

VOTER REGISTRATION COMMISSION[821]

Prior to 3/21/90, Voter Registration Commission[845]

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CHAPTER 1
ORGANIZATION, PURPOSE, PROCEDURES AND DEFINITIONS

[Prior to 3/21/90, see Voter Registration Commission[845], Ch 1]

821—1.1(47) Voter registration commission composition. The commission consists of four members: the state commissioner of elections, and the chairpersons of the two state political parties whose candidates for President of the United States or for governor, as the case may be, in the most recent general election, received the greatest and the second greatest number of votes, or their designees, and a person appointed by the president of the Iowa State Association of County Auditors.

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).

821—1.3(47) General operating rules.

1.3(1) The chair of the commission is the state commissioner of elections or the state commissioner's designee.

1.3(2) Any member of the commission, including the chair, may make and second any motion.

1.3(3) To prevail, a motion, declaratory ruling, or ruling in a contested case must receive the votes of a majority of commissioners present and voting.

1.3(4) Rescinded IAB 10/25/95, effective 10/6/95.

1.3(5) A designee of a statutory member shall present a letter from the statutory member appointing the designee.

1.3(6) A quorum of the commission is four members. No official action may be taken in the absence of a quorum.

1.3(7) Any member of the public may petition the commission concerning any subject under the commission's authority. Any member of the public may propose new rules or modifications to existing rules of the commission. Petitions or proposed rule changes may be in letter form, filed with the registrar and addressed to the commission. Any such letter must include a discussion of the problem or issue, addressing and supporting rationale for any proposed action by the commission. In addition, any such petition must state the legal authority which petitioner believes confers jurisdiction over the subject matter to the commission. Action on petitions received shall be taken not later than the second regular commission meeting following receipt of the petition. In the event a hearing is held on an issue, the hearing shall be scheduled within 90 days of receipt of the petition.

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 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 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 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 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) Staff support to the commission. The registrar and voter registration staff provide support services to the commission as required in the performance of the commission's official duties.

821—1.5(47) Declaratory ruling by voter registration commission. Any member of the commission or the public may petition the commission for a declaratory ruling as to the applicability of any statutory provision, rule or other written statement of law or policy. The petition must be filed with the registrar at least seven days before the regular or special meeting at which the petition is to be considered. The registrar shall provide a copy of the petition to each voter registration commissioner at least four days before the meeting. Declaratory rulings shall be made in writing and placed on file with the registrar.

821—1.6(47) Contested cases.

1.6(1) Hearings. Hearings for contested cases under the authority of the voter registration commission shall be presided over by the voter registration commission. Notice shall be given, the hearing conducted and the records of the hearing kept in accordance with Iowa Code section 17A.12.

1.6(2) Rules of evidence. Rules of evidence shall be those enumerated under Iowa Code section 17A.14.

821—1.7(47) Definitions. The following terms have the meanings assigned to them by this rule wherever the terms appear in these rules, unless the context of usage clearly requires otherwise.

"Agency" means a voter registration agency and the office of driver services, department of transportation.

"Commission" or *"voter registration commission"* means the voter registration commission as defined in Iowa Code section 47.8.

"Commissioner" or *"county commissioner"* means the county commissioner of registration as defined in Iowa Code section 48.1.

"Driver license clerk" means an employee of the office of driver services, department of transportation, who has face-to-face contact with clients seeking a driver license or nonoperator identification card, or a county employee in the office of the county treasurer who performs a similar function.

"NCOA" means National Change of Address, and refers to the collection and distribution of information by the United States Postal Service or its licensed vendors; programs instituted to support that collection and distribution; or the information itself.

"Registrar" or *"state registrar"* means the state registrar of voters as defined in Iowa Code section 47.7.

"Voter registration agency" means any department, division, or bureau in state government which provides voter registration services pursuant to Iowa Code section 48A.18. 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.

"Voter registration commissioner" means a member of the voter registration commission.

These rules are intended to implement Iowa Code sections 47.7 and 47.8.

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CHAPTER 2
VOTER REGISTRATION FORMS, ACCEPTABILITY,
REGISTRATION DATES, AND EFFECTIVE DATES
[Prior to 3/21/90, see Voter Registration Commission[845], Ch 2]

821—2.1(48A) Voter registration forms.

2.1(1) 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.

2.1(2) Definitions.

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

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 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.

821—2.3(48A) Federal mail-in application. Rules 2.1(48A) and 2.2(48A) do not apply to the mail voter registration form prescribed by the federal election commission, which shall be accepted in accordance with Iowa Code section 48A.12 and shall not be used by voter registration agencies.

821—2.4(48A) Paperless (electronic) registration forms. Any voter registration agency and the office of driver services, department of transportation, may devise a system of collecting registration applications without using paper forms, in accordance with the following restrictions:

2.4(1) All information required to be disclosed on a voter registration form shall be collected by the agency and captured electronically. The applicant shall also be asked to disclose the optional information solicited by the form if that information is not captured as a part of the agency’s own record-making process.

2.4(2) The applicant shall be shown a list of the eligibility requirements for registering to vote and the penalties for falsely registering, printed in large, easy-to-read type, and shall be advised to read them.

2.4(3) The application to register to vote and the signature of the applicant shall be recorded in digitized form in the agency’s computer system and shall be kept permanently by the agency. The system shall ensure that neither the application form nor the signature, once captured, can be edited.

2.4(4) The agency shall develop procedures so that the digitized signature can be retrieved and reproduced on paper. Within three working days of receipt of an order from a state or federal court, the agency shall provide a reproduction of the requested application and signature.

2.4(5) The agency shall transmit electronic registration records to the registrar in accordance with 821—Chapter 8.

821—2.5(48A) Acquisition of registration forms. To ensure that forms used by the various voter registration agencies contain no distinguishing characteristics that could be used to identify the agency from which the form came, all agency forms shall be ordered through the state registrar of voters. The registrar shall negotiate a contract for the procurement of the forms in accordance with all procurement laws and rules.

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 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.

821—2.7(48A) Availability of forms. Mail-in 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.

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) The notice 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.

2.8(6) 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, the notice described in subrule 2.8(5) 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 number or the last four numbers of your social security number.

You must submit a new voter registration form. 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 that number on the voter registration form. If you do not have an Iowa driver's license, use the number from your Iowa non-driver ID card. If you do not have either of these, put the last four numbers of your social security number on the form. If you don't have any of these ID numbers, please write 'NONE' in the box on the form. Please note that it is a crime to lie on a voter registration application."

2.8(7) 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 the registration as "pending identification."

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

821—2.9(48A) Optional data not required. No commissioner shall refuse to register or accept an application from an applicant who fails or declines to reveal the applicant's telephone number or political party affiliation.

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 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 of a form meeting the requirements of this rule.

821—2.11(48A) Registration forms in languages other than English. Notwithstanding any other provision of these rules, any county commissioner may cause production of any approved voter registration form in a language other than English if the commissioner determines that such a form would be of value in the commissioner's county. The registrar shall assist any county commissioner with the translation of voter registration forms upon the request of the county commissioner.

821—2.12(48A) Date of registration. 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.

821—2.13(48A) Effective date of registration. Effective dates of registration shall be determined as follows.

2.13(1) If the applicant is at least 18 years of age and registration in the applicant's precinct is not closed due to a pending election, the effective date of registration is the date of registration.

2.13(2) If the applicant is at least 18 years of age and registration is closed in the applicant's precinct due to a pending election, the effective date of registration is the date of the day after the pending election.

2.13(3) If the applicant is less than 18 years of age and registration is not closed in the applicant's precinct due to a pending election, the effective date of registration is the date of the applicant's eighteenth birthday.

2.13(4) If the applicant is less than 18 years of age and registration is closed in the applicant's precinct due to a pending election, the effective date of registration is the date of the day after the pending election, or of the applicant's eighteenth birthday, whichever is later.

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 (I).* The registration will be deleted after two general elections unless the registrant responds to a confirmation mailing pursuant to Iowa Code section 48A.27(4) "c," votes in an election or submits a registration form updating the registration. Inactive registrants shall show identification when voting in person, pursuant to Iowa Code section 49.77(3), or shall submit a voter registration form 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.

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).

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.

821—2.15(48A) Verification of voter registration information. Every new voter registration application by mail 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:

"Your voter registration application was rejected because the information you provided 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 were compared to the Iowa driver's license records. 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."

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 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."

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

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CHAPTER 3
LISTS OF REGISTERED VOTERS
[Prior to 3/21/90, see Voter Registration Commission[845], Ch 3]

821—3.1(48A) List defined. For the purposes of this rule, a “list” of registered voters is any information from one or more voter registration records related to any individual or group of registered voters. Statistical data containing no personally identifiable information is not a “list.”

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

821—3.3(48A) Contents of written request. Each written request for a list of registered voters shall contain all of the following information:

1. The name of the requester.
2. The address of the requester.
3. The telephone number of the requester.
4. A description of the records to be included in the list.
5. A description of the sequence of the records on the list.
6. A description of the output medium for the list.
7. The date of the request.
8. The date the list is desired.
9. The intended use of the list.
10. The following signed statement: “I am aware that information from voter registration records may be used lawfully only to request a registrant’s vote, for a genuine political purpose, for bona fide political research, or for a bona fide official purpose by an elected official. I understand that using the information for any commercial purpose is a serious misdemeanor under Iowa law. I agree to pay the cost of the above ordered list upon delivery.”

821—3.4(48A) Contents of telephoned 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.

821—3.5(48A) Requests received by a county commissioner. A request for a list of registered voters submitted to a county commissioner may be honored by that commissioner, or may be forwarded to the registrar. However, a county commissioner shall adhere to a consistent policy regarding the provision of lists. If a commissioner provides a list to any requester, the commissioner shall likewise provide lists to all requesters, provided the commissioner has the data and software necessary to meet the list request specifications. Similarly, if a commissioner refuses to provide a list for which the commissioner has the necessary data and software to any requester, the commissioner shall refuse all requests for lists of registered voters.

821—3.6(48A) Requests received by the state registrar. Requests for lists of registered voters received by the registrar shall be honored in the order in which they are received, provided that the data necessary for compiling the list is available to the registrar. If provision of a list is delayed due to the absence of data, the registrar shall contact the list requester and explain the circumstances. The requester may choose to modify the request, cancel the request, or wait for the necessary data.

821—3.7(48A) Payment for lists required. Notwithstanding any other provision of these rules, no list shall be provided to a requester who has not paid for all previously requested and completed lists. Payment shall be made at the time the list is delivered, except that payment for lists ordered by political subdivisions of the state may be made within 60 days of delivery. A county commissioner or registrar may require an advance payment of 80 percent of the estimated cost of a list if the estimated cost is \$1000 or more.

821—3.8(48A) Confidential data. Nothing in these rules shall be construed to authorize or require any county commissioner or the registrar to disclose any information made confidential by the National Voter Registration Act of 1993 or any other federal or state law.

821—3.9(48A) List of a person's own voter registration record. Nothing in these rules shall be construed to prohibit any person from viewing that person's own voter registration record, including any confidential data associated with it.

821—3.10(48A) Driver's license numbers. The county commissioner of registration and the state registrar of voters shall remove a voter's driver's license number, Iowa department of transportation-issued nonoperator's identification card number, or whole or partial social security number from a voter registration list prepared pursuant to Iowa Code section 48A.38.

These rules are intended to implement Iowa Code section 48A.38.

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CHAPTER 4
SPECIFICATIONS FOR VOTER REGISTRATION DATA PROCESSING SERVICES CONTRACTS
AND APPROVAL PROCEDURE FOR SUCH CONTRACTS

[Prior to 3/21/90, see Voter Registration Commission[845], Ch 4]

Rescinded IAB 5/10/06, effective 6/14/06

CHAPTER 5
ELECTION REGISTERS

[Prior to 3/21/90, see Voter Registration Commission[845], Ch 5]

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.

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CHAPTER 6
DATA PROCESSING SYSTEM REQUIREMENTS FOR VOTER REGISTRATION

[Prior to 3/21/90, see Voter Registration Commission[845], Ch 6]

821—6.1(47) Voter registration data processing 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:

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) Automatically identify and post all election districts, including school district and director district (if applicable), area college district and director district, municipality or township, and precinct, and any applicable special districts, to every voter registration record which contains a street number and street name in the residence address fields.

6.1(3) Ensure the uniform spelling of street names in all records containing street names, such that the records of all voters whose residence addresses share a street name contain a common spelling of that street name.

6.1(4) Ensure the uniform spelling of city names, such that the records of all voters whose residence addresses share a city name contain a common spelling of that city name.

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 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.

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.

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

6.1(10) Assign a number, in lieu of a social security number, to records of voters whose registration forms do not contain a social security number.

6.1(11) Allow the capture, retention and reporting of a mailing address different than the residence address.

6.1(12) Create election registers which contain the names of all voters eligible to vote at a polling place, and no others, for any type of election the commissioner is required to conduct, except annexation and other elections when creation or change of an election district is proposed.

6.1(13) Create election registers which identify those voters who are eligible to vote on an issue or for an office at a polling place when some, but not all, voters are eligible to cast a ballot on that issue or for that office.

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

6.1(15) Receive maintenance files collected from various agencies by the state registrar.

This rule is intended to implement Iowa Code section 47.7.

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CHAPTER 7
COUNTY MAINTENANCE FILE INPUT SPECIFICATIONS
[Prior to 3/21/90, see Voter Registration Commission[845], Ch 7]
Rescinded IAB 5/10/06, effective 6/14/06

CHAPTER 8
TRANSMISSION OF REGISTRATION FORMS BY AGENCIES

821—8.1(48A) Cataloging registration data. Every agency which registers voters in a paperless manner shall daily catalog a file of registration records to the computer system used by the registrar. The file shall contain all voter registration records collected by the agency during the previous working day, except that the file containing registration records collected on the last day of registration for a regularly scheduled election shall be cataloged not later than 8 p.m. of that day.

821—8.2(48A) Data elements of paperless voter registration transactions. The file specified in rule 8.1(48A) shall contain the following information:

1. The number of the county in which the applicant lives;
2. The applicant's Iowa driver's license number, if the applicant has one. If not, the applicant's Iowa department of transportation-issued nonoperator's identification card number. If the applicant has neither, the last four digits of the applicant's social security number;
3. The applicant's date of birth;
4. The applicant's gender;
5. The applicant's full name;
6. The applicant's residence address;
7. The applicant's mailing address, if different from the residence address;
8. The date of the transaction;
9. The applicant's party affiliation, if any;
10. The applicant's telephone number;
11. An identifier of the agency receiving the application;
12. The jurisdiction in which the applicant was previously registered to vote;
13. The name under which the applicant was previously registered to vote;
14. Audit information sufficient to allow the agency to identify the transaction and retrieve and reproduce the application, including the applicant's signature.

821—8.3(48A) File specifications. Technical requirements, including the record format, and the method of file transfer, shall be decided upon and agreed to by the registrar and the agency submitting electronic voter registration data.

821—8.4(48A) Technical requirements for electronic signatures. Agencies which accept and collect paperless voter registration transactions shall maintain an electronic "copy" of the document, including the applicant's signature. The design of the system shall be such that no change to the document can be made and the document can be reproduced in hard copy when necessary.

821—8.5(48A) Transmission of paper voter registration forms. Voter registration applications or changes accepted on paper documents by agencies shall be sent to the appropriate county commissioner by courier, U.S. mail, or other reliable carrier not later than the Friday of the week in which the document is received by the agency. If an agency receives completed voter registration forms on the Saturday which is a close of registration date for an election, the agency shall forward those registration forms immediately following the end of that business day. Nothing in these rules shall be construed to require an agency to be open for business on the last day of registration for an election.

These rules are intended to implement Iowa Code sections 48A.11 and 48A.21.

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CHAPTER 9
NATIONAL CHANGE OF ADDRESS PROGRAM

821—9.1(48A) State registrar to organize.

9.1(1) The state registrar of voters shall annually offer to every county commissioner the opportunity to participate in the registrar's submittal of voter registration records to a licensed vendor of the United States Postal Service for matching with national change of address (NCOA) records.

9.1(2) The vendor used by the state registrar shall be selected in accordance with all procurement laws and rules of the state and the department of administrative services.

9.1(3) The state registrar shall prepare a file of all registered voters in all counties whose commissioners have chosen to participate in the program. The file shall be in the form and format required by the vendor. The voter records contained in the file shall be categorized according to the following statuses: active, inactive, and pending.

9.1(4) Upon receipt of the NCOA data from the vendor, the state registrar shall promptly prepare a data file for each county to process in a batch-processing module at the county level. There shall be three statuses of NCOA records: processed, unprocessed, and deleted. The batch-processing screen's default shall be a display of all unprocessed records. The state registrar shall prescribe and notify each participating commissioner about how the commissioner shall process the NCOA records.

821—9.2(48A) Commissioner's responsibility upon receipt of NCOA data.

9.2(1) Commissioner to update county records. Each commissioner shall examine the data provided by the NCOA vendor and shall update the county's registration records on the basis of that data in accordance with Iowa Code subsections 48A.27(4) and 48A.27(5).

9.2(2) The commissioner shall process the registration records of voters who have moved within the county as well as the registration records of voters who have moved outside the county. For in-county moves, the commissioner shall change the voter's residential address to the address provided by the NCOA vendor. For out-of-county moves, the commissioner shall change the status of the voter registration record to "inactive."

9.2(3) In order to avoid complications because of scheduled special elections, the state registrar shall provide two date ranges in which the commissioner shall process NCOA records. The primary date range occurs first and shall apply to all counties that do not have a special election scheduled to be held within that date range. The second date range shall apply only to those counties that have a special election scheduled to be held during the primary date range.

821—9.3(48A) State to coordinate mailing of NCOA notifications.

9.3(1) After the county commissioners have processed NCOA records for each of the date ranges, the state registrar shall coordinate the printing and mailing of the required NCOA notifications. The state registrar shall notify the commissioners when the notifications have been mailed. Any postage-paid preaddressed return cards returned by voters will be sent back to the counties, not to the state registrar.

9.3(2) The state registrar shall send two notifications 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.

821—9.4(48A) Fees. The state registrar shall charge the counties for the costs of the NCOA process, including matching the records and the printing of and postage for the mailing. The fees charged to the counties shall reflect actual costs to the state registrar.

These rules are intended to implement Iowa Code sections 48A.27(4) and 48A.28(2).

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CHAPTER 10
NOTICE TO VOTERS WITHOUT ACTIVITY IN FOUR YEARS IN COUNTIES USING
NCOA RECORDS; TO ALL VOTERS IN OTHER COUNTIES

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 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).

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 shall send a notice of the type described in Iowa Code subsection 48A.28(3), to every registered voter in the county.

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).

821—10.4(48A) Notice available. The required notice is available from the state registrar of voters in a document titled “Section 48A.28(3) Notice.”

These rules are intended to implement Iowa Code subsections 48A.28(2) and (3).

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CHAPTER 11
REGISTRATION PROCEDURE AT THE OFFICE OF DRIVER SERVICES,
DEPARTMENT OF TRANSPORTATION

821—11.1(48A) Registration status may be checked. The state registrar, in cooperation with officials of the department of transportation (DOT), shall develop a mechanism by which the registration status of an individual seeking a driver license or nonoperator identification card from the office of driver services, DOT, can be checked by computer while other business is being transacted.

821—11.2(48A) Driver services client to be afforded opportunity to apply to register to vote or make changes to existing registration. Every client, aged 17 years 6 months or older, of the office of driver services, DOT, shall be advised by the driver license clerk of the availability of voter registration services in substantially the following manner: “Would you like to apply to register to vote, or update your registration? It can be done quickly and easily at the same time as you get your license — ID — other, as appropriate.”

1. If the client’s reply to the driver license clerk’s rule 11.2(48A) question is negative, the driver license clerk shall not pursue the matter of voter registration.

2. If the client’s reply to the driver license clerk’s rule 11.2(48A) question is affirmative, or the client expresses uncertainty of the client’s current registration status, the driver license clerk shall invoke the computer operation required in rule 11.1(48A).

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 affiliation of Democratic, Republican, or None?” “Where were you previously registered, if ever?” The driver license clerk shall make computer entries reflecting the client’s replies.

821—11.4(48A) Unregistered clients uncertain of status. If the computer search invoked pursuant to 11.2“2” reveals the client is not a registered voter, and the client has expressed uncertainty of the client’s registration status, the driver license clerk shall tell the client the result of the computer search and determine if the client wishes to proceed with registration in substantially the following words: “According to the computer, you are not currently registered to vote in Iowa. Would you like to apply to register now?” If the reply to the inquiry is negative, the driver license clerk shall not pursue the matter of voter registration. If the reply is affirmative, the driver license clerk shall proceed as specified in rule 11.2(48A).

821—11.5(48A) Registered clients. If the computer search invoked pursuant to 11.2“2” reveals the client is a registered voter, the driver license clerk shall review the record. If the name and address in the voter record are the same as the name and address in the driver record, the driver license clerk shall determine if changes are necessary in substantially the following manner: “According to the computer records, (name of client) is registered to vote in (name of county) county at (address, including city) and the telephone number is (telephone number, or “blank”). Are there any changes or corrections to this information?” The driver license clerk shall make appropriate computer entries based on the client’s reply. If the name and address in the voter record are not the same as the name and address in the driver license record, the driver license clerk shall determine the changes necessary in substantially the following manner: “According to the computer records, (name of client) is registered to vote in (name of county) county at (address, including city) and the telephone number is (telephone number or “blank”). I will change the (“name”), (“address”) or (“name and address”) as appropriate to that on the driver record. Is there a change to your county or telephone number?” The driver license clerk shall make appropriate computer entries based on the client’s reply.

821—11.6(48A) Signature on attestation required. At the conclusion of the client's business, clients who apply to register, or give information to update an existing registration shall be asked to sign the registration application attestation, either on a paper copy or an electronic version. Any client who fails to sign the attestation shall be deemed to have declined to apply to register to vote.

821—11.7(48A) Electronic voter registration transactions. Registration transactions shall be transmitted electronically to the registrar in accordance with 821—Chapter 8. Every transaction shall include the applicant's Iowa driver's license number or Iowa department of transportation-issued nonoperator's identification card number.

These rules are intended to implement Iowa Code section 48A.18.

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