

# VOTER REGISTRATION COMMISSION[821]

## Adopted and Filed Emergency

Pursuant to the authority of Iowa Code sections 47.8 and 17A.3, the Voter Registration Commission amends Chapter 1, “Organization, Purpose, Procedures and Definitions,” Chapter 2, “Voter Registration Forms, Acceptability, Registration Dates, and Effective Dates,” Chapter 3, “Lists of Registered Voters,” Chapter 5, “Election Registers,” Chapter 6, “Data Processing System Requirements for Voter Registration,” Chapter 9, “National Change of Address Program,” Chapter 10, “Notice to Voters Without Activity in Four Years in Counties Using NCOA Records; To All Voters in Other Counties,” and Chapter 11, “Registration Procedure at the Office of Driver Services, Department of Transportation,” Iowa Administrative Code.

These amendments are necessary due to technical changes made to Iowa’s voter registration laws by 2009 Iowa Acts, House File 475, effective July 1, 2009. In addition, these amendments remove obsolete references to voter registration systems and processes used prior to the implementation of Iowa’s statewide voter registration system as mandated by the 2002 Help America Vote Act.

Pursuant to Iowa Code section 17A.4(3), the Voter Registration Commission finds that notice and public participation are contrary to the public interest because the amendments to these rules are required due changes in the law effective July 1, 2009.

Pursuant to Iowa Code section 17A.5(2)“b”(1), the Voter Registration Commission further finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments made effective July 1, 2009, when the changes to the voter registration laws become effective pursuant to 2009 Iowa Acts, House File 475.

These amendments are also published herein under Notice of Intended Action as **ARC 7884B** in order to solicit public comment.

These amendments are intended to implement Iowa Code chapter 48A as amended by 2009 Iowa Acts, House File 475.

These amendments become effective July 1, 2009.

The following amendments are adopted.

ITEM 1. Amend rule 821—1.2(47) as follows:

**821—1.2(47) State registrar of voters.** The state commissioner of elections is designated the state registrar of voters. The state registrar is responsible for the regulation of the preservation, preparation and maintenance of voter registration records ~~and the preparation of precinct election registers for all elections administered by any county commissioner of elections.~~ This regulation activity is in accordance with the policies of the voter registration commission.

This rule is intended to implement Iowa Code section 47.7(1).

ITEM 2. Amend rule 821—1.4(47) as follows:

**821—1.4(47) Voter registration staff.**

**1.4(1) Voter registration system.** Under the general direction of the state registrar of voters, the ~~director of voter registration~~ voter registration staff conducts and directs those activities necessary to implement and maintain the statewide voter registration system. The voter registration staff includes clerical and technical personnel temporarily or permanently assigned by the registrar to support the voter registration function.

**1.4(2) Intergovernmental relations.** The voter registration ~~director and staff are~~ is responsible for working with and assisting county commissioners in performing their voter registration duties under the law, including acquisition of voter registration data processing services, preparation of election registers, maintaining voter registration files, processing registration applications and related activities. The ~~director and staff are~~ is responsible for communicating with state and federal court officials to arrange for the provision of information from voter registration records to the courts for use in the jury

selection process. The ~~director and staff are~~ is also responsible for ensuring the transfer of electronic registration data from registration agencies and the department of transportation to the appropriate county commissioner.

**1.4(3)** No change.

ITEM 3. Amend rule **821—1.7(47)**, definition of “Voter registration agency,” as follows:

“*Voter registration agency*” means any department, division, or bureau in state government which provides voter registration services pursuant to Iowa Code section ~~48A.18~~ 48A.19. A department, division, or bureau which merely makes mail-in voter registration applications available to its clients, employees, or general public is not a voter registration agency, nor is the office of driver services, department of transportation.

ITEM 4. Amend rule 821—2.1(48A) as follows:

**821—2.1(48A) Voter registration forms.**

**2.1(1) Content and completion.**

a. In addition to the spaces required by Iowa Code section 48A.11, every voter registration form shall include room for the county commissioner to make notations indicating such items as the date the form was received, the precinct and school district of the registrant, any other special district or note deemed necessary or appropriate by the commissioner, and the date the registration is effective. The notations may be on the reverse of the form.

b. The spaces on the paper voter registration form required by Iowa Code section 48A.11 and subrule 2.1(1) may be completed electronically. Voter registration forms completed electronically must be printed and, in the event adhesive labels are used, such labels must be firmly affixed to the form. The form must also be signed and dated by the voter.

**2.1(2) Definitions.**

“Agency application” means an application received at a voter registration agency pursuant to Iowa Code section 48A.19.

“Application” means a request to register to vote from a person who is not registered to vote in the county where the voter registration form is submitted. An application shall be made on a voter registration form prescribed by the voter registration commission.

“By-mail application” means an application received through the mail from an individual applicant. “By-mail application” also includes voter registration applications received from organizations that solicit voter registrations. “By-mail application” does not include registration forms sent through the mail by voter registration agencies or organizations that solicit voter registrations.

“In-person application” means an application received in person from the applicant either by the registrar, the registrar’s designee, the commissioner, the commissioner’s designee or a precinct election official.

“New voter registration application” means a voter registration application received from an individual who is not already registered to vote in the county.

ITEM 5. Amend rule 821—2.2(48A) as follows:

**821—2.2(48A) Agency code.** In addition to the spaces and statements required to be included on registration forms by Iowa Code section 48A.11 and rule 821—2.1(48A), registration forms used by voter registration agencies shall contain a code, to be devised by the registrar, indicating the type of agency. ~~The agency type code shall be on a perforated stub attached to the registration form.~~

ITEM 6. Amend rule 821—2.6(48A) as follows:

**821—2.6(48A) Production of forms.** Any person or organization, except voter registration agencies, may cause the printing and production of ~~the mail-in~~ voter registration ~~application~~ applications. Applications so produced shall be identical in size, shape, weight and similar in color of paper, type size, and color of ink to those available from the registrar, except that the independently produced applications may not contain an agency type code, may be preaddressed to a particular county

commissioner on the reverse of the form, and may contain postage. This rule shall not apply to voter registration forms printed in newspapers or telephone books.

ITEM 7. Amend rule 821—2.7(48A) as follows:

**821—2.7(48A) Availability of forms.** ~~Mail-in~~ Voter registration applications shall be available for purchase, at the cost of production, from the state registrar of voters. Application forms for an individual's personal use shall be available free of charge at the office of the registrar, all voter registration agencies, and the office of driver services, department of transportation.

ITEM 8. Amend rule 821—2.8(48A) as follows:

**821—2.8(48A) Incomplete applications.**

**2.8(1)** No commissioner shall refuse to register or accept an application from an applicant unable to specify the correct ward, precinct, or school district for the applicant's address. The commissioner shall make a determination of the correct political subdivisions from maps, legal descriptions, and other means at the commissioner's disposal.

~~**2.8(2)** The commissioner shall not add to the official voter registration file a voter whose registration application lacks any of the following information about the applicant:~~

- ~~a. —The applicant's Iowa driver's license number, Iowa department of transportation issued nonoperator's identification card number, or the last four digits of the applicant's social security number;~~
- ~~b. —Name;~~
- ~~c. —Sex;~~
- ~~d. —Date of birth;~~
- ~~e. —Residence address or description.~~

~~**2.8(3)** A person who submits an application by mail and does not mark either "yes" or "no" to the question "Are you a citizen of the United States of America?" shall not be registered to vote in federal elections until the application form is completed. The registration shall be coded to be valid only for elections for which no candidate for federal office appears on the ballot. Within seven days after receipt of the application, the commissioner shall contact the applicant by mail and request the missing required information. The applicant may provide the required information in writing until the date registration closes for the next federal election by appearing in person at the commissioner's office to complete a new application, by mailing a new and complete application, or by sending a letter to the commissioner confirming that the applicant is a U.S. citizen.~~

~~**2.8(4)** Within seven days after receipt of an incomplete application, the commissioner shall contact the applicant by mail, using the notice prescribed in subrule 2.8(5), and request the missing required information. If the applicant failed to provide an address, the commissioner shall make a reasonable effort to determine where the acknowledgement should be sent. However, if the incomplete application is received during the 12 days before the close of registration for an election, the commissioner shall provide the registrant with an opportunity to complete the form before the close of registration by sending written notice within one working day after receiving the incomplete application. If the applicant provided a telephone number, the commissioner shall also attempt to contact the applicant by telephone to convey the information contained in the notice required in subrule 2.8(5).~~

~~**2.8(5)**~~ **2.8(2)** The notice mailed to applicants who submit incomplete voter registration applications shall instruct the applicant that the applicant may provide the required information in writing by appearing in person at the commissioner's office to complete a new application or by mailing a new and complete application. The notice shall include the date registration closes for the next election. If the incomplete registration application is received during the period in which registration is closed pursuant to Iowa Code section 48A.9 and by 5 p.m. on the Saturday before the election for general and primary elections or by 5 p.m. on the Friday before the election for all other elections, the commissioner shall send a notice advising the applicant of election day and in-person absentee registration procedures under Iowa Code section 48A.7A.

~~2.8(6)~~ **2.8(3)** If the application does not include the applicant's Iowa driver's license number, Iowa department of transportation-issued nonoperator's identification card number, or the last four digits of the applicant's social security number, and the applicant has not indicated that the applicant does not have any of these numbers, the notice described in subrule ~~2.8(5)~~ **2.8(2)** shall also include the following statement:

"Your voter registration application cannot be accepted because it does not include an Iowa driver's license number, an Iowa ~~non-driver ID~~ nonoperator's identification number or the last four numbers of your social security number. You must submit a new voter registration form before you can be registered to vote in this county. ~~If you submit the registration form by mail, your registration information will be checked against the records of the Iowa Department of Transportation driver's license files. This process may delay the effective date of your registration. If your registration information cannot be verified, your registration application will be rejected. Verification is not required if you submit your application in person.~~

~~"ID number required.~~ If you have an Iowa driver's license, you must put write that number on ~~the~~ your voter registration form. If you do not have an Iowa driver's license, use the number from your Iowa ~~non-driver ID~~ nonoperator's identification card. If you do not have ~~either of these~~ an identification card issued by the state of Iowa, ~~put write~~ the last four numbers of your social security number on the form. If you don't have any of these ~~ID~~ identification numbers, please write check the box next to 'NONE' ~~in the box~~ on the form. Please note ~~that it is a crime~~ Class "D" felony to lie provide false information on a voter registration application."

~~2.8(7)~~ **2.8(4)** If the applicant reports that the applicant has not been issued an Iowa driver's license, an Iowa department of transportation-issued nonoperator's identification card number, or a social security number, the commissioner shall assign a unique identifying number that shall serve to identify the registrant for voter registration purposes and ~~enter code~~ the registration status as "~~pending identification.~~" "pending."

~~2.8(8)~~ **2.8(5)** The commissioner shall keep ~~a rejected~~ an incomplete application for voter registration for 22 months after the date of the next general election after the application was received.

ITEM 9. Amend rule 821—2.10(48A) as follows:

**821—2.10(48A) Alternate (nonmailable) registration forms.** An alternate registration form is authorized for the use of voter registration agencies and nongovernmental organizations engaging in registration programs and registration drives. The form shall contain spaces for all of the required and optional information solicited by the standard form, a list of the qualifications to register to vote, a statement to be signed by the applicant that the applicant is eligible to register to vote, and a statement of the penalty for submission of a false voter registration form. ~~The form shall be the same size as the mail-in form available from the registrar.~~ The face of the form shall contain spaces for all the personal information asked of the applicant, along with the attestation and warning. The reverse of the form may contain the list of qualifications, and may contain space for the county commissioner's notations. The form may be printed as a detachable part of a larger piece, or may be printed by itself. Because registration forms are frequently kept for many years, registration forms shall be printed on paper at least as thick as 20-pound xerographic paper.

The intent of this rule is to make available a mechanism for individuals, groups and organizations to conduct registration drives without requiring ~~them~~ individuals, groups and organizations to purchase ~~the relatively expensive mail-in~~ registration forms. To that end, the state registrar shall make available, without charge, a limited quantity of forms as determined by the voter registration commission, and ~~camera-ready copies~~ PDF versions of a form meeting the requirements of this rule.

ITEM 10. Rescind and reserve rule **821—2.11(48A)**.

ITEM 11. Amend rule 821—2.12(48A) as follows:

**821—2.12(48A) Date of registration County registration date.** For the purposes of record keeping and determining timeliness of an application to register to vote, the ~~date of registration of an application received from a source other than the United States Postal Service is the date the application is received by the commissioner, or submitted to a voter registration agency, or submitted to the office of driver services, department of transportation, whichever is earlier. The date of registration of an application delivered to the commissioner by the United States Postal Service is the postage cancellation date on the application or on the envelope containing the application. If the postage cancellation date is missing or illegible, the registration date is the date of the second day preceding the application's receipt in the commissioner's office.~~ county registration date shall be determined as follows:

**2.12(1)** The county registration date for an in-person applicant at least 18 years of age is the date the registration application is received by the commissioner or the commissioner's designee. However, when preregistration is closed in the applicant's precinct due to a pending election, the county registration date shall be the date of the day after the pending election unless the applicant registers pursuant to Iowa Code section 48A.7A.

**2.12(2)** The county registration date for a by-mail applicant at least 18 years of age is the date the registration application is received by the commissioner, unless the application is postmarked on or before the worry-free postmark date established pursuant to Iowa Code section 48A.9, subsection 3. However, when preregistration is closed in the applicant's precinct due to a pending election, the county registration date shall be the date of the day after the pending election unless the applicant registers pursuant to Iowa Code section 48A.7A.

**2.12(3)** The county registration date for an application received from a source other than in person or by mail is the date the application is received by the commissioner or submitted to the office of driver services, department of transportation, or to a voter registration agency pursuant to Iowa Code section 48A.19, whichever is earlier.

**2.12(4)** The county registration date for applicants aged 17 ½ to 18 shall be the date of the applicant's eighteenth birthday. However, when preregistration is closed in the applicant's precinct on the applicant's eighteenth birthday, the county registration date shall be the date of the day after the pending election unless the applicant registers pursuant to Iowa Code section 48A.7A.

ITEM 12. Rescind and reserve rule **821—2.13(48A)**.

ITEM 13. Amend rule 821—2.14(48A) as follows:

**821—2.14(48A) Voter registration status codes.** Voter registration records shall be coded to show the status of the record.

**2.14(1) Active.** The registration is in good standing. No action is required on the part of either the registrant or the commissioner.

**2.14(2) Inactive ~~(#)~~.** If either an acknowledgment mailed to the registrant pursuant to Iowa Code section 48A.26 as amended by 2009 Iowa Acts, House File 475, section 17, a notice mailed to the registrant pursuant to Iowa Code section 48A.27 as amended by 2009 Iowa Acts, House File 475, section 18, a notice mailed to the registrant pursuant to Iowa Code section 48A.28 or an absentee ballot mailed to the registrant pursuant to Iowa Code section 53.8 is returned to the commissioner by the United States Postal Service as undeliverable, the registrant's status shall be changed to "inactive" status. In addition, a voter registration record shall be made "inactive" pursuant to Iowa Code section 48A.27, subsection 4, paragraph "c," as amended by 2009 Iowa Acts, House File 475, section 18, during the annual NCOA process. ~~The registration~~ Inactive registrations will be deleted after two general elections unless the registrant responds to a confirmation mailing pursuant to Iowa Code section ~~48A.27(4) "c,"~~ 48A.27 as amended by 2009 Iowa Acts, House File 475, section 17, 48A.28, 48A.29 or 48A.30, requests an absentee ballot, votes in an election or submits a registration form updating the registration. Inactive registrants shall show identification when voting in person at the polling place, pursuant to Iowa Code

section 49.77(3) as amended by 2009 Iowa Acts, House File 475, section 33, or shall ~~submit a voter registration form~~ restore their voter registration to “active” status pursuant to 721—21.301(53) when voting by absentee ballot, ~~pursuant to 721 IAC 21.301(53).~~

**2.14(3) Pending.**

~~a. (P) Pending Identification. Any application received by mail before September 10, 2004, cannot be activated until the applicant provides one of the required identification documents prescribed in 721 IAC 21.3(49), or the applicant’s Iowa driver’s license number, Iowa department of transportation issued nonoperator’s identification card number, or the last four digits of the applicant’s social security number and the information is verified. On and after September 10, 2004, any application received by mail shall be entered into the system as “pending identification” only if the applicant reports that the applicant does not have any of the three acceptable identification documents. No DL or SSN Provided. If an applicant indicates that the applicant does not have an Iowa driver’s license number, Iowa department of transportation-issued nonoperator’s identification card number, or a social security number, the applicant shall be assigned a status of “pending” with reason “No DL or SSN Provided.”~~

~~b. (V) Pending verification. On and after September 10, 2004, any application received by mail from an applicant who provides the required ID number shall be “pending verification” until the number is verified, pursuant to 821 IAC 2.15(48A). DL or SSN Not Verified. If the applicant provides an Iowa driver’s license number, Iowa department of transportation-issued nonoperator’s identification card number, or the last four digits of the applicant’s social security number and that information cannot be verified pursuant to 821—2.15(48A), the applicant shall be assigned a status of “pending” with reason “DL or SSN Not Verified.”~~

~~c. An applicant assigned a status of “pending” shall not be activated until the applicant provides identification pursuant to 721—21.3(49,48A).~~

~~2.14(4) Local (L). The registrant applied by mail to register to vote and failed to check the box on the voter registration form indicating that the applicant is a U.S. citizen. The registrant may provide the required information in writing until the day before the next federal election by appearing in person at the commissioner’s office to complete a new voter registration form, by mailing to the commissioner a new and complete voter registration form, or by sending a letter to the commissioner, pursuant to 821 IAC 2.8(3). The registrant may vote in all elections for which there are no federal offices on the ballot. The commissioner shall print the name of a registrant with local status on the election register for an election if there are federal offices on the ballot.~~

~~2.14(5) Pending and inactive (N). The applicant must comply with the requirements to correct both of these status codes.~~

~~2.14(6) Local and inactive (C). The applicant must comply with the requirements to correct both of these status codes.~~

ITEM 14. Amend rule 821—2.15(48A) as follows:

**821—2.15(48A) Verification of voter registration information.** ~~Every~~ All new voter registration application by mail applications shall be entered as “pending verification” until the applicant’s Iowa driver’s license number, Iowa department of transportation issued nonoperator’s identification card number, or the last four digits of the applicant’s social security number can be verified. The registrar may arrange with the department of transportation for county commissioners of elections to verify voter registration records without submitting the registration information to the registrar.

**2.15(1)** When the application is received, the ~~registrar or~~ commissioner shall compare the Iowa driver’s license number, Iowa department of transportation-issued nonoperator’s identification card number, or the last four digits of the social security number of each mail application with the records of the department of transportation.

**2.15(2)** All of the following information on the application must match an existing record:

a. All digits and numerals in the Iowa driver’s license number, Iowa department of transportation-issued nonoperator’s identification card number, or the last four digits of the social security number.

b. Name.

c. Date of birth, including the month, day and year.

**2.15(3)** ~~If all three required elements do not match, the application shall be rejected and the applicant shall be notified of the reason. The notice shall include the following statement:~~ applicant shall be assigned a status of “pending” with reason “DL or SSN Not Verified.” The applicant shall be notified that the applicant’s voter registration is in pending status and the applicant will be required to show identification pursuant to 721—21.3(49,48A) before voting in the county. The notice shall include the following statement:

~~“Your voter registration application was rejected is pending because the information you provided on your application could not be verified. Your name, date of birth and Iowa driver’s license number, Iowa non-driver ID number, or the last four digits of your social security number identification number were compared to the Iowa driver’s license records and your identification number cannot be verified. The following items did not match an existing record: [list nonmatching items].~~

~~“You may send in a new registration form. Please print your name, date of birth and Iowa driver’s license number exactly as they appear on your Iowa driver’s license. If you do not have an Iowa driver’s license, print your name, date of birth and Iowa non-driver ID number exactly as they appear on your non-driver ID card. If you don’t have either of those cards, use the last four digits of your social security number and print your name on the registration form exactly as it appears on your social security card. You may also register in person at [auditor’s office address and other registration addresses at the discretion of the commissioner]. In person registration applications are not subject to verification. Before voting for the first time in this county, you will be required to show identification. You may submit identification either by showing your identification in person when you vote or by mailing a photocopy of your identification to the county auditor’s office.”~~

**2.15(4)** If the application is verified, the registration record shall be made “active.” The registrar or commissioner shall keep records showing whether the information in the application was verified and the date of the verification ~~report~~. If the application cannot be verified, the record shall show what information on the application did not match an existing record. The verification ~~information~~ record shall be kept for the period of time required in Iowa Code section 48A.32.

**2.15(5)** ~~If an application cannot be verified before the close of registration, the applicant shall be notified by mail. The notice shall read as follows:~~

~~“Your application for voter registration has been submitted for verification, but has not yet been verified. Your name will not appear on the election register for the \_\_\_\_\_ election. If you vote, you will be required to cast a provisional ballot. Your ballot will be counted only if your registration can be verified by [date and time of county canvass of votes].~~

~~“The following information has been submitted for verification: Name, date of birth, Iowa driver’s license number, Iowa non-driver ID number or the last four digits of your social security number. If any of this information is wrong, please contact \_\_\_\_\_ immediately.”~~

ITEM 15. Amend **821—Chapter 2**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapter 48A as amended by ~~2004 Iowa Acts, Senate File 2269~~ 2009 Iowa Acts, House File 475.

ITEM 16. Amend rule 821—3.2(48A) as follows:

**821—3.2(48A) Request for list.** A request for a list of registered voters may be made in writing on a Specifications for Voter List form submitted to either a county commissioner or the state registrar. A commissioner or the registrar may accept a request for a list made via telephone provided the commissioner or registrar is confident that both the requester and the commissioner or registrar clearly understand the specifics of the request and provided the requester agrees that the voter registration information will only be used for the purposes set forth in Iowa Code section 48A.39. If a request

is unclear or ambiguous, the commissioner or registrar may require that the request be submitted in writing.

ITEM 17. Amend rule 821—3.4(48A) as follows:

**821—3.4(48A) Contents of ~~telephoned~~ telephone request.** When a request for a list of registered voters is made by telephone, the person taking the request shall gather and record on a Specifications for Voter List form all of the information specified in 3.3“1” through 3.3“9.” In addition, the taker of the request shall read the statement in 3.3“10” to the requester. The taker of the request shall note, on the signature line of the form, the fact that the requester was read the statement. If a requester refuses to provide the requester’s identity or refuses to agree to the use restrictions for the voter registration information, the registrar or the commissioner shall not provide the requested information.

ITEM 18. Amend rule 821—5.1(47) as follows:

**821—5.1(47) Election registers.**

**5.1(1)** Election registers shall contain at least the following information:

- a. Full name.
- b. Address.
- c. Date of birth.
- d. Registration status if it is not “active.”
- e. Political affiliation (for partisan primary elections only).

**5.1(2)** Other information may be included on the election register upon the approval of the county commissioner of registration ~~and if the election registers are provided by the state, the state registrar.~~

ITEM 19. Amend rule 821—6.1(47) as follows:

**821—6.1(47) ~~Voter registration data processing system requirements~~ Statewide voter registration system requirements.** ~~Every data processing system used by a county commissioner for the storage, maintenance and retrieval of voter registration records shall be capable of performing all of the following functions:~~ Every county commissioner is required to use the statewide voter registration system maintained by the state registrar for voter registration and election management purposes. The statewide voter registration system shall enable the county commissioner to:

**6.1(1)** Create a file of all registered voters in the county, ~~in the format specified by 821—Chapter 7, for delivery to the registrar.~~

**6.1(2) to 6.1(4)** No change.

**6.1(5)** Prevent duplicate registrations for a given individual. For the purpose of this subrule, a duplicate registration is one which contains the same information in the Iowa driver’s license number, Iowa nonoperator’s identification number, last four digits of the applicant’s social security number, social security number suffix, birth date and sex code fields as another record in the same county. ~~A record which is not deleted does not duplicate another if the record(s) containing the duplicate data is deleted.~~

**6.1(6)** Ensure the compatibility of election districts manually assigned to records ~~which do not contain street numbers and street names~~ with nonstandard addresses.

**6.1(7)** Ensure that numeric fields in records contain only numeric data, and that alphabetic fields contain only alphabetic data, except that the field for last name may contain one hyphen.

**6.1(8)** Ensure that all dates are reasonable, e.g., ~~the birth date shown in the record is at least 17 years earlier than the current date, and the date of registration is not later than the current date~~ birth date, county registration date.

**6.1(9)** Ensure that the zip code contained in the record is compatible with the city name.

**6.1(10)** Assign a unique identification number, in lieu of a social security number in lieu of an identification number, to records of voters whose registration forms ~~do not contain a social security number~~ indicate the voter does not have any of the requested identification numbers.

**6.1(11) to 6.1(13)** No change.



~~6.1(14) Provide maintenance files to the registrar in the form and at the times required by 821—Chapter 5.~~

~~6.1(15)~~ **6.1(14)** Receive maintenance files collected from various agencies by the state registrar. This rule is intended to implement Iowa Code section 47.7.

ITEM 20. Amend subrule 9.3(2) as follows:

**9.3(2)** The state registrar shall send ~~two notifications~~ one notification to each voter identified as having moved either within or outside a county: ~~one to the voter's former address and one to the voter's new address as provided by NCOA records.~~ The notice shall be mailed to the voter's new address as provided by NCOA records.

ITEM 21. Amend rule 821—10.1(48A) as follows:

**821—10.1(48A) NCOA county commissioner determines nonactivity; sends notices.**

**10.1(1)** During the first quarter of each calendar year, every commissioner who ~~receives National Change of Address (NCOA) program information~~ elects to participate in the NCOA process that year shall examine voter registration records to identify those without activity during the period between and following the previous two general elections and for which no information has been reported in NCOA data. For the purpose of this subrule, “activity” means any registration application, including an application which duplicates existing information, a notice of change of name, address, mailing address, party affiliation, a vote in any election, or the mailing of a notice pursuant to subrule 10.1(2).

**10.1(2)** The commissioner shall send a notice of the type described in Iowa Code section 48A.28 to each voter whose record is identified pursuant to subrule 10.1(1).

ITEM 22. Amend rule 821—10.2(48A) as follows:

**821—10.2(48A) Non-NCOA county commissioner sends notices.** During February of each calendar year, every county commissioner who ~~does not receive NCOA information~~ elects not to participate in the NCOA process shall send a notice of the type described in Iowa Code subsection 48A.28(3), to every registered voter in the county.

ITEM 23. Amend rule 821—10.3(48A) as follows:

**821—10.3(48A) Voter record not made inactive.** The act of mailing the notice required by this chapter does not, in and of itself, make a registration record inactive. ~~A record is made inactive only in accordance with Iowa Code subsection 48A.37(2).~~

ITEM 24. Amend rule 821—11.3(48A) as follows:

**821—11.3(48A) Unregistered client who wants to register.** If the computer search invoked pursuant to 11.2“2” reveals the client is not a registered voter, and the client has expressed a desire to register, the driver license clerk shall determine the name of the client’s county, telephone number, party affiliation, and previous registration information by asking questions in substantially the following form: “In what county do you live?” “What is your telephone number?” “Would you like to declare ~~a political party~~ an affiliation of Democratic, Republican, Green, Libertarian or None?” “Where were you previously registered, if ever?” The driver license clerk shall make computer entries reflecting the client’s replies.

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