

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.

3.2(1) Requests. 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.

3.2(2) Definition. The term “political purpose” means research, advocacy, or education relating to the election, administration, or governance of public policies or officials.
[ARC 7883B, IAB 7/1/09, effective 7/1/09; ARC 2521C, IAB 5/11/16, effective 6/15/16]

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 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.
[ARC 7883B, IAB 7/1/09, effective 7/1/09]

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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