

Senate File 2127 - Introduced

SENATE FILE 2127

BY SALMON

A BILL FOR

1 An Act relating to voter records created and retained by the
2 state commissioner of elections and county commissioners of
3 elections.

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

1 Section 1. Section 48A.38, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5. The registrar shall not impose any
4 requirements other than those in this section and section
5 48A.39 on the preparation of a list of registered voters and
6 shall immediately prepare a list of registered voters upon the
7 satisfaction of the requirements of this section and section
8 48A.39.

9 Sec. 2. Section 48A.39, Code 2024, is amended to read as
10 follows:

11 **48A.39 Use of registration information.**

12 Information about individual registrants obtained from
13 voter registration records shall be used only to request the
14 registrant's vote at an election, or for another genuine
15 political purpose, or for a bona fide official purpose by
16 an elected official, or for bona fide political research,
17 but shall not be used for any commercial purposes. For the
18 purposes of this section, "bona fide political research"
19 includes work by an individual to research and help maintain
20 the voter registration database.

21 Sec. 3. NEW SECTION. **49.106 Records preserved.**

22 1. At the conclusion of each election, the state
23 commissioner of elections shall create a record containing all
24 information in the statewide voter registration database at the
25 time of the election for each voter who voted in the election.
26 The state commissioner of elections shall maintain this record
27 for eight years.

28 2. A record created pursuant to this section shall be made
29 available in an electronic format at no cost upon request,
30 except that if the record is too large to be transmitted
31 electronically, the requester shall provide a device to store
32 the record.

33 Sec. 4. NEW SECTION. **52.39 Ballot logs.**

34 1. Each commissioner shall create a log of each vote cast in
35 the county for each primary and general election, which must be

1 in the form of a text, comma, or tab delimited file organized
2 in the order in which ballots were processed. The log must
3 include all of the following information for each ballot cast
4 in the county, if available:

5 a. The sequential identification number.

6 b. The timestamp.

7 c. The method by which the ballot was cast. A ballot that
8 was cast in person on election day shall be labeled "P", a
9 ballot that was cast as an absentee ballot shall be labeled
10 "A", and a ballot that was cast under the provisions of the
11 federal Uniformed and Overseas Citizens Absentee Voting Act
12 shall be labeled "U".

13 d. The candidates for whom the ballot was marked.

14 e. Batch identification number.

15 f. Tabulator identification number.

16 2. A log created pursuant to this section shall not include
17 personally identifiable information for any ballot, including a
18 voter's name, voter identification number, or address.

19 3. To the extent possible, data in the log shall be made
20 available on a per precinct basis.

21 4. A log created pursuant to this section shall be made
22 available in an electronic format at no cost upon request,
23 except that if the log is too large to be transmitted
24 electronically, the requester shall provide a device to store
25 the log.

26 5. A log created pursuant to this section shall be
27 maintained for eight years after the election for which the log
28 was created.

29 6. The state commissioner of elections shall adopt rules
30 pursuant to chapter 17A to implement this section.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to records created and retained by the
35 state commissioner of elections and county commissioners of

1 elections.

2 The bill prohibits the state registrar of voters from
3 imposing additional requirements on the preparation of a list
4 of registered voters other than those in Code sections 48A.38
5 (lists of voters) and 48A.39 (use of registration information)
6 and requires the state registrar of voters to immediately
7 prepare a list of registered voters upon the satisfaction of
8 those requirements. The bill defines "bona fide political
9 research", which is a permissible use of information obtained
10 from voter registration records under current law, to include
11 work by an individual to research and help maintain the voter
12 registration database.

13 The bill requires the state commissioner of elections to
14 create a record containing all information in the statewide
15 voter registration database at the time of an election for each
16 voter who voted in that election. The state commissioner of
17 elections shall maintain the record for eight years. A person
18 may request an electronic copy of the record at no cost.

19 The bill also requires each county commissioner of elections
20 to create a log of each ballot cast at each primary and general
21 election in the form of a text, comma, or tab delimited file.
22 The log must include, to the extent possible, each ballot's
23 sequential identification number, timestamp, method of voting,
24 selection of candidates, batch identification number, and
25 tabulator identification number. The log shall not include
26 any personally identifiable information for a voter. The bill
27 requires the data in the log to be made available on a per
28 precinct basis if possible. A person may request an electronic
29 copy of a log at no cost, and a log shall be maintained for
30 eight years following the election for which the log was
31 created.