

**RESOLUTION 19-07 A RESOLUTION PETITIONING THE GOVERNOR AND LEGISLATURE OF IOWA TO REVISE IOWA CODE 53.17(2) PERTAINING TO ABSENTEE BALLOTS**

WHEREAS, county commissioners of elections receive absentee ballots after polls close on Election Day; and

WHEREAS, to be counted, said absentee ballots 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 53.17(2)); and

WHEREAS, the federal mail system is outside 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 Administrative Code 721-21.6303(53)); and

WHEREAS, absent prescribed evidence of registration in the federal mail system, said absentee ballots 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 the Iowa House of Representatives.

NOW THEREFORE, BE IT RESOLVED that the Emmet County Board of Supervisors do hereby petition the Governor and Legislature of Iowa to simplify the standard for counting absentee ballots by revising Iowa Code 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 the day before the election and received by the commissioner not later than noon on the Monday following the election.~~

Approved this 12<sup>th</sup> day of March 2019.

EMMET COUNTY BOARD OF SUPERVISORS ATTEST:

  
John Pluth, Chairperson

  
Amy M. Sathoff, Auditor

AYE:

NAY:

  
Name, Supervisor

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Name, Supervisor

  
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