

Senate File 351 - Introduced

SENATE FILE 351

BY SALMON

A BILL FOR

1 An Act relating to the conduct of elections, including
2 challenges to voter registrations by persons in other
3 counties and the preparation of lists of registered voters,
4 and making penalties applicable.

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

1 Section 1. Section 9E.6, subsection 1, paragraph b, Code
2 2023, is amended to read as follows:

3 b. A program participant's voter registration shall not
4 be open to challenge under section 48A.14 or 48A.14A based on
5 participation in the program and use of a designated address.

6 Sec. 2. Section 39A.3, subsection 1, paragraph a,
7 subparagraph (4), Code 2023, is amended to read as follows:

8 (4) Files a challenge containing false information under
9 section 48A.14, 48A.14A, or 49.79.

10 Sec. 3. NEW SECTION. **48A.14A Challenges of voter**
11 **registrations — other counties.**

12 1. The registration of a registered voter may be challenged
13 by another registered voter of a county in which the challenged
14 registered voter does not live subject to the conditions
15 and limitations of this section. A challenge shall be a
16 statement in writing to the commissioner of the county where
17 the challenged registrant lives alleging a reason under
18 section 48A.14, subsection 1, that the challenged registrant's
19 registration should not have been accepted or should be
20 canceled.

21 2. Except as otherwise provided in this section, a challenge
22 submitted pursuant to this section shall comply with section
23 48A.14.

24 3. The state registrar of voters shall create a form to
25 allow a registered voter to challenge the registration of a
26 registered voter in another county pursuant to this section
27 without the assistance of an attorney.

28 Sec. 4. Section 48A.15, subsection 1, Code 2023, is amended
29 to read as follows:

30 1. A challenge is valid if it meets the criteria in section
31 48A.14, subsections 1, 2, and 3, or section 48A.14A, as
32 applicable.

33 Sec. 5. Section 48A.16, Code 2023, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 3. This section does not require a

1 challenger who has submitted a challenge pursuant to section
2 48A.14A to attend a hearing held pursuant to subsection 1.

3 Sec. 6. Section 48A.38, Code 2023, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 4. The registrar shall not impose any
6 requirements other than those in this section and section
7 48A.39 on the preparation of a list of registered voters and
8 shall immediately prepare a list of registered voters upon the
9 satisfaction of the requirements of this section and section
10 48A.39.

11 Sec. 7. Section 48A.39, Code 2023, is amended to read as
12 follows:

13 **48A.39 Use of registration information.**

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

23 EXPLANATION

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

26 This bill relates to the conduct of elections, including
27 challenges to voter registration and the preparation of lists
28 of registered voters.

29 The bill allows a registered voter to challenge the voter
30 registration of a person in another county. The challenge
31 shall substantially comply with requirements under current law
32 for a challenger who lives in the same county as a challenged
33 registrant. The bill requires the state registrar of voters
34 to create a form to allow a registered voter to challenge the
35 registration of a registered voter in another county under the

1 bill without the assistance of an attorney. The bill does not
2 require the challenger to attend a hearing held regarding the
3 challenge.

4 A person who files a challenge containing false information
5 commits an aggravated misdemeanor. An aggravated misdemeanor
6 is punishable by confinement for no more than two years and a
7 fine of at least \$855 but not more than \$8,540.

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