

**53.41 Records by commissioner — excess requests or ballots.**

1. The commissioner of each county shall establish and maintain a record of all requests for ballots which are made, and of all ballots transmitted, and the manner of transmittal, from and received in the commissioner's office under the provisions of [this subchapter](#).

2. If more than one request for absent voter's ballot for a particular election is made to the commissioner before the ballots are ready to mail by or on behalf of a voter in the armed forces of the United States, the last request received shall be honored, except that if one of the requests is made by the voter, the request of the voter shall be honored in preference to a request made on the voter's behalf by another.

3. Not more than one ballot shall be transmitted by the commissioner to any voter for a particular election unless after the ballot has been mailed the voter reports a change in the address to which the ballot should be sent. A ballot shall be mailed using a serial number that indicates that this is a replacement sent to an updated address. The original ballot shall be counted only if the replacement ballot does not arrive. If the commissioner receives more than one absent voter's ballot, provided for by [this subchapter](#), from or purporting to be from any one voter for a particular election, all of the ballots so received from or purporting to be from such voter are void, and the commissioner shall not deliver any of the ballots to the precinct election officials, but shall retain them in the commissioner's office, and preserve them for the period and under the conditions provided for in [sections 50.12, 50.13, 50.15, and 50.19](#).

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.41]

[89 Acts, ch 136, §56; 2007 Acts, ch 59, §33, 38; 2010 Acts, ch 1061, §9; 2014 Acts, ch 1026, §143](#)

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