

### **49.53 Publication of ballot and notice.**

1. The commissioner shall not less than four nor more than twenty days before the day of each election, except those for which different publication requirements are prescribed by law, publish notice of the election. The notice shall contain a facsimile of the portion of the ballot containing the first rotation as prescribed by section 49.31, subsection 2, and shall show the names of all candidates or nominees and the office each seeks, and all public questions, to be voted upon at the election. The sample ballot published as a part of the notice may at the discretion of the commissioner be reduced in size relative to the actual ballot but such reduction shall not cause upper case letters appearing in candidates' names or in summaries of public measures on the published sample ballot to be less than ninety percent of the size of such upper case letters appearing on the actual ballot. The notice shall also state the date of the election, the hours the polls will be open, the location of each polling place at which voting is to occur in the election, the location of the polling places designated as early ballot pick-up sites, and the names of the precincts voting at each polling place, but the statement need not set forth any fact which is apparent from the portion of the ballot appearing as a part of the same notice. The notice shall include the full text of all public measures to be voted upon at the election.

2. The notice shall be published in at least one newspaper, as defined in section 618.3, which is published in the county or other political subdivision in which the election is to occur or, if no newspaper is published there, in at least one newspaper of substantial circulation in the county or political subdivision. For the general election or the primary election the foregoing notice shall be published in at least two newspapers published in the county. However, if there is only one newspaper published in the county, publication in one newspaper shall be sufficient.

[C51, § 1110; R60, § 463, 2027, 2030; C73, § 578, 1718, 1719; C97, § 1062, 1112, 2746, 2750, 2751, 2755; S13, § 1087-a12, 2750, 2755; C24, § 508, 550, 551, 790, 4195, 4197, 4208; C27, § 508, 550, 551, 790, 4195, 4197, 4208, 4211-b1, 4216-b3; C31, 35, § 508, 550, 551, 590, 4216-c3; C39, § **508, 550, 551, 790, 4216.03**; C46, 50, 54, § 39.5, 43.23, 43.24, 49.72, 277.3; C58, 62, 66, 71, 73, § 39.5, 43.23, 43.24, 43.29, 49.72, 277.3; C75, 77, 79, 81, § 49.53]

87 Acts, ch 221, § 15; 89 Acts, ch 136, §40; 93 Acts, ch 143, § 17; 98 Acts, ch 1123, § 5; 2002 Acts, ch 1134, §33, 115; 2007 Acts, ch 190, §2

### **Footnotes**

Publication of ballot, city elections, § 376.5