

52.2 Purchase.

1. Except as otherwise provided in subsection 2, the board of supervisors of a county may, by a majority vote, authorize, purchase, and order the use of voting machines or an optical scan voting system in any one or more voting precincts within the county until otherwise ordered by the board of supervisors. Voting machines and an optical scan voting system may be used concurrently at the same precinct.

2. Notwithstanding any provision to the contrary:

a. On or after July 1, 2007, a county whose voting system primarily utilizes voting machines, as defined in section 52.1, shall, when seeking to replace the voting system, replace the voting system with an optical scan voting system only. The requirements of the federal Help America Vote Act relating to disabled voters shall be met by a county through the use of electronic ballot marking devices that are compatible with an optical scan voting system.

b. On or after July 1, 2007, a county that utilizes a voting machine, as defined in section 52.1, and an optical scan voting system concurrently at the same precinct shall, when seeking to replace the voting machine, replace the voting machine with an electronic ballot marking device that is compatible with an optical scan voting system in order to ensure that each precinct in the county shall have at least one electronic ballot marking device.

[S13, § 1137-a8; C24, 27, 31, 35, 39, § **905**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 52.2]

2004 Acts, ch 1083, §25, 37; 2007 Acts, ch 190, §6