

SENATE FILE 2203  
BY LAMBERTI

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to confidentiality of voter registration records  
2 and property assessment information for certain persons and  
3 providing an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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STATE GOVERNMENT

SF 2203

1 Section 1. Section 48A.34, Code 2005, is amended to read  
2 as follows:

3 48A.34 CONFIDENTIALITY OF CERTAIN RECORDS.

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

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

22 3. In lieu of using the procedure in subsection 2, a  
23 person may file a request in the district court of that  
24 person's county of residence for an order requiring the  
25 person's voter registration information to be kept  
26 confidential. The request may be made on a form prepared by  
27 the state registrar of voters. The form shall be available in  
28 all county auditor offices.

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

34 a. A statement or report from a law enforcement agency,  
35 medical professional, mental health professional, or domestic

1 violence shelter.

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

5 Upon good cause shown in the request, affidavit, and  
6 supporting documentation that the person believes the person's  
7 life or safety or the life or safety of a member of the  
8 person's household is in danger, the court shall order the  
9 person's voter registration information to be kept  
10 confidential. A copy of the order shall be mailed by the  
11 clerk of the district court to the state registrar of voters  
12 and to the county auditor of the county where the person's  
13 voter registration record is maintained. Upon receipt of the  
14 copy of the order, the county auditor and the state registrar  
15 of voters shall keep the person's voter registration record  
16 confidential and shall not disclose it as a public record.

17 Sec. 2. NEW SECTION. 441.58 CONFIDENTIALITY REQUIRED FOR  
18 CERTAIN PERSONS.

19 1. Notwithstanding any provision to the contrary, the  
20 assessor, local board of review, and assessment appeal board  
21 shall keep confidential all information that is in the  
22 possession of the assessor, board of review, or assessment  
23 appeal board and that pertains to a property owner or taxpayer  
24 who has requested confidentiality under this section.

25 2. A person who is an owner or taxpayer may request that  
26 all information pertaining to the owner or taxpayer and in the  
27 possession of the assessor, the board of review, or the  
28 assessment appeal board be kept confidential by submitting a  
29 written request and a copy of a civil or criminal restraining  
30 order or order for protection, naming the person or a member  
31 of the person's household as plaintiff, to the assessor of the  
32 assessment jurisdiction in which the person resides and to the  
33 assessor of any assessment jurisdiction in which the person  
34 owns property or pays taxes on property. Upon receiving such  
35 a request, the assessor shall notify the chairperson of the

1 board of review and the executive secretary of the assessment  
2 appeal board and they shall keep all assessment information  
3 pertaining to the person confidential and shall not disclose  
4 it as a public record.

5 3. In lieu of using the procedure in subsection 2, a  
6 person who is an owner or taxpayer may file a request in the  
7 district court of that person's county of residence for an  
8 order requiring that all assessment information pertaining to  
9 the person be kept confidential. The request may be made on a  
10 form prepared by the department of revenue. The form shall be  
11 available in all city and county assessor offices.

12 The person shall include in the request an affidavit  
13 stating the reasons the person believes the person's life or  
14 safety or the life or safety of a member of the person's  
15 household is in danger and shall attach supporting  
16 documentation which may include but is not limited to:

17 a. A statement or report from a law enforcement agency,  
18 medical professional, mental health professional, or domestic  
19 violence shelter.

20 b. Witness statements regarding the incidents that cause  
21 the person to believe the person's life or safety or the life  
22 or safety of a member of the person's household is in danger.

23 Upon good cause shown in the request, affidavit, and  
24 supporting documentation that the person believes the person's  
25 life or safety or the life or safety of a member of the  
26 person's household is in danger, the court shall order that  
27 all assessment information pertaining to the person be kept  
28 confidential. A copy of the order shall be mailed by the  
29 clerk of the district court to the assessor of the assessment  
30 jurisdiction in which the person resides and to the assessor  
31 of the assessment jurisdiction where the person owns property.  
32 Each assessor receiving a copy of the order shall forward a  
33 copy of the order to the chairperson of the local board of  
34 review and to the executive secretary of the assessment appeal  
35 board. Upon receipt of the copy of the order, the assessor,

1 the local board of review, and the assessment appeal board  
2 shall keep confidential all assessment information pertaining  
3 to the person.

4 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
5 immediate importance, takes effect upon enactment.

6 EXPLANATION

7 This bill creates two methods by which a person may request  
8 confidentiality of the person's voter registration information  
9 and of any property tax assessment information pertaining to  
10 the person. The first process allows the person to present to  
11 the county auditor of the county in which the person resides  
12 or to the assessor of the jurisdiction where the person  
13 resides or owns property a copy of a civil or criminal  
14 restraining order or order for protection involving the person  
15 or a member of the person's household. Upon the person's  
16 request and presentation of such order to the county auditor,  
17 the county auditor shall notify the state registrar of voters  
18 (secretary of state) that the person's voter registration  
19 record is to be kept confidential. Upon the person's request  
20 and presentation of such order to the assessor, the assessor  
21 shall notify the local board of review and the assessment  
22 appeal board, all of whom shall keep the person's assessment  
23 information confidential.

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

1 the person's belief. The court shall order the person's voter  
2 registration record or any assessment information pertaining  
3 to the person be kept confidential upon showing of good cause.

4 The bill takes effect upon enactment.

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