



# Iowa

## *Voter Registration & Voter List Maintenance Guide*

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# State Guide to Voter Registration & Voter List Maintenance Statutes

This is a guide to your state's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

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# Who can I contact with election related questions?

## [Link to Elections Official](#)

<b>Chief Elections Office:</b>	Paul D. Pate, Secretary of State <a href="#">Elections Division</a>
<b>Physical Address:</b>	First Floor, Lucas Building 321 E. 12th St. DesMoines, IA 50319
<b>Mailing Address:</b>	First Floor, Lucas Building 321 E. 12th St. DesMoines, IA 50319
<b>Phone Number:</b>	515-281-0145
<b>Fax Number:</b>	515-281-4682
<b>Online Contact:</b>	<a href="mailto:sos@sos.iowa.gov">sos@sos.iowa.gov</a>

# How do I register to vote?

[Link to Register](#)  
[Link to Statutes](#)

## **48A.5 Voter qualifications.**

To vote in Iowa, you must be registered to vote.

To qualify to register to vote, you must be:

- A U.S. citizen,
- An Iowa resident, and
- At least 17 years old. A person may vote if they will be 18 years old on or before election day. In the case of primary elections, a person may vote if they will be 18 years old on or before the corresponding regular election.

You cannot:

- Be a convicted felon (unless your voting rights have been restored),
- Be judged mentally incompetent to vote by a court,
- Claim the right to vote in any other place.

# How do I cancel my voter registration?

[Link to Statutes](#)

## **48A.30 Cancellation of voter registration.**

1. The voter registration of a registered voter shall be canceled if any of the following occurs:
  - c. The registered voter requests the cancellation in writing. For the purposes of this subsection, a confirmation by the registered voter that the registered voter is no longer a resident of the county constitutes a request for cancellation.

# How is voter list maintenance handled?

## [Link to Statutes](#)

### **48A.27 Changes to voter registration records.**

4.a. A commissioner, either independently or in cooperation with the state registrar of voters, and in accordance with rules of the state voter registration commission, may enter into an agreement with a licensed vendor of the United States postal service participating in the national change of address program to identify registered voters of the county who may have moved either within or outside the county.

b. If the information provided by the vendor indicates that a registered voter has moved to another address within the county, the commissioner shall change the registration records to show the new residence address, and shall also mail a notice of that action to the new address. The notice shall be sent by forwardable mail, and shall include a postage prepaid preaddressed return form by which the registered voter may verify or correct the address information.

c. If the information provided by the vendor indicates that a registered voter has moved to an address outside the county, the commissioner shall make the registration record inactive, and shall mail a notice to the registered voter at the new address.

(1) The notice shall be sent by forwardable mail, and shall include a postage paid preaddressed return card on which the registered voter may state the registered voter's current address.

(2) The notice shall contain a statement in substantially the following form:

Information received from the United States postal service indicates that you are no longer a resident of, and therefore not eligible to vote in (name of county) County, Iowa. If this information is not correct, and you still live in (name of county) County, please complete and mail the attached postage paid card at least fifteen days before any election at which you wish to vote. If the information is correct and you have moved, please contact a local official in your new area for assistance in registering there. If you do not mail in the card, you may be required to show identification before being allowed to vote in (name of county) County. If you do not return the card, and you do not vote in an election in (name of county) County, Iowa, on or before (date of second general election following the date of the notice) your name will be removed from the list of voters in that county.

d. If the information provided by the vendor indicates the registered voter has moved to another county within the state, the notice required by paragraph "c" shall include a statement that registration in the county of the person's current residence is required.

e. If a registered voter returns a card sent pursuant to this subsection and confirms that the registered voter has moved to a new residence outside the county, the commissioner shall cancel the registration of the voter.

f. If a registered voter returns a card sent pursuant to this subsection and states that the registered voter's residence address has not changed for the purpose of voter registration, the commissioner shall reinstate the record to active status, making any other changes directed by the registrant in the notice.

5. The commissioner shall keep a record of the names and addresses of the registered voters to whom notices under this section are sent and the date of the notice. When the return card from a notice is received by the commissioner, the commissioner shall record the date it was received and whether the registrant had moved within the county, moved to an address outside the county, or had not changed residence.

#### **48A.28 Systematic confirmation program.**

1. Each commissioner shall conduct a systematic program that makes a reasonable effort to remove from the official list of registered voters the names of registered voters who have changed residence from their registration addresses.
2. a. A commissioner shall participate in the United States postal service national change of address program, as provided in section 48A.27. The state voter registration commission shall adopt rules establishing specific requirements for participation and use of the national change of address program.  
b. A commissioner participating in the national change of address program, in the first quarter of each calendar year, shall send a notice and preaddressed, postage paid return card by forwardable mail to each registered voter whose name was not reported by the national change of address program and who has not voted in the most recent general election and has not registered again or who has not reported a change to an existing registration. Registered voters receiving such notice shall be marked inactive. The form and language of the notice and return card shall be specified by the state voter registration commission by rule. A registered voter shall not be sent a notice and return card under this subsection more frequently than once in a four-year period. A registered voter shall not be sent a notice and return card under this subsection if the registered voter was not eighteen years of age on the date of the general election.

#### **48A.29 Procedure upon return of confirmation card.**

1. If a confirmation notice and return card sent pursuant to section 48A.28 is returned as undeliverable by the United States postal service, the commissioner shall make the registration record inactive and shall mail a notice to the registered voter at the registered voter's most recent mailing address, as shown by the registration records.
  - a. The notice shall be sent by forwardable mail, and shall include a postage paid preaddressed return card on which the registered voter may state the registered voter's current address.
  - b. b. The notice shall contain a statement in substantially the following form:  
Information received from the United States postal service indicates that you are no longer a resident of (residence address) in (name of county) County, Iowa. If this information is not correct, and you still live in (name of county) County, please complete and mail the attached postage paid card at least fifteen days before any election at which you wish to vote. If the information is correct, and you have moved, please contact a local official in your new area for assistance in registering there. If you do not mail in the card, you may be required to show identification before being allowed to vote in (name of county) County. If you do not return the card, and you do not vote in some election in (name of county) County, Iowa, on or before (date of second general election following the date of the notice) your name will be removed from the list of voters in that county.
2. When a detachable return card originally attached to a confirmation notice is returned indicating that the registered voter is still a resident of the address shown on the registration records, the commissioner shall make a record of the date the card was received.
3. When a detachable return card originally attached to a confirmation notice is returned by anyone other than the registered voter indicating that the registered voter is no longer a resident of the registration address, the commissioner shall make the registration record inactive, and shall mail a notice to the registered voter at the registered voter's most recent mailing address, as shown by the registration records.

#### **48A.29 Procedure upon return of confirmation card, cont.**

a. The notice shall be sent by forwardable mail, and shall include a postage paid preaddressed return card on which the registered voter may state the registered voter's current address.

b. The notice shall contain a statement in substantially the following form:

Information received by this office indicates that you are no longer a resident of (residence address) in (name of county) County, Iowa. If the information is not correct, and you still live at that address, please complete and mail the attached postage paid card at least fifteen days before any election at which you wish to vote. If the information is correct, and you have moved within the county, you may update your registration by listing your new address on the card and mailing it back. If you have moved outside the county, please contact a local official in your new area for assistance in registering there. If you do not mail in the card, you may be required to show identification before being allowed to vote in (name of county) County. If you do not return the card, and you do not vote in some election in (name of county) County, Iowa, on or before (date of second general election following the date of the notice) your name will be removed from the list of registered voters in that county.

#### **48A.30 Cancellation of voter registration.**

1. The voter registration of a registered voter shall be canceled if any of the following occurs:

- a. The registered voter dies. For the purposes of this subsection, the commissioner may accept as evidence of death a notice from the state registrar of vital statistics forwarded by the state registrar of voters, a notice from the federal social security administration, a written statement from a person related to the registered voter within the second degree of consanguinity or first degree of affinity, an obituary in a newspaper or that appears on the internet site of a funeral establishment licensed under chapter 156 or by the proper authority of another state, a written statement from an election official or personal representative of the registered voter's estate, or a notice from the county recorder of the county where the registered voter died.
- b. The registered voter registers to vote in another jurisdiction, and the commissioner receives notice of the registration from the registration official in the other jurisdiction.
- c. The registered voter requests the cancellation in writing. For the purposes of this subsection, a confirmation by the registered voter that the registered voter is no longer a resident of the county constitutes a request for cancellation.
- d. The clerk of the district court, or the United States attorney, or the state registrar sends notice of the registered voter's conviction of a felony as defined in section 701.7, or conviction of an offense classified as a felony under federal law. The clerk of the district court shall send notice of a felony conviction to the state registrar of voters. The registrar shall determine in which county the felon is registered to vote, if any, and shall notify the county commissioner of registration for that county of the felony conviction.
- e. The clerk of the district court or the state registrar sends notice that the registered voter has been declared a person who is incompetent to vote under state law.
- f. The registered voter is not a resident of Iowa, or the registered voter submits documentation under section 607A.4, subsection 5, that indicates that the voter is not a citizen of the United States.
- g. The registered voter's registration record has been inactive pursuant to section 48A.28 or 48A.29 for two successive general elections.

2. When a registration is canceled pursuant to subsection 1, paragraph "d", "e", or "g", the commissioner shall send a notice of the cancellation to the registered voter.

#### **48A.31 Deceased persons record.**

The state registrar of vital statistics shall transmit or cause to be transmitted to the state registrar of voters, once each calendar quarter, a certified list of all persons seventeen years of age and older in the state whose deaths have been reported to the state registrar of vital statistics since the previous list of decedents was certified to the state registrar of voters. The list shall be submitted according to the specifications of the state registrar of voters and shall be transmitted to the state registrar of voters without charge for production or transmission. The commissioner shall, in the month following the end of a calendar quarter, run the statewide voter registration system's matching program to determine whether a listed decedent was registered to vote in the county and shall immediately cancel the registration of any person named on the list of decedents.

#### **48A.32 Destruction or removal of canceled voter registration records.**

Twenty-two months after the next general election following the cancellation of a person's voter registration, the commissioner may destroy all records of that person's registration. At the discretion of the commissioner, canceled records may be donated to a historical society if all confidential information has been removed from the records.

#### **48A.40 Voter list maintenance reports.**

1. The commissioner of registration shall annually submit to the state registrar of voters a report regarding the number of voter registration records marked inactive or canceled pursuant to sections 48A.28 through 48A.30. The state registrar of voters shall publish such reports on the internet site of the state registrar of voters.
2. The state registrar of voters shall determine by rule the form and submission deadline of reports submitted pursuant to subsection 1.

#### **48A.41 Voter registration maintenance audits — investigations.**

1. The state registrar of voters shall conduct an audit of voter registration maintenance by each commissioner of registration in April of each odd-numbered year, on a schedule determined by the state registrar of voters.
2. If in the course of an audit under this section the state registrar of voters finds that a commissioner of registration has failed to perform required voter list maintenance, the state registrar of voters shall submit the audit to the attorney general within twenty-four hours for investigation of a violation of section 39A.3, subsection 1, paragraph "b", subparagraph (9), or other provision of law.

### **[The National Voter Registration Act of 1993](#)**

Congress enacted the National Voter Registration Act of 1993 (also known as the "NVRA" and the "Motor Voter Act"), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).



# List of voter registration statuses and their definitions

## [Link to Statutes](#)

Registration Statuses	
<p><b>Active</b> - Qualified electors. All voter records that do not fall under other categories.</p>	<p>Section 48A.37 Section 48A.5</p>
<p><b>Inactive</b> - Inactive records are records of registered voters to who notices have been sent pursuant to section 48A.28, and who have not returned the card or otherwise responded to the notice, and those records have been designated 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. <u>An inactive record shall be made active when the registered voter requests an absentee ballot, votes at an election, registers again, or reports a change of name, address, telephone number, or political party or organization affiliation.</u></p>	<p>Section 48A.28 Section 48A.29 Section 48A.26A Section 48A.37</p>
<p><b>Incomplete</b> - Incomplete records are records missing required information pursuant to section 48A.11, subsection 8. <u>An incomplete record shall be made active when a completed application is received from the applicant and verified pursuant to section 48A.25A.</u></p>	<p>Section 48A.25A Section 48A.37</p>
<p><b>Pending</b> - Pending records are records of applicants whose applications have not been verified pursuant to section 48A.25A. <u>A pending record shall be made active upon verification or upon the voter providing identification pursuant to section 48A.8.</u></p>	<p>Section 48A.37 Section 48A.8</p>
<p><b>Canceled</b> - Canceled records are records that have been canceled pursuant to section 48A.30.</p>	<p>Section 48A.30</p>

# How do I file a HAVA complaint?

[Link to HAVA Plan](#)

[Link to Form](#)

The Chief State Election Official, acting in the capacity of state commissioner of elections, has enacted administrative rules establishing a statewide complaint system to receive and process complaints regarding alleged violations of the requirements contained in Title III of the Help America Vote Act, HAVA sections 301 through 305. The complaint procedure complies with all requirements of HAVA section 402, and is in the form of a contested case proceeding governed by the minimum procedural requirements of the Iowa Administrative Procedures Act, Iowa Code chapter 17A.

Any person who believes that there is a violation of any provision of Title III, including a violation which has occurred, is occurring, or is about to occur, by any state or local election official, may file a complaint with the state commissioner. All complaints shall be in writing, signed and notarized, and be sworn under oath. Each complaint must identify the complainant by name and mailing address, and include a clear and concise description of the alleged violation that is sufficiently detailed — including the name and address of each respondent, if known — to inform both the respondent and the presiding officer of the nature of the alleged violation.

# How do I file a non-HAVA election complaint?

[Link to Process](#)

[Link to Statute](#)

## **39A.7 Election misconduct — investigation.**

1. The attorney general or county attorney shall investigate allegations of election misconduct reported to the attorney general or county attorney. Election misconduct by an election official shall also be investigated for prosecution under chapter 721.
2. Upon the completion of an investigation required by this section, the attorney general or county attorney shall submit the results of the investigation to the state commissioner and explain whether the attorney general or county attorney will pursue charges.

# Who can I contact regarding an election related complaint?

<b>Attorney General:</b>	Brenna Bird
<b>Physical Address:</b>	Hoover State Office Building 1305 E. Walnut Street
<b>Mailing Address:</b>	Office of the Attorney General of Iowa Hoover State Office Building 1305 E. Walnut Street
<b>Phone Number:</b>	515-281-5164
<b>Email Address:</b>	<a href="mailto:webteam@ag.iowa.gov">webteam@ag.iowa.gov</a>
<b>Website:</b>	<a href="https://www.iowaattorneygeneral.gov/election-fraud-and-misconduct">https://www.iowaattorneygeneral.gov/election-fraud-and-misconduct</a>

<b>Secretary of State:</b>	Paul D. Pate
<b>Physical Address:</b>	First Floor, Lucas Building 321 E. 12th St Des Moines, IA 50319
<b>Mailing Address:</b>	Iowa Secretary of State's Office Elections Division 321 E. 12th Street Des Moines, IA 50319
<b>Phone Number:</b>	515-281-0145
<b>Email Address:</b>	<a href="mailto:sos@sos.iowa.gov">sos@sos.iowa.gov</a>
<b>Online Contact:</b>	<a href="https://sos.iowa.gov/contactus.html">https://sos.iowa.gov/contactus.html</a>