

Senate File 413

S-3042

1 Amend Senate File 413 as follows:

2 1. Page 9, before line 17 by inserting:

3 <Sec. _____. Section 48A.7, Code 2021, is amended to read as
4 follows:

5 **48A.7 Registration in person.**

6 An eligible elector may register to vote by appearing
7 personally and completing a voter registration form at the
8 office of the commissioner in the county in which the person
9 resides, at a motor vehicle driver's license station, including
10 any county treasurer's office that is participating in county
11 issuance of driver's licenses under [chapter 321M](#), or at any
12 voter registration agency. A For paper registration forms,
13 a separate voter registration form shall be signed by each
14 individual registrant.

15 Sec. _____. Section 48A.8, subsection 1, Code 2021, is amended
16 to read as follows:

17 1. An eligible elector may request that a voter registration
18 form be mailed to the elector. The completed form may be
19 mailed or delivered by the registrant or the registrant's
20 designee to the commissioner in the county where the person
21 resides or to the state commissioner of elections for a
22 program participant, as provided in [section 9E.6](#). A For paper
23 registration forms, a separate voter registration form shall be
24 signed by each individual registrant.

25 Sec. _____. Section 48A.18, subsections 1 and 3, Code 2021,
26 are amended to read as follows:

27 1. Each state motor vehicle driver's license application,
28 including any renewal application or application for a
29 nonoperator's identification card, submitted to the office
30 of driver services of the state department of transportation
31 shall serve as an application for voter registration unless
32 the commissioner of registration determines that the applicant
33 is not an eligible elector or the applicant declines to
34 register to vote after receiving notification under subsection
35 4A. A completed application or paper voter registration

1 form submitted to the office of driver services of the state
2 department of transportation shall be considered to update any
3 previous voter registration by the registrant.

4 3. Information relating to the ~~refusal~~ decision of an
5 applicant for a driver's license to ~~apply~~ decline to register
6 to vote shall not be used for any purpose other than voter
7 registration.

8 Sec. _____. Section 48A.18, subsection 4, Code 2021, is
9 amended by striking the subsection and inserting in lieu
10 thereof the following:

11 4. *a.* The state voter registration commission shall
12 establish schedules by which the department of transportation
13 shall transmit to the state registrar of voters electronic
14 records containing the legal name, age, residence, and
15 citizenship information for, and the electronic signature of,
16 each person submitting an application under this section.

17 *b.* The state voter registration commission shall establish
18 schedules by which the state registrar of voters shall make
19 accessible or transmit electronic records and electronic
20 signatures received under paragraph "a" to the appropriate
21 commissioner of registration.

22 *c.* The state voter registration commission shall establish
23 schedules by which the department of transportation shall
24 transmit any completed paper registration forms to the
25 appropriate commissioner of registration.

26 *d.* The state commissioner of elections shall adopt rules,
27 consistent with section 9E.6, for the registration of address
28 confidentiality program participants.

29 *e.* The state voter registration commission shall adopt
30 rules pursuant to chapter 17A to administer and interpret this
31 section, including rules to establish electronic and paper
32 forms and all procedures used by the office of driver services
33 for voter registration purposes, rules to establish schedules
34 for transmission of electronic records, electronic signatures,
35 and completed paper voter registration forms, and rules and

1 forms to decline being registered to vote.

2 Sec. _____. Section 48A.18, Code 2021, is amended by adding
3 the following new subsection:

4 NEW SUBSECTION. 4A. *a.* (1) Upon receiving the electronic
5 record for, and electronic signature of, a person under
6 subsection 4, the state registrar of voters shall transmit or
7 otherwise make accessible the electronic record and electronic
8 signature of the person to the commissioner of registration
9 of the county where the person resides. Upon reviewing the
10 electronic record received from the state registrar of voters,
11 along with any other relevant information, the commissioner of
12 registration shall determine if a person is an eligible elector
13 of the county. If the commissioner determines that a person is
14 an eligible elector of the county and is not registered to vote
15 in that county, the commissioner shall notify the person of the
16 separate processes to decline being registered to vote or to
17 declare a political party affiliation.

18 (2) If the person is registered to vote in the county, the
19 commissioner shall use the electronic record and information to
20 update the person's voter registration if appropriate.

21 *b.* If a person notified under paragraph "a" does not decline
22 to be registered to vote within twenty-one calendar days after
23 the commissioner of registration issues the notification, the
24 person's electronic record and electronic signature shall
25 constitute a completed voter registration form under section
26 48A.11, and the commissioner of registration shall register the
27 person to vote in that county. The commissioner shall send an
28 acknowledgment pursuant to section 48A.26.

29 *c.* A commissioner of registration shall not add a person
30 subject to registration under this subsection to a voter
31 registration list until at least twenty-one calendar days
32 after the commissioner has issued notification to the person
33 as described in paragraph "a".

34 *d.* The electronic record and electronic signature, received
35 under this subsection, of a person who does not qualify

1 as an eligible elector shall not constitute a completed
2 voter registration form under section 48A.11 and such a
3 person's application for a driver's license or nonoperator's
4 identification card shall not be considered to be a voter
5 registration application for purposes of section 39A.2,
6 subsection 1, paragraph "a".

7 Sec. _____. Section 48A.19, subsection 1, Code 2021, is
8 amended by adding the following new paragraph:

9 NEW PARAGRAPH. *d.* The department of education and all
10 state offices that collect personal information sufficient to
11 complete a voter registration application, as determined by the
12 state commissioner.

13 Sec. _____. Section 48A.19, subsection 4, paragraph a,
14 unnumbered paragraph 1, Code 2021, is amended to read as
15 follows:

16 The A voter registration agency that does not collect
17 personal information sufficient to complete a voter
18 registration application shall provide a form to applicants
19 that includes all of the following:

20 Sec. _____. Section 48A.21, Code 2021, is amended to read as
21 follows:

22 **48A.21 Transmission of forms from agencies and driver's**
23 **license stations.**

24 1. The state registrar of voters shall adopt administrative
25 rules regulating the transmission of completed voter
26 registration forms from voter registration agencies and from
27 ~~driver's license stations, including county treasurer's offices~~
28 ~~participating in county issuance of driver's licenses under~~
29 ~~chapter 321M.~~ All completed voter registration applications
30 in the possession of a voter registration agency, ~~a driver's~~
31 ~~license station, or a county treasurer's office that is~~
32 ~~participating in county issuance of driver's licenses at 5:00~~
33 ~~p.m. on the last workday of each week shall be transmitted~~
34 ~~to the location designated by the state registrar of voters~~
35 ~~by rule. Procedures or requirements for more frequent~~

1 transmissions may be specified by rule.

2 2. a. The state voter registration commission shall
3 establish schedules by which the voter registration agencies
4 pursuant to section 48A.19 that collect personal information
5 sufficient to complete a voter registration application shall
6 transmit to the state registrar of voters electronic records
7 containing the legal name, age, residence, and citizenship
8 information for, and the electronic signature of, each person
9 providing personal information as described in this section.

10 b. The state voter registration commission shall establish
11 schedules by which the state registrar of voters shall make
12 accessible or transmit electronic records and electronic
13 signatures received under paragraph "a" to the appropriate
14 commissioner of registration.

15 c. The state voter registration commission shall establish
16 schedules by which voter registration agencies shall transmit
17 any completed paper registration forms to the appropriate
18 commissioner of registration.

19 d. The state commissioner of elections shall adopt rules,
20 consistent with section 9E.6, for the registration of address
21 confidentiality program participants.

22 e. The state voter registration commission shall adopt
23 rules pursuant to chapter 17A to administer and interpret this
24 section, including rules to establish electronic and paper
25 forms and all procedures used by voter registration agencies
26 for voter registration purposes, rules to establish schedules
27 for transmission of electronic records, electronic signatures,
28 and completed paper voter registration forms, and rules and
29 forms to decline being registered to vote.

30 3. a. (1) Upon receiving the electronic record for, and
31 electronic signature of, a person under subsection 2, the state
32 registrar of voters shall transmit or otherwise make accessible
33 the electronic record and electronic signature of the person to
34 the commissioner of registration of the county where the person
35 resides. Upon reviewing the electronic record received from

1 the state registrar of voters, along with any other relevant
2 information, the commissioner of registration shall determine
3 if a person is an eligible elector of the county. If the
4 commissioner determines that a person is an eligible elector
5 of the county and is not registered to vote in that county, the
6 commissioner shall notify the person of the separate processes
7 to decline being registered to vote or to declare a political
8 party affiliation.

9 (2) If the person is registered to vote in the county, the
10 commissioner shall use the electronic record and information to
11 update the person's voter registration if appropriate.

12 b. If a person notified under paragraph "a" does not decline
13 to be registered to vote within twenty-one calendar days after
14 the commissioner of registration issues the notification, the
15 person's electronic record and electronic signature shall
16 constitute a completed voter registration form under section
17 48A.11, and the commissioner of registration shall register the
18 person to vote in that county. The commissioner shall send an
19 acknowledgment pursuant to section 48A.26.

20 c. A commissioner of registration shall not add a person
21 subject to registration under this subsection to a voter
22 registration list until at least twenty-one calendar days
23 after the commissioner has issued notification to the person
24 as described in paragraph "a".

25 d. The electronic record and electronic signature, received
26 under this subsection, of a person who does not qualify as
27 an eligible elector shall not constitute a completed voter
28 registration form under section 48A.11 and such a person shall
29 not be considered to have submitted a voter registration
30 application for purposes of section 39A.2, subsection 1,
31 paragraph "a".

32 Sec. _____. Section 48A.26, subsection 1, paragraph b, Code
33 2021, is amended to read as follows:

34 b. (1) For a voter registration form or change of
35 information in a voter registration record submitted at a

1 precinct caucus, the commissioner shall send an acknowledgment
2 within forty-five days of receipt of the form or change of
3 information.

4 (2) For a voter registration application or change of
5 information in a voter registration record completed pursuant
6 to section 48A.18 or 48A.19, the commissioner shall send an
7 acknowledgment within seven working days of the person being
8 registered under either section.

9 Sec. _____. Section 48A.26, subsection 8, Code 2021, is
10 amended to read as follows:

11 8. ~~An~~ A completed voter registration application,
12 improperly transmitted under section 48A.18, subsection
13 4A, or under section 48A.21, subsection 2, or an improperly
14 addressed or delivered registration form shall be transmitted
15 or forwarded to the appropriate county commissioner of
16 registration within two working days after it is received by
17 any other official. The date of registration shall be the date
18 the completed application or registration form was received by
19 the first official. If the registration form was postmarked
20 fifteen or more days before an election and the registration
21 form was received by the first official after the close of
22 registration, the registration form shall be considered on time
23 for the election.>

24 2. Page 10, before line 18 by inserting:

25 <Sec. _____. Section 48A.36, subsection 1, Code 2021, is
26 amended to read as follows:

27 1. ~~Voter registration agencies and the office of driver~~
28 ~~services of the state department of transportation may~~
29 ~~electronically transmit registration data to the state~~
30 ~~registrar of voters, who shall distribute the information,~~
31 ~~electronically or otherwise, to the appropriate commissioner~~
32 ~~in accordance with rules of the state voter registration~~
33 ~~commission and the state registrar of voters. The office of~~
34 ~~driver services of the state department of transportation and~~
35 ~~voter registration agencies that collect personal information~~

1 sufficient to complete a voter registration application
2 shall electronically transmit registration data to the state
3 registrar of voters as required pursuant to sections 48A.18
4 and 48A.21. The state agency originating the registration
5 data shall permanently retain an electronic copy of the
6 form completed by the registrant, including the registrant's
7 signature, and shall develop procedures for the retrieval and
8 printing of that electronic document. A printed copy of an
9 electronic registration document shall be made only upon the
10 agency's receipt of a court order.>

11 3. Page 28, before line 31 by inserting:

12 <Sec. _____. Section 331.557A, subsection 5, Code 2021, is
13 amended to read as follows:

14 5. Participate in voter registration according to the
15 terms of chapter 48A, and submit completed voter registration
16 forms to the ~~state registrar of voters~~ appropriate county
17 commissioner of registration.>

18 4. Page 29, before line 1 by inserting:

19 <Sec. _____. EMERGENCY RULES. The state voter registration
20 commission, in consultation with the department of
21 transportation and voter registration agencies, may adopt
22 emergency rules under section 17A.4, subsection 3, and section
23 17A.5, subsection 2, paragraph "b", to implement the provisions
24 of this Act and the rules shall be effective immediately upon
25 filing unless a later date is specified in the rules. Any
26 rules adopted in accordance with this section shall also be
27 published as a notice of intended action as provided in section
28 17A.4.

29 Sec. _____. IMPLEMENTATION OF ACT. Section 25B.2, subsection
30 3, shall not apply to this Act.>

31 5. By renumbering as necessary.

LIZ MATHIS