

49.28 Commissioner to furnish registers and supplies.

1. The commissioner shall prepare and furnish to each precinct an election register and all other books, forms, materials, equipment, and supplies necessary to conduct the election.

2. *a.* After the registration deadline and before election day the commissioner shall prepare an election register for each precinct in which voting will occur on the day of the election. The precinct election register shall be a list of the names and addresses of all registered voters of the precinct. Inactive records listed in the election register shall be clearly identified with a special mark or symbol.

b. When a precinct is divided by a district boundary, and some, but not all, registered voters of the precinct may vote on an issue or office from that district, the election register shall clearly indicate which of the registered voters are entitled to vote in the district.

3. *a.* The commissioner shall furnish a supply of printed ballots to each precinct where voting machines are to be used for any election.

b. In any precinct in which voting machines are designated as the only method of voting for an election, a paper ballot shall be furnished to any person offering to vote under the provisions of section 49.81 or 49.90 or to any person offering to vote if any of the following apply:

(1) A power failure prevents use of the voting machines.

(2) A malfunction occurs that prevents the use of one or more voting machines.

(3) A malfunction occurs preventing one or more voting machines from producing the paper record required in section 52.7, subsection 2.

(4) Any other conditions existing due to a fault of one or more voting machines that prevents a person offering to vote from casting the person's ballot.

c. The ballots furnished by the commissioner shall be the same as the ballots used for voters casting ballots pursuant to sections 49.81 and 49.90, and voting shall be in accordance with statutory provisions relating to conventional paper ballots. After a paper ballot has been voted under this subsection, the precinct election official shall place the voted ballot in a closed container to be kept in a secure manner in a secure place.

[C51, § 255; R60, § 490; C73, § 615; C97, § 1113, 1132, 2756; S13, § 1087-a16, 2756; C24, 27, § 561, 746, 4209; C31, 35, § 561, 746, 4216-c14; C39, § **561, 746, 4216.14**; C46, 50, 54, 58, 62, 66, 71, 73, § 43.33, 49.28, 277.14; C75, 77, 79, 81, § 49.28]

94 Acts, ch 1169, §49; 2007 Acts, ch 190, §1