U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Admin Code 721-26.1(49) Overvote means to vote for more than the permitted number of choices for any office or question on a ballot

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Admin Code 721-26.1(49) Undervote means to vote for fewer than the permitted number of choices for any office or question on a ballot.

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Admin Code 721-26.1(49) Blank ballot means a ballot that contains no votes that can be detected by a tabulating device. Also see "unvoted ballot" – a ballot that has not been marked in any way.

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 49.100 Spoiled Ballots
Iowa Admin Code 721--- 22.232(6)
Iowa Admin Code 721 – 22.232(7)

2016 Response:

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Sections 49.79-49.81 Challenges
Iowa Code Section 53.31 Challenges

2016 Response:

f) Absentee

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 39.3(1) "Absentee ballot" means any ballot authorized by Chapter 53.
Iowa Code Chapter 53 Absentee Voters

2016 Response:

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa does not have true "early voting". Voters may vote early by absentee ballot either through the mail or in-person at the county auditor's office, or at designated satellite voting stations as early as 40 days before the election. The absentee ballots are placed in an envelope and not counted until Election Day.
Iowa Code Section 53.10 Absentee Voting at the Commissioner's Office
Iowa Code Section 53.11 Satellite Absentee Voting Stations
Iowa Admin Code 721—21.300(53)

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Admin Code 821-2.14(1): Active: The registration is in good standing. No action is required on the part of either the registrant or the commissioner.

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 48A.37(2) "Inactive records are records of registered voters to whom notices have been sent pursuant to section 48A.28, subsection 3, and who have not returned the card or otherwise responded to the notice, and those records have been designated to be inactive pursuant to section 48A.29. Inactive records are also records of registered voters to whom notices have been sent pursuant to section 48A.26A and who have not responded to the notice."
Iowa Admin Code 821-2.14(2) Inactive: If either an acknowledgment mailed to the registrant pursuant to Iowa Code section 48A.26 …a notice mailed to the registrant pursuant to Iowa Code section 48A.27… a notice mailed to the registrant pursuant Iowa Code section 48A.28 or an absentee ballot mailed to the registrant pursuant Iowa Code section 53.8 is returned to the commissioner by the United States Postal Service as undelieverable, the registrant's status shall be changed to "inactive" status. In addition, a voter registration record shall be made "inactive" pursuant to Iowa Code section 48A.27, subsection 4, paragraph "c"…during the annual NCOA process. Inactive registrants will be deleted

2016 Response:

j) Other terms (please specify) _____

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 48A.8 Registration by mail.
Iowa Code Section 48A.25A Verification of voter registration information.
Iowa Code Section 48A.37(2) Electronic registration records.
Iowa Admin Code 821-2.14(3) a. Pending: No DL or SSN Provided. If an applicant indicates that the applicant does not have an Iowa driver's license number, Iowa department of transportation-issued nonoperator's identification card number, or social security number, the applicant shall be assigned a status of "pending" with reason "No DL or SSN" provided. b. DL or SSN Not Verified. If the applicant provides an Iowa driver's license number, Iowa department of transportation-issued non-operator's identification card number, or the last four digits of the applicant's social security number cannot be verified…the applicant shall be assigned a status of pending with reason "DL or SSN Not Verified."

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. “Significant” does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

Iowa now has electronic voter registration for those possessing state driver's licenses or non-driving IDs through the DOT's website under Iowa Admin. Code 821.

Iowa's address confidentiality program, "Safe at Home" participants are exempted from public records and now have their voter registration information in a secure, protected database housed at SOS. Iowa Code chapter 9E.

SF 2147 (2016), passed unanimously, expanded the request for absentee ballots from submarine ballots to 120 days (previously it was 90 days).

HF 2273(2016), passed unanimously, contains a provision that allows the use of the USPS's Intelligent Mail Barcode to be used to determine the entrance date of absentee ballots to the postal system (an automated alternative to the traditional postmark). Use is at the discretion of county commissioners.

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa has a "top-down" voter registration system. Each of 99 counties maintains the data for their county. All data is live and available upon entry to the system by the counties.

2016 Response:

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not applicable.

2016 Response:

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 48A.30 Cancellation of voter registration:
1. A voter's registration can be canceled for any of the following reasons: The registered voter dies.
2. The registered voter registers to vote in another jurisdiction.
3. The registered voter requests the cancellation in writing.
4. The clerk of the district court, or the U.S. attorney or the state registrar sends notice of the voter's conviction of a felony.
5. The clerk of the district court or the state registrar sends notice that the voter has been declared incompetent to vote under state law.
6. The registered voter's registration record has been inactive pursuant to Code of Iowa, Ch. 48A.29.

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

County auditors will match their lists against the Iowa Dept. of Transportation's list for verification purposes. Although this is not a "live match" the master file is downloaded once a week from the IDOT's secure FTP site in a text file format. The file is then loaded into the state's database and matched with existing voter registration information. We follow a similar procedure with the Iowa State Health Department for the purposes of identifying deceased persons.

2016 Response:

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Admin Code 821-9 National Change of Address Program
Iowa contracts annually with a NCOA vendor. An exported list of all registered voters in Iowa is matched with the vendor's files and the matches are then imported back into the state's Voter Registration Database for processing. Records indicating the voter's new and old addresses are within the county are updated and the status of the voter is unchanged. These voters will receive a mailing at their new address informing them that their address has been updated. A postage paid card is also included in the event that the voter needs to correct an error.
For records indicating that the voter's NCOA address is in a different county or state than the original address, the voter's status will be changed to inactive and mailings will be sent to the new address letting them know that NCOA has indicated that they have moved will need to register in their new county or state. This mailing will also include a postage paid card to respond if the voter needs to correct an error.

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Iowa Code Section 48A.6 Disqualified Electors
A convicted felon cannot vote in the State of Iowa until his/her rights have been restored. In January, 2011, Governor Branstad rescinded Executive Order 42, which established the automated process of felon voting rights restoration. After that rescission, each individual must make an application for restoration to the Iowa Governor's Office. Yes, if the Secretary of State's office does not have record of a voting rights restoration, a registrant will generally be required to show evidence of restoration before being allowed to register and vote.

2016 Response:

The Iowa Constitution disqualifies those who have been convicted of "infamous crimes". Iowa Code defines "infamous" as all felonies. This was upheld as constitutional by Iowa S. Ct. in Summer 2016: Griffin v. Pate. (2016 Iowa Sup. LEXIS 79 Griffin v. Pate, No. 15-1661, 2016 Iowa Sup. LEXIS 79 (June 30, 2016)). In 2014 the Iowa S. Ct. determined that no level of misdemeanor were "infamous".

There is a process in place wherein once the governor's office processes a restoration, we receive a copy and update the voter registration system, removing the felon status which allows county officials to process a registration for the voter. Governor's office reduced the number of questions on the application for restoration in summer 2016.

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Yes, the Iowa Secretary of State's website provides a downloadable voter registration form. Voters are also able to fill-in this form electronically. The form must then be printed, signed and mailed to the Secretary of State's Office or to the respective County Auditor's Office.

2016 Response:

Registrants possessing a driver's license, or non-operator ID, may register to vote (etc) via the DOT's portal. Registrants through this process have no paper-requirements.

Paper applications are still available to mail in.

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All ballots cast early and not at the precinct on Election Day are considered to be absentee ballots, and all absentee ballots, mail-in ballots and ballots cast at satellite stations are counted on Election Day in a central location.
Iowa Code Section 53.20 (1)-(2) Special Precinct Established: Every county should establish…a special precinct to be known as the absentee ballot and special voters precinct…Results from the special precinct shall be reported

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No, the ballots will remain with the special precinct. However, a breakdown of the absentee and provisional votes by precinct will also be reported.
Iowa Code Section 53.20 (2) continued…
The commissioner shall for general elections also report the results of the special precinct by the resident precincts of the voters who cast absentee and provisional ballots. For all other elections, the commissioner may report the results of the

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See previous answer and Iowa Code Section 53.20

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
UOCAVA ballots are counted in with all other absentee ballots.	

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Iowa Code Section 53.1 Right to Vote –Conditions – The third reason for voting under this section is "…when the voter expects to be unable to go to the polls and vote on election day." Voters are not required to provide any written or verbal excuse when applying to vote absentee	

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
No. Iowa does not provide for in-person early voting in the traditional sense. The state does provide for early in-person absentee voting. See previous absentee section.	

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No.

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 49.81 Procedure for a voter to cast a provisional ballot.
A prospective voter who is prohibited under:
Iowa Code Section 48A.8 (4) A registrant who is [an eligible elector who registers by mail and who has not previously voted in an election for federal office in the county of registration] who is required to present identification when casting a ballot in-person shall be permitted to vote a provisional ballot if the voter does not provide the required identification documents. If a voter who is required to present identification when casting a ballot votes an absentee ballot by mail, the ballot returned by the voter shall be considered a provisional ballot…
Iowa Code Section 49.77(4) A person whose name does not appear on the election register of the precinct in which that person claims the right to vote shall not be permitted to vote, unless the person affirms that the person is currently registered in the county and presents proof of identity… If the commissioner finds no record of the person's registration but the person insists that the person is a registered voter of the precinct, the precinct election officials shall allow the person a cast a ballot in the manner prescribed [provisional ballot].

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Those ballots are automatically rejected. Iowa Code Section 49.79(2). Challenges. A person may be challenged for any of the following reasons: (d) the challenged person is not a resident of the precinct where the person is offering to vote.
Iowa Code Section 49.81 Procedure for voter to cast provisional ballot. Each person who casts a provisional ballot under this section shall receive a printed statement…the statement shall contain information regarding… casting a provisional ballot because the person's qualifications as a registered voter have been challenged, the allegations contained in the written challenge, a description of the challenge process, and the person's right to address the challenge… Also, any eligible elector may present written statements or documents supporting or opposing the counting of any provisional ballot.
Iowa Code Section 53.23 Special Precinct election board. This is the body responsible for counting provisional ballots
Iowa Code Section 50.22 Special precinct board to determine challenges and canvass absentee ballots. The special precinct board reviews the provisional ballots and all the evidence submitted in support of or in opposition to the right of challenged person to vote in the election…The decision to count or reject each ballot shall be made upon the basis of the information given on the envelope containing the provisional ballot, the evidence concerning the challenge, the registration and the returned receipts of registration. If the provisional ballot is rejected, the person casting the ballot shall be notified within 10 days of the rejection.
Overview: The ballots of voters who do not vote in the precinct in which they live/are registered, must be rejected by the Special Precinct Board. There are no statutory provisions in Iowa that permit counting a portion of a provisional ballot. Voters who vote provisional ballots at the polls are given a form which tells them when and where the special precinct board will meet and that they are allowed to present evidence as to why their ballot should be counted.

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 49.124 Training course by commissioner –continuing education program.
Precinct election officials (poll workers) must be trained prior to every primary and general election. The personnel trained includes: all precinct election officials and any other persons who will be employed in or around the polling places on election day. Iowa Code Section 49.126 Manual by state commissioner. It shall be the duty of the state commissioner to provide a training manual and such additional materials as may be necessary to all commissioners for conducting the required training course and to revise the manual from time to time as may be necessary.

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 50.24 (3) Canvass by board of supervisors:
The board shall certify an election canvass summary report prepared by the commissioner. The election canvass summary report shall include the results of the election, including scatterings, overvotes, and undervotes, by precinct for each contest and public measure that appear on the ballot of the election.
Iowa Admin Code 721-26.3 Reporting overvotes and undervotes; requires "reports from computerized voting equipment and canvass summaries for precinct, county and state canvasses of votes shall include the number of overvotes and undervotes for each office and question on the ballot…"
Iowa's election night results reporting program is configured to collect total overvotes and undervotes for every contest on the ballot at the time county commissioners enter election results into the statewide systems to prepare the canvass summaries referred to in the administrative rule quoted above.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa Code Section 48A.7 Registration in Person
Iowa Code Section 48A.7A (1) (b) (1) Election Day and In-Person Absentee Registration: For purpose of this section, a person may establish identity and residency by presenting… a current and valid Iowa driver's license or Iowa nonoperator's identification card or presenting any of the following current and valid forms of identification if such identification contains the person's photograph and a validity expiration date:
(a) An out-of-state driver's license or nonoperator's identification card
(b) A United States passport
(c) A United State military identification card
(d) An identification card issued by an employer
(e) A student identification card issued by an Iowa high school or an Iowa post secondary educational institution.
If the photographic identification presented does not contain

2016 Response:

b. casting an in-person ballot;

☒ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Iowa Code Section 49.77 (3)-(5) Ballot Furnished to Voter. It depends on the voter's current status. If the voter is an "active" voter, they are not required to show identification. If the voter is in either "inactive" or "pending" status, they will not appear on the election register therefore, the voter is required to show either a current and valid photo id card or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. Iowa Admin Code, 721-21.3(3). Voters registering to vote on Election Day must show identification listed in Iowa Code Section 48A.7A.

2016 Response:

Clarification:

It depends on the voter's current status. If the voter is an "active" voter, they are not required to show identification. If the voter is in either "inactive" or "pending" status, they will appear on the election register and the voter is required to show either a current and valid photo id card or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. Iowa Admin Code, 721-21.3(3). Voters registering to vote on Election Day must show identification listed in Iowa Code Section 48A.7A.

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Voters casting mail-in absentee ballots are not required to show ID. If their status is "pending", they are required to show an id before they vote. If they are an "inactive" voter they are required to fill out a new voter registration form, absentee request, or provide a copy of their ID by mail before their ballot can be counted. Iowa Admin Code 721—21.301 Absentee ballot requests from voters whose records are inactive. ,
Iowa Admin Code 821—2.14(1)-(3) Voter Registration Status Codes

2016 Response:

Clarification:

Voters casting mail-in absentee ballots are not required to show ID. If their status is "pending", they are required to show an id before they vote. If they are an "inactive" voter they become active based on submission of the absentee request. If a voter becomes inactive after an absentee ballot has been requested he or she required to fill out a new voter registration form, absentee request, or provide a copy of their ID by mail before their ballot can be counted. Iowa Admin Code 721—21.301 Absentee ballot requests from voters whose records are inactive.
Iowa Admin Code 821—2.14(1)-(3) Voter Registration Status Codes

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Voter identification is not required.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Precinct election officials are authorized under Iowa law to request identification
from any elector "unknown to the official" on election day. Iowa Code Section
49.77(3) Ballot furnished to Voter.

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Iowa law is very specific about persons allowed at the polling place on election day. Iowa Code Section 49.104 Persons Permitted at Polling Places: "The following persons shall be permitted to be present at and in the immediate vicinity of the polling places, provided they do not solicit votes:
1. Any person who is by law authorized to perform or is charged with the performance of official duties at the election.
2. Any number of persons, not exceeding three at a time from each political party having candidates to be voted for at such election, to act as challenging committees, who are appointed and accredited by the executive or central committee of such political party or organization.
3. Any number of persons not exceeding three at a time from each of such political parties, appointed and accredited in the same manner as above prescribed for challenging committees, to witness the counting of ballots…
4. Any peace officer assigned or called upon to keep order or maintain compliance with the provisions of this chapter, upon request of the commissioner or of the chairperson of the precinct election board.
5. One observer at a time representing any nonparty political organization, any candidate nominated by petition pursuant to chapter 45, or any other nonpartisan candidate in a city or school election, appearing on the ballot of the election in progress. Candidates who send observers to the polls shall provide each observer with a letter of appointment in the form prescribed by the state commissioner.
6. Any persons expressing an interest in a ballot issue to be voted upon at an election except a general or primary election. Any such person shall file a notice of intent to serve as an observer with the commissioner before election day. If more than three persons file a notice of intent to serve at the same time with respect to ballot issues at an election, the commissioner shall appoint from those submitting a notice of intent the three persons who may serve at that time as observers, and shall provide a schedule to all persons who filed notices of intent. The appointees, whenever possible, shall include both opponents and proponents of the ballot issues.
7. Any person authorized by the commissioner, in consultation with the secretary of state, for the purposes of conducting and attending educational voting programs for youth.
8. Reporters, photographers, and other staff representing news media. However, representatives of the news media, while present at or in the immediate vicinity of the polling places, shall not interfere with the election process in any

2016 Response:

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A new chapter was added to the Iowa Administrative Rules in response to Section 402 of HAVA. It is Iowa Admin Code 721—25. It was effective on 12/17/2003 and has not been amended since that time.

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

N/A

2016 Response:

New Secretary of State (Paul Pate) administration started in January 2015.

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below

Appendix A – Iowa 2014 Responses

B2. Iowa Code Chapter 48A Voter Registration

Iowa Admin Code 821-2.14(48A) Voter Registration Status Codes

An Iowa voter becomes inactive when:

- An acknowledgment mailed to the registrant is returned undeliverable. **Iowa Code Section 48A.26 (6).**
- A voter registration card is returned as undeliverable. **Iowa Code Section48A.29**
- An absentee ballot is returned as undeliverable. **Iowa Admin Code 821-2.14**
- The annual NCOA process matches a voter with an address in different county or different state. **Iowa Code Section 48A. 28**
- A voter record shows no activity for two (2) successive General Elections and a mailed confirmation is returned as undeliverable, or the mailed confirmation is returned with information stating a change in the person living at the address. **Iowa Code Section 48A.27**

The process is the same for all domestic voters in the voter registration database. For UOCAVA voters **Iowa Admin Code 721-21.320(g)(1)** applies.

1. When an absentee ballot for a UOCAVA voter is returned undeliverable by the USPS or an e-mail server or a fax cannot be transmitted to the number provided by the voter, the commissioner shall do the following:

1. Verify that the commissioner's office sent the absentee ballot to the address, Email address or fax number requested by the UOCAVA voter…

2. If the absentee ballot was sent to the correct mailing address, E-mail address or fax number the commissioner shall E-mail the voter…if on file…that the voter's ballot was undeliverable and the commissioner must be provided with a new FPCA containing a new mailing address if the voter wishes to continue to receive absentee ballots.

3. If the absentee ballot was sent to the correct mailing address, E-mail address, or fax number, the commission shall also attempt to contact the voter by sending a forwardable notice to both the voter's residential address and the voter's absentee mailing address informing the voter that the voter's ballot was returned undelieverable, and the commissioner must be provided with a new FPCA containing a new mailing address, E-mail address, or fax number…

4. If the absentee ballot was mailed, E-mailed or sent to the correct address or fax number the commissioner shall terminate the voter's current FPCA and shall not send the voter any further ballot unless a new absentee ballot request is received from the voter.

Overview: UOCAVA voters will not become "inactive" but their FPCA request will be cancelled. Domestic voters will be moved from inactive to active status when they update their voter registration, vote in an election (after showing ID to the appropriate election official) or request an absentee ballot **Iowa Admin Code 721-21.4**. ID requirements for inactive voters appearing to vote can be found in **Iowa Admin Code 721-21.3**.

Iowa Code Section 48A.27 Changes to voter registration records. This section describes when a person's voter registration may be changed.

Iowa Code Section 48A.28 Systematic confirmation program

This section describes the process under NVRA for matching voters' addresses with NCOA vendors' changes each year The process is the same for all voters in the voter registration database, including UOCAVA voters.