Regulatory Analysis

Notice of Intended Action to be published: 721—Chapter 21
"Election Personnel Training Requirements"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 49.124(1)
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 49

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

February 11, 2025 10 to 11 a.m.	Via videoconference call: meet.google.com/bgd-sijt-agq

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Secretary of State (SOS) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Eric Gookin
Office of the Secretary of the State
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Email: eric.gookin@sos.iowa.gov

Purpose and Summary

The proposed rulemaking creates a required course of training that county commissioners of elections will provide to their poll workers.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Costs are minimal. County commissioners are already required to provide training. The change in law and this rule provide certainty that the training will be equal since it is coming out of the Office of the SOS.

- **Classes of persons that will benefit from the proposed rulemaking:**

Iowa voters and candidates will benefit from greater uniformity in the training requirements.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Since county commissioners are already required to conduct training sessions, and the topics and materials will come out of SOS appropriations, additional costs will be negligible.

- **Qualitative description of impact:**

Since county commissioners are already required to conduct training sessions, and the topics and materials will come out of SOS appropriations, additional costs will be negligible.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the SOS or any other agency. Personnel are already assigned to this task.

- **Anticipated effect on state revenues:**

There is no effect on state revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

There is no cost difference between adoption of the proposed rule and inaction.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

No less costly methods or less intrusive methods exist.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

No alternative methods were considered.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** rule 721—21.362(49):

721—21.362(49) Precinct election officials and other election personnel training requirements.

21.362(1) The commissioner shall conduct, not later than the day before each election, a training course for all election personnel. The personnel shall include all precinct election officials and any other persons who will be employed in or around the polling places on election day by the commissioner.

21.362(2) The training shall include the following subjects, along with any other subjects the state commissioner deems necessary or provides training materials for:

a. Rights and limitations of poll watchers.
b. Posters and other signage required at the polling place.
c. Voter interaction and de-escalation.
d. Voter check-in process.
e. Assisting voters with disabilities and curbside voting.
f. Election Day registration.
g. Proper handling of provisional ballots and challenge processes.

h. End of night precinct closing procedures.

This rule is intended to implement Iowa Code chapter 49.