved, and I want my name to be on the voter register at the polls?

A: 15 days.

Q: May I still register to vote at the polls?

A: Yes. You will need both proof of identity (which everyone needs) AND proof of residence.

Q: When may I request an absentee ballot?

A: 70 days before the election.

Q: Will the county auditor send absentee ballot request forms to all voters in the county?

A: No. State law now prohibits this. If you personally request an absentee ballot request form, your auditor will send you one.

Q: Will the Secretary of State's Office send absentee ballot request forms to all voters in the state?

A: No, unless directed to do so by the state legislature during a public health disaster.

Q: Will ANYONE do large mailings of absentee ballot request forms to voters?

A: Probably, at least for General Elections. Political parties and other private organizations are not prohibited from sending them out.

Q: After I send in my absentee ballot request form, when will the county auditor mail me my ballot?

A: The auditor will start mailing absentee ballots 20 days before the election.

Q: When is the first day I can vote absentee in person at the Auditor's Office?

A: 20 days before the election. You should only vote at the office if you have not requested a ballot by mail.

Q: When is the last day that I can request an absentee ballot by mail?

A: The county auditor must receive your request form at least 15 days before the election. (For exceptions, see below.)

Q: What is the deadline for getting my absentee ballot back to the county auditor?

A: The county auditor must have your ballot by the close of the polls, which is 8:00 pm on election day.

Q: Won't my ballot be counted as long as it is postmarked before election day?

A: NO. The law changed, and your ballot must be in the possession of the county auditor by 8:00 pm on election day.

Q: When is the last day to vote an absentee ballot in person at the auditor's office?

A: The day before the election. (This didn't change.)

Q: May I return someone else's absentee ballot, or may someone else return my absentee ballot?

A: The only people who may return a voter's absentee ballot (*we're talking about the BALLOT, NOT the ballot REQUEST FORM*) are the voter, someone living in the voter's household, an immediate family member, or, if the voter is blind or has another disability, a special delivery agent. (For exceptions and details, see below.)

For exceptions, details, and more law changes, click here for the 2021 Election Law Changes for Iowa Voters, published by the Iowa State Association of County Auditors.

<https://pocahontascounty.iowa.gov/auditor/>



2021 ELECTION LAW CHANGES *for Iowa Voters*

VOTER REGISTRATION ABSENTEE VOTING VOTING AT THE POLLS

This is a list of important changes to Iowa election law passed by the 2021 Iowa legislature. These changes are effective immediately.

VOTER REGISTRATION

- Voters must register to vote 15 days or more before the election to appear on the voter register on election day (formerly 11 days, and 10 days for general elections). Voters may still register to vote on election day, or when voting absentee in person, with both proof of identity AND proof of residence.

QUESTIONS?
*contact your
County Auditor.*

ABSENTEE VOTING

- The first day to submit an absentee ballot request form to your County Auditor is 70 days before an election (formerly 120 days).
- The first day County Auditors may mail absentee ballots to voters is 20 days before an election (formerly 29 days).
- The first day to vote absentee in person at the Auditor's Office is 20 days before an election (formerly 29 days). *(If you have requested a ballot by mail prior to this, your ballot will go out in the mail on this date.)*
- The first day to vote absentee in person at a satellite location is 20 days before the election (formerly 29 days), and satellite voting locations may only be established by a public petition with a minimum of 100 signatures (formerly County Auditors could establish satellite locations on their own motion).
- Absentee ballot requests for voting by mail must be received by 15 days before the election (formerly 11 days, and 10 days for general elections). Exception: If a voter is admitted to a health care facility, dementia-specific assisted living program, or hospital 14 or fewer days before the election, the voter may request an absentee ballot by telephone no later than 4:00 pm on election day.

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VOTING AT THE POLLS

- Polls close at 8:00 pm for all elections (formerly 9:00 pm for primary and general elections).
- When a registered voter is attesting to the identity and residency of a voter unable to present required forms of identification, the attesting voter must present his/her own required form of identification.
- For a provisional ballot to be counted, the voter must either provide the necessary identification at the polling place before it closes at 8:00 pm, or provide it at the Auditor's Office by noon on the following Monday. If the canvass by the Board of Supervisors will be held earlier than the following Monday (for cities with possible runoff elections), the identification must be provided before the canvass. (The post-election deadline was previously unclear.)
- Employers must allow employees two consecutive hours to vote on election day, if they do not already have two consecutive hours off during the time the polls are open (formerly three hours).

- **Absentee ballots must be received by the county auditor by 8:00 pm on election day.**

(Previously, ballots were valid if postmarked before Election Day and received by the Monday following the election.)

Postmarks or bar codes printed on ballot envelopes will no longer make a ballot received after election day valid, except in these cases:

- Ballots from participants in the Safe at Home program received by the Secretary of State in time to be transmitted to the County Auditor by noon on the Monday following the election.
- Ballots from uniformed and overseas citizens received by noon on the Monday following the election.
- If an absentee ballot affidavit envelope is not signed by the voter, the County Auditor shall contact the voter, who may then:
 - Request a replacement ballot and return it by 8:00 pm on election day (changed from postmarked the day before the election or earlier).
 - Vote at the polls on election day.
 - Sign the affidavit in person at the county auditor's office by 8:00 pm on election day (changed from 5:00 pm the day before the election).

ABSENTEE BALLOT REQUEST FORMS:

- Absentee ballot requests for voting by mail must be received by the County Auditor 15 days before the election (see exception on previous page).
- Must include the date the request is signed.
- May not be sent to voters by County Auditors unless a voter requests one.
- May not be sent to voters by the Secretary of State unless directed to do so by the state legislature in the event of a public health disaster declared by the governor.
- May be sent to voters by candidates, political groups, and other private organizations, but no fields on the request form may be prefilled except for type and date of election.

RETURNING ABSENTEE BALLOTS:

- The only people who may return a voted absentee ballot other than the voter are:
 - Someone living in the voter's household
 - An immediate family member
 - The two special precinct election officials who deliver a ballot to the resident of a health care facility, dementia-specific assisted living program, or hospital
 - Voters unable to return a ballot due to blindness or other disability may use a "delivery agent" to deliver their ballots. **See below.***
- Absentee ballots may be returned via designated ballot drop boxes (unless returned by a "delivery agent" *), which if available must be located on the grounds of or within the building where the County Auditor conducts in-person absentee voting. (Auditors are not required to provide drop boxes.)

***RETURNING ABSENTEE BALLOTS - DISABILITY EXCEPTION – DELIVERY AGENTS:** In the case of a voter unable to return a ballot due to blindness or other disability, the voter may ask a "delivery agent" to deliver their ballot.

- "Delivery agent" is defined as follows:
 - Iowa registered voter
 - A delivery agent cannot be:
 - The voter's employer or an agent of the employer
 - An officer or agent of the voter's union
 - An actual or implied agent for a political party, candidate or committee
- If a voter with a disability designates a delivery agent, the voter must complete and sign a designation form prescribed by the Secretary of State.
- A delivery agent shall return no more than two absentee ballots per election.
- The delivery agent shall fill out a receipt in a form prescribed by the Secretary of State and shall leave it with the voter.
- The delivery agent shall collect the voter's designation form at the same time as collecting the ballot, and shall deliver the ballot and designation form to the County Auditor at the same time.

The delivery agent must:

- Deliver the ballot in person to the County Auditor, not by mail or drop box.
- Provide to the County Auditor the same identification as a voter at the polls.
- Provide the following on a form prescribed by the Secretary of State:
 - Full legal name
 - Residential address
 - Phone number
 - Email address, if applicable
- Sign a statement (prescribed in the law) certifying under penalty of perjury that the delivery agent has complied with the law.