

101.011 Voting by paper ballot.--

(1) In counties where paper ballots are used, each elector shall be given a ballot by the inspector. Before delivering the ballot to the elector, one of the inspectors shall write his or her initials or name on the stub attached to the ballot; then the elector shall, without leaving the polling place, retire alone to a booth or compartment provided, and place an "X" mark after the name of the candidate of his or her choice for each office to be filled, and likewise mark an "X" after the answer he or she desires in case of a constitutional amendment or other question submitted to a vote.

(2) No paper ballot shall be voided or declared invalid in any election within the state by reason of the fact that the ballot is marked other than with an "X," so long as there is a clear indication thereon to the election officials that the person marking such ballot has made a definite choice, and provided further, that the mark placed on the ballot with respect to any candidate by any such voter shall be located in the blank space on the ballot opposite such candidate's name.

(3) After preparing his or her paper ballot, the elector shall fold the ballot so as to conceal the face of the ballot and show the stub attached with the name or initials of the inspector and hand it to the receiving inspector, who shall detach the stub and return the ballot to the elector to deposit in the ballot box in the presence of the inspectors. The detached stubs shall be numbered consecutively and filed by the inspectors.

(4) If the elector marks more names than there are persons to be elected to an office, or if it is impossible to determine the elector's choice, his or her ballot shall not be counted for the office; but this shall not vitiate the ballot as to those names which are properly marked, and nothing in this code shall be construed to prevent any elector, at any general election, from voting for any qualified candidate other than one whose name is printed on the ballot.

(5) Any elector who shall, by mistake, spoil a ballot so he or she cannot vote the ballot may return it to the inspectors, who shall immediately detach the stub, destroy the ballot without examination, and give the elector another ballot. In no case shall an elector be furnished with more than three ballots or carry a ballot outside the polling room. The clerk shall keep a record of all ballots destroyed.

(6) At a general election an elector may vote for a write-in candidate by writing in the name of such person in the blank space provided.