

**49.90 Assisting voter.**

1. Any voter who may declare upon oath that the voter is blind, cannot read the English language, or is, by reason of any physical disability other than intoxication, unable to cast a vote without assistance, shall, upon request, be assisted by the two officers as provided in [section 49.89](#), or alternatively by any other person the voter may select in casting the vote, except that the voter shall not select a person standing for election on the ballot. The officers, or the person selected by the voter, shall cast the vote of the voter requiring assistance, and shall thereafter give no information regarding the vote cast. If any elector because of a disability cannot enter the building where the polling place for the elector's precinct of residence is located, the two officers shall take a paper ballot to the vehicle occupied by the elector with a disability and allow the elector to cast the ballot in the vehicle. Ballots cast by voters with disabilities shall be deposited in the regular ballot box, or inserted in the tabulating device, and counted in the usual manner.

2. A person standing for election on the ballot before a voter commits a violation of [section 49.88](#) by occupying the voting booth with the voter.

[C97, §1118; C24, 27, 31, 35, 39, §807; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, §49.90; [81 Acts, ch 34, §31](#)]

[84 Acts, ch 1291, §9](#); [96 Acts, ch 1129, §16](#); [2007 Acts, ch 190, §25](#); [2009 Acts, ch 57, §35](#); [2021 Acts, ch 12, §39, 73](#); [2025 Acts, ch 123, §23, 24](#)

Referred to in [§49.88](#), [49.89](#), [52.26](#), [53.22](#)

2025 amendment effective January 1, 2026; 2025 Acts, ch 123, §24

Section amended