

**49.84 Marking and return of ballot.**

1. *a.* After receiving the ballot, the voter shall immediately go to the next available voting booth and without delay mark the ballot. All voters shall vote in booths.

*b.* Before leaving the voting booth, the voter may enclose the ballot in a secrecy folder to conceal the marks on the ballot.

*c.* If the precinct has automatic tabulating equipment that will not permit more than one ballot to be inserted at a time, the voter may insert the ballot into the tabulating device; otherwise, the election official shall place the ballot in the ballot box. An identifying mark or symbol shall not be endorsed on the voter's ballot.

2. **This section** does not prohibit a voter from taking minor children into the voting booth with the voter.

[C51, §257; R60, §492; C73, §617; C97, §1117, 1119; S13, §1119; C24, 27, 31, 35, 39, §801; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §49.84]

[94 Acts, ch 1180, §16](#); [2002 Acts, ch 1134, §41, 115](#); [2009 Acts, ch 57, §34](#)

Referred to in [§43.38](#)