

Senate Study Bill 1053

Bill Text

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1 1 Section 1. Section [48A.34](#), Code 1999, is amended to read
1 2 as follows:

1 3 48A.34 CONFIDENTIALITY OF CERTAIN RECORDS.

1 4 1. Voter registration records are available for public
1 5 inspection at reasonable times at the office of the county
1 6 commissioner. The commissioner and any voter registration
1 7 agency which has custody of voter registration records shall
1 8 take the necessary steps to ensure that the name of the agency
1 9 at which the voter registration form was submitted remains
1 10 confidential.

1 11 2. A person may request that the person's voter
1 12 registration record be kept confidential by submitting a
1 13 written request and a copy of a civil or criminal restraining
1 14 order or order for protection, naming the person or a member
1 15 of the person's household as plaintiff, to the county auditor
1 16 of the county in which the person resides. Upon receiving
1 17 such a request, the county auditor shall keep the person's
1 18 voter registration record confidential and shall not disclose
1 19 it as a public record.

1 20 3. A person may file a request in the district court of
1 21 that person's county of residence for an order requiring the
1 22 person's voter registration information to be kept
1 23 confidential. The request may be made on a form prepared by
1 24 the secretary of state. The form shall be available in all
1 25 county auditor offices.

1 26 The person shall include in the request an affidavit
1 27 stating the reasons the person believes the person's life or
1 28 safety or the life or safety of a member of the person's
1 29 household is in danger, and shall attach supporting
1 30 documentation, which may include but is not limited to:

1 31 a. A statement or report from a law enforcement agency,
1 32 medical professional, mental health professional, or domestic
1 33 violence shelter.

1 34 b. Witness statements regarding the incidents that cause
1 35 the person to believe the person's life or safety or the life
2 1 or safety of a member of the person's household is in danger.

2 2 Upon good cause shown in the request, affidavit, and
2 3 supporting documentation that the person believes the person's
2 4 life or safety or the life or safety of a member of the
2 5 person's household is in danger, the court shall order the
2 6 person's voter registration information to be kept
2 7 confidential. A copy of the order shall be mailed by the
2 8 clerk of the district court to the county auditor where the
2 9 person's voter registration record is maintained.

2 10 EXPLANATION

2 11 Iowa law allows all voter registration records to be
2 12 accessed by any member of the public. This bill creates two
2 13 methods by which a person may request confidentiality of the
2 14 person's voter registration information. The first process
2 15 allows the person to present to the county auditor of the
2 16 county in which the person resides a copy of a civil or
2 17 criminal restraining order or order for protection involving
2 18 the person or a member of the person's household. Upon the
2 19 person's request and presentation of such order to the county
2 20 auditor, the county auditor shall require the person's voter
2 21 registration record to be kept confidential.

2 22 The second process allows a person to file a request with
2 23 the district court in the county of the person's residence to
2 24 require the person's voter registration information be kept
2 25 confidential. The request shall include an affidavit stating
2 26 the person believes the person's life or safety or the life or
2 27 safety of a member of the person's household is in danger and
2 28 supporting documentation. The bill provides that supporting
2 29 documentation includes, but is not limited to, reports or
2 30 statements from law enforcement, a medical professional, a
2 31 mental health professional, or a domestic violence shelter,
2 32 and witness statements regarding the incidents that result in
2 33 the person's belief. The court shall order the person's voter
2 34 registration record be kept confidential upon showing of good
2 35 cause.

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