

## **49.25 Equipment required at polling places.**

1. In any county or portion of a county for which voting machines have been acquired under section 52.2 the commissioner shall determine pursuant to section 49.26, in advance of each election conducted for a city of three thousand five hundred or less population, or any school district, and individually for each precinct, whether voting in that election shall be by machine or by paper ballot. In counties in which conventional paper ballots are not used, the commissioner shall furnish voting equipment for use by voters with disabilities.

2. The commissioner shall furnish to each precinct, in advance of each election, voting machines meeting the requirements of chapter 52 or voting booths, as the case may be, in the following number:

*a.* At each regularly scheduled election, at least one for every three hundred fifty voters who voted in the last preceding similar election held in the precinct.

*b.* At any special election at which the ballot contains only a single public measure or only candidates for a single office or position, the number determined by the commissioner.

3. The commissioner shall furnish to each precinct where voting is to be by paper ballot or optical scan ballot, rather than by voting machine, the necessary ballot boxes, suitably equipped with seals or locks and keys, and voting booths. The voting booths shall be approved by the board of examiners for voting machines and optical scan voting systems and shall provide for voting in secrecy. At least one voting booth in each precinct shall be accessible to persons with disabilities. If the lighting in the polling place is inadequate, the voting booths used in that precinct shall include lights. Ballot boxes shall be locked or sealed before the polls open and shall remain locked or sealed until the polls are closed, except as provided in section 51.7 or to provide necessary service to a malfunctioning portable vote tallying device. If a ballot box is opened prior to the closing of the polls, two precinct election officials not of the same party shall be present and observe the ballot box being opened.

4. Secrecy folders or sleeves shall be provided for use at any precinct where ballots are used which cannot be folded to obscure the marks made by the voters.

[C51, § 254; R60, § 489; C73, § 614; C97, § 1113, 1130, 2756; S13, § 1130, 2756; C24, 27, § 743, 744, 4209; C31, 35, § 743, 744, 4216-c14; C39, § **743, 744, 4216.14**; C46, 50, 54, 58, 62, 66, 71, 73, § 49.25, 49.26, 277.14; C75, 77, 79, 81, § 49.25]

90 Acts, ch 1007, §1; 96 Acts, ch 1129, § 113; 97 Acts, ch 170, § 26, 27; 2007 Acts, ch 190, §19; 2008 Acts, ch 1115, §93