**721—22.261(52) Election Systems & Software Voting Systems—preparation and use in elections.**

**22.261(1)** *Security.* The commissioner shall have a written security plan for the voting system. Access to equipment, programs and passwords shall be limited to those persons authorized in writing by the commissioner. The security plan shall be reviewed at least annually.

*a.* Passwords used at the polling places on election day shall be changed for each election.

*b.* The control key for the precinct automatic tabulators shall be in the possession of the precinct chairperson on election day.

**22.261(2)** *Precinct automatic tabulator configuration choices.* The following settings are mandatory for all elections.

*a.* *Ballot control.* In an official election, the commissioner shall not program the precinct automatic tabulators for unconditional acceptance of all ballots, shall not divert blank ballots to the write-in bin, and shall always accept undervoted ballots. The system shall be programmed to query the voter in each of the following situations:

(1) Overvoted ballot.

(2) Blank ballot.

(3) Unreadable ballot.

*b.* *Unit control.* The commissioner shall not select automatic transmission of election results by modem. The precinct officials must print the official results at the polling place before transmitting them.

*c.* *Reports.* The following are required reports:

(1) Opening the polls. Print the Zero Certification report.

(2) Closing the polls. Print the poll report before transmitting the election results by modem. The poll report is the official record of the votes cast in the precinct on election day. The following certification text shall appear at the end of the poll report:

> We, the undersigned precinct election officials of this precinct, hereby attest that this tape
> shows the results of all ballots cast and counted by the Optical Scan tabulation device at this
> election.
> [print lines for each of the officials to sign]
> Precinct Election Officials                Date: _____                Time: _____

*d.* *Reopen polls.* The commissioner shall enable the option to reopen the polls, but protect it against unauthorized use. If it is necessary to reopen the polls, the chairperson of the precinct board shall contact the commissioner for the password.

*e.* *Ballot images.* Rescinded IAB 7/23/14, effective 8/27/14.

**22.261(3)** *Central count automatic tabulator configuration choices.* The following settings are mandatory for all elections in which the M650 or DS850 is used.

*a.* *Ballot control.* In an official election, the commissioner shall program the central count automatic tabulator to accept overvoted ballots and undervoted ballots. The commissioner shall program the central count automatic tabulator to sort blank ballots and unreadable ballots as required by Iowa Code section 52.37. Ballots with write-in votes may be sorted for further review by the absentee and special voters precinct board at the commissioner's discretion.

*b.* *Reports.* The following are required reports:

(1) Opening the polls. Before ballots are tabulated in the central count automatic tabulator, a Zero Certification report shall be printed.

(2) Closing the polls. After all ballots are tabulated by the central count automatic tabulator, a poll report shall be printed. The poll report is the official record of ballots tabulated in the absentee precinct. The following certification text shall appear at the end of the poll report:

> We, the undersigned precinct election officials of this precinct, hereby attest that this tape
> shows the results of all ballots cast and counted by the Optical Scan tabulation device at this
> election.
> [print lines for each of the officials to sign]
> Precinct Election Officials                Date: _____                Time: _____

*c.* *Reopen polls.* The commissioner shall enable the option to reopen the polls, but protect it against unauthorized use.

*d.* *Ballot images.* Rescinded IAB 7/23/14, effective 8/27/14.

**22.261(4)** *Ballot printing.*

*a.* *Format.* The office title, instructions about the maximum number of choices the voter can make for the office, the candidate names and all write-in lines associated with each office on the ballot shall be printed in a single column on the same side of the ballot. When describing the maximum number of choices the voter can make for the office, the following description for each office shall be used: "Vote for no more than xx." Do not include "vote for" language for public measures or judges. All text and the "yes" and "no" choices for each public measure and for each individual judge on a ballot shall be printed in a single column on the same side of the ballot. No office or public measure on any ballot shall be divided to appear in more than one column or on more than one page of a ballot.

*b.* *Instructions for voters.* The following instructions shall be printed on ballots:

(1) Voting mark. "To vote, fill in the oval next to your choice."

(2) Public measures. "Notice to voters. To vote to approve any question on this ballot, fill in the oval in front of the word 'Yes'. To vote against a question, fill in the oval in front of the word 'No'."

**22.261(5)** *System error messages.* At the discretion of the commissioner, precinct election officials may be provided with a list of routine error messages, including messages that relate to paper jams, which do not rise to the level of voting equipment malfunctions and the appropriate responses. The officials may be instructed to contact the commissioner or the commissioner's designee on election day for all other messages or routine errors for which appropriate responses have not been provided by the commissioner.

**22.261(6)** *Record retention.* The precinct automatic tabulating equipment uses thermal printers. The maximum anticipated life span of the results from each automatic tabulator is only five years. In order to preserve the permanent record of the precinct results required by Iowa Code section 50.19, the commissioner shall print a copy of the results of each precinct on permanent paper and store these copies with the tally lists from precincts where the precinct automatic tabulators were used.

[**ARC 9468B**, IAB 4/20/11, effective 5/25/11; **ARC 0801C**, IAB 6/26/13, effective 7/31/13; **ARC 1548C**, IAB 7/23/14, effective 8/27/14; **ARC 3447C**, IAB 11/8/17, effective 12/31/17]