

52.1 Alternative voting systems definitions.

1. At all elections conducted under chapter 49, and at any other election unless specifically prohibited by the statute authorizing the election, votes may be cast, registered, recorded and counted by means of either voting machines or electronic voting systems, in accordance with this chapter.

2. As used in this chapter, unless the context otherwise requires:

a. "Automatic tabulating equipment" means apparatus, including but not limited to electronic data processing machines, which may be utilized to ascertain the manner in which special paper ballots have been marked by voters, and count the votes marked thereon.

b. "Ballot" includes a special paper ballot. In appropriate contexts, *"ballot"* also includes conventional paper ballots.

c. "Counting center" means any place selected by the commissioner where automatic tabulating equipment is available, or is placed, for the purpose of counting votes marked on ballots cast in two or more precincts.

d. "Electronic voting system" means a system employing special paper ballots under which votes are:

(1) Cast by voters by marking special paper ballots with a vote marking device; and

(2) Thereafter counted by use of automatic tabulating equipment.

e. "Program" means the written record of the set of instructions defining the operations to be performed by a computer in examining, counting, tabulating, and printing votes.

f. "Special paper ballot" means a printed ballot designed to be marked by a voter with a vote marking device.

g. "Vote marking device" means a pen, pencil or similar writing tool for use in marking a special paper ballot, so designed or fabricated that the mark it leaves may be detected and the vote so cast counted by automatic tabulating equipment.

h. "Voting machine" means a mechanical or electronic device, meeting the requirements of section 52.7, designated for use in casting, registering, recording, and counting votes at an election. *"Voting machine"* includes, but is not limited to, direct recording electronic devices.

[S13, § 1137-a7; C24, 27, 31, 35, 39, § **904**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 52.1]

86 Acts, ch 1224, § 17, 18; 2002 Acts, ch 1134, §50, 51, 115; 2004 Acts, ch 1083, §24, 37