

FIRST REGULAR SESSION

HOUSE BILL NO. 1165

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McNEIL (Sponsor), ATKINS AND FRAME (Co-sponsors).

2438L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 115.081, 115.087, and 115.089, RSMo, and to enact in lieu thereof three new sections relating to election judges.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 115.081, 115.087, and 115.089, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 115.081, 115.087, and 115.089, to read as follows:

115.081. 1. Each election authority shall appoint election judges for each polling place within its jurisdiction in accordance with the provisions of this section.

2. [In all primary and general elections, the election authority shall appoint at least two judges from each major political party to serve at each polling place. No major political party shall have a majority of the judges at any polling place. No established party shall have a greater number of judges at any polling place than any major political party.

3. In any election that is not a primary or general election, the election authority shall appoint at least one judge from each major political party to serve at each polling place. No major political party shall have a majority of the judges at any polling place. No established party shall have a greater number of judges at any polling place than any major political party.

4.] **The election authority shall select judges at random from a cross section of the population in the election authority's jurisdiction. All qualified residents of the election authority's jurisdiction shall have the opportunity to be considered for service as an election judge.**

3. The election authority shall [designate] **appoint** two [of the] judges [appointed] for each polling place, one from each major political party, as supervisory judges. Supervisory

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 judges shall be responsible for the return of election supplies from the polling place to the
18 election authority and shall have any additional duties prescribed by the election authority.

19 [5.] 4. Election judges may be employed to serve for the first half or last half of any
20 election day. Such judges shall be paid one-half the regular rate of pay. If part-time judges are
21 employed, the election authority shall employ such judges and shall see that a sufficient number
22 for each period are present at all times so as to have the proper total number of judges present
23 at each polling place throughout each election day. The election authority shall require that at
24 each polling place at least one election judge from each political party serve a full day and that
25 at all times during the day there be an equal number of election judges from each political party.

26 [6. An election authority may appoint additional election judges representing other
27 established political parties and additional election judges who do not claim a political
28 affiliation.] 5. Any question which requires a decision by the majority of judges shall only be
29 made by [the] **all** judges [from the major political parties] **at each polling place.**

115.087. 1. In each county which does not have a board of election commissioners, the
2 election judges shall be selected from lists provided by the county committee of each major
3 political party or as authorized pursuant to section 115.081. Not later than December tenth in
4 each year in which county committeemen are elected, the county committee of each major
5 political party shall submit to the election authority a list of persons qualified to serve as election
6 judges in double the number required to hold a general election in the county. For each election,
7 the election authority shall select and appoint the number of judges required to hold the election.
8 If a county committee fails to present the prescribed number of names of qualified persons by
9 the time prescribed, the election authority [may] **shall** select and appoint [the number of judges
10 provided by law for the county committee's party] **judges at random from a cross section of**
11 **the population in the election authority's jurisdiction. All qualified residents of the election**
12 **authority's jurisdiction shall have the opportunity to be considered for service as an**
13 **election judge.** If the election authority deems any person on a list to be unqualified, the election
14 authority may request the county committee which submitted the list to furnish another name.

15 2. The state chairperson of each established political party may, in jurisdictions where
16 no county committee exists and where the county clerk is the election authority, submit a list of
17 persons qualified to serve as election judges to the county clerk. The county clerk may select and
18 appoint additional judges from such list pursuant to section 115.081.

19 3. County clerks may compile a list of persons who claim no political affiliation and who
20 volunteer to be election judges. A county clerk may select and appoint additional judges from
21 such list pursuant to section 115.081.

115.089. Each board of election commissioners shall have authority to appoint election
2 judges for individual elections, or for a term coincident with the term of the board and until the

3 judges' successors are appointed and qualified. **The election authority shall select and appoint**
4 **judges at random from a cross section of the population in the election authority's**
5 **jurisdiction. All qualified residents of the election authority's jurisdiction shall have the**
6 **opportunity to be considered for service as an election judge.** The board may ask the county
7 committee of each major political party to submit a list of persons qualified to serve as election
8 judges and may select and appoint judges from the lists. The board may compile a list of persons
9 who claim no political affiliation and who volunteer to be election judges and may select and
10 appoint judges from the list.

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