

Resolution #27-2018/2019

A RESOLUTION PETITIONING THE GOVERNOR AND
LEGISLATURE OF IOWA TO REVISE
IOWA CODE SECTION 53.17(2) PERTAINING TO ABSENTEE BALLOTS

WHEREAS, County Commissioners of Elections routinely receive absentee ballots after polls close on Election Day; and

WHEREAS, in order to be counted, the return envelope containing said absentee ballot must "be clearly postmarked by an officially authorized postal service or bear an intelligent mail barcode traceable to a date of entry into the federal mail system not later than the day before the election and received by the commissioner not later than noon on the Monday following the election." Iowa Code Section 53.17(2); and

WHEREAS, the federal mail system is outside the jurisdiction of Iowa law and cannot guarantee either prescribed method of authentication as a basis for qualifying such absentee ballots for counting (acknowledged in Iowa Administration Code 721—21.303(53)); and

WHEREAS, without the prescribed evidence of registration in the federal mail system, absentee ballots received by the County Commissioner of Election after polls close on Election Day are disqualified from lawful counting; and

WHEREAS, disqualified and uncounted absentee ballots in close races cast doubt among voters as to the legitimacy of election results; and

WHEREAS, such disqualified and uncounted absentee ballots have been cause to contest election results in District Court and in the Iowa House of Representatives.

NOW, THEREFORE, BE IT RESOLVED BY THE GRUNDY COUNTY BOARD OF SUPERVISORS:

The Grundy County Board of Supervisors does hereby petition the Governor and Legislature of Iowa to simplify the standard for counting absentee ballots by revising Iowa Code Section 53.17(2) as follows:

In order for the ballot to be counted, the return envelope must be received in the commissioner's office before the polls close on election day ~~or be clearly postmarked by an officially authorized postal service or bear an intelligent mail barcode traceable to a date of entry into the federal mail system not later than the day before the election and received by the commissioner not later than noon on the Monday following the election.~~


Passed and adopted this 25th day of February, 2019.

GRUNDY COUNTY BOARD OF SUPERVISORS



Mark Schildroth, Chairperson

ATTEST:



Rhonda R. Deters, County Auditor