

**§739. Ballots and incoming voting lists available for inspection**

On request, a municipal clerk or the Secretary of State, or both, shall produce any ballots or incoming voting lists in their custody before the Governor, either branch of the Legislature, any legislative committee or a court of competent jurisdiction. Original ballots produced under this section must remain in the sole custody of the requester until they are returned to the municipal clerk or Secretary of State, and the requester shall maintain the ballots in a secure location. Inspection of ballots produced under this section is subject to oversight by the relevant municipal clerk, the Secretary of State or the Secretary of State's designee. If there is an unresolved disputed ballot for an election to the State House of Representatives or the State Senate arising from a recount conducted pursuant to section 737-A, the Secretary of State shall make a copy of that ballot available for inspection by the public. A copy of a ballot that is made available for public inspection pursuant to this section must be made available in a manner that preserves the voter's anonymity. Copies of disputed ballots made available for public inspection under this section must be retained by the Secretary of State for a period of 2 years after the outcome of the election is finally determined. [PL 2021, c. 536, §4 (AMD).]

After the time for completion of recounts following any election has elapsed, and on request of any person, the clerk of any municipality or the Secretary of State, or both, shall produce any incoming voting lists in the clerk's or Secretary of State's custody. [PL 2011, c. 258, §1 (AMD).]

**SECTION HISTORY**

PL 1985, c. 161, §6 (NEW). PL 1993, c. 473, §33 (AMD). PL 1993, c. 473, §46 (AFF). PL 2011, c. 258, §1 (AMD). PL 2021, c. 536, §4 (AMD).

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