

S.F. No. 3469 – Election law modifications (1st Engrossment)

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Date: March 24, 2022

S.F. 3469 makes a variety of changes to election laws.

Section 1 [§201.121; Entry of registration information] requires voter registration applications submitted on election day to be entered into the statewide voter registration system before the start of the canvas for that election. The secretary of state is required to electronically transmit voter registration applications to county auditors. Technical changes are made. This section is effective the day following final enactment.

Section 2 [§203B.08; Marking and return by voter] specifies that absentee ballot return envelopes may be personally delivered to the county auditor or municipal clerk, instead of being left with the auditor or clerk. An agent is prohibited from depositing another person's absentee ballot into a drop box.

Section 3 [§203B.082; Absentee ballot drop boxes; security and integrity] makes several changes relating to absentee ballot drop boxes. Each ballot box must be continually livestreamed and available for use during the whole absentee voting period. Drop boxes must be located within 100 feet of a building where the county auditor or municipal clerk's office is located. Each drop box must be assigned a unique identification number. The sign on the drop box must include a statement that a person may only return their own ballot in the drop box and include the unique identification number assigned to the drop box. The county auditor or municipal clerk must maintain a log for each drop box and include specified information. The total number of ballots collected from drop boxes must be shared with the local canvassing board and the state canvassing board. The secretary of state is prohibited from adopting rules to implement provisions related to drop boxes.

Section 4 [§203B.121; Establishment; applicable laws] prohibits deputy county auditors or deputy city clerks from serving on the ballot board unless the deputy was appointed as an election judge. This section is effective the day following final enactment.

Section 5 [§203B.121; Storage and counting of absentee ballots] specifies that the counting of absentee ballots must be public. Vote totals may only be disclosed in accordance with **section 9**.

Section 6 [§203B.121; Ballot board observers] authorizes a candidate or party that appears on the ballot at the election to appoint a ballot board observer to observe ballot board activities. Ballot board observers must complete the same training as election judges. A ballot board observer may present questions or make challenges. The election official must notify ballot board observers of the date, time, and location when ballot board activities will be taking place. Ballot board observers must not handle any absentee ballots or envelopes and must not interfere with ballot board activities. Ballot board observers may record ballot board activities. This section is effective May 15, 2022, and applies to the absentee voting period for the August primary.

Section 7 [§203B.121; Livestreaming] requires the county auditor, municipal clerk, or school district clerk to livestream specified locations for the 7 days immediately preceding and on election and election day. The cameras must be positioned to livestream activities taking place, the ballots, and all doors in the room.

Section 8 [§203B.155; Livestreaming requirements] sets forth the framework for implementing the livestreaming required by **sections 3 and 7**. The commissioner of information technology services must ensure that all livestreams are available on the Department of Information Technology Services' website. The secretary of state and local governments must post on their respective websites a link to the website where the public may view the livestreams. The commissioner must record the livestreams and maintain the recordings for 4 years. The recordings are public data. Provisions are made for potential livestream disruptions.

Section 9 [§204C.19; Premature disclosure of count results] prohibits anyone from disclosing any results for a precinct until all results from that precinct have been counted, including absentee ballots received and processed by 8 p.m. on election day. This section is effective the day following final enactment.

Section 10 [§206.83; Testing of voting systems] amends the public notice requirements for the pre-election accuracy testing of voting systems. Notice must be given 14 days before the testing and must be published in the official paper, posted on the relevant website, and sent to the chairs of each major political party. This section is effective the day following final enactment.

Section 11 [Secretary of state] modifies a previous appropriation by making funding for a grant program onetime.

Section 12 [Election security and integrity grants; report] requires the secretary of state to report to the legislature on grants awarded for absentee ballot drop box security and integrity.

Section 13 [Appropriation] makes two blank appropriations from the general fund to the secretary of state for grants to local governments and the commissioner of information and technology services to comply with the livestreaming and recording requirements in the bill. This section is effective July 1, 2022.

Section 14 [Effective date] says that this act is effective on September 1, 2022, unless otherwise provided.