

Senate File 159 - Introduced

SENATE FILE 159

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:

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1 Section 1. Section 48A.38, Code 2025, 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 2025, is amended to read as
10 follows:

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

12 Information about individual registrants obtained from voter
13 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 an
16 elected official, or for bona fide political research, but shall
17 not be used for any commercial purposes. For the purposes of
18 this section, "bona fide political research" includes work by an
19 individual to research and help maintain the voter registration
20 database.

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

22 1. At the conclusion of each election, the state commissioner
23 of elections shall create a record containing all information
24 in the statewide voter registration database at the time of the
25 election for each voter who voted in the election, which must be
26 organized by county. The state commissioner of elections shall
27 maintain this record 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, except
30 that if the record is too large to be transmitted electronically,
31 the requester shall provide a device to store the record.

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

33 1. Each commissioner of a county with a population of at
34 least one hundred thousand based on the most recent federal
35 decennial census shall create a log of each vote cast in the

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

6 a. The sequential identification number.

7 b. The timestamp.

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

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

15 e. Batch identification number.

16 f. Tabulator identification number.

17 2. Each commissioner of a county with a population of less
18 than one hundred thousand based on the most recent federal
19 decennial census shall maintain a ballot log as provided in
20 subsection 1, except that the log shall only include ballots that
21 were cast as absentee ballots.

22 3. A log created pursuant to this section shall not include
23 personally identifiable information for any ballot, including a
24 voter's name, voter identification number, or address.

25 4. To the extent possible, data in the log shall be made
26 available on a per precinct basis.

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

31 6. A log created pursuant to this section shall be maintained
32 for eight years after the election for which the log was created.

33 7. The state commissioner of elections shall adopt rules
34 pursuant to chapter 17A to implement this section.

35

EXPLANATION

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

3 This bill relates to records created and retained by the state
4 commissioner of elections and county commissioners of elections.

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

16 The bill requires the state commissioner of elections to
17 create a record containing all information in the statewide voter
18 registration database at the time of an election for each voter
19 who voted in that election, which must be organized by county.
20 The state commissioner of elections shall maintain the record for
21 eight years. A person may request an electronic copy of the
22 record at no cost.

23 The bill also requires each county commissioner of elections
24 of a county with a population of at least 100,000 to create a
25 log of each ballot cast at each primary and general election
26 in the form of a text, comma, or tab delimited file. The log
27 must include, to the extent possible, each ballot's sequential
28 identification number, timestamp, method of voting, selection
29 of candidates, batch identification number, and tabulator
30 identification number. The log shall not include any personally
31 identifiable information for a voter. For a county with a
32 population of less than 100,000, the bill requires the county
33 commissioner of elections to maintain a similar ballot log, but
34 only for absentee ballots. The bill requires the data in the
35 log to be made available on a per precinct basis if possible. A

- 1 person may request an electronic copy of a log at no cost, and
- 2 a log shall be maintained for eight years following the election
- 3 for which the log was created.

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