

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](#)