

FIRST REGULAR SESSION

# HOUSE BILL NO. 587

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES REMOLE (Sponsor), LOVE, GUERNSEY, MUNTZEL,  
MARSHALL, FITZPATRICK, HOUGHTON, PFAUTSCH AND KELLEY (127) (Co-sponsors).

1595L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 115.115, RSMo, and to enact in lieu thereof one new section relating to polling places for registered sex offenders.

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

Section A. Section 115.115, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.115, to read as follows:

115.115. 1. Except as provided in subsection 2 of this section or in section 115.436, for each election within its jurisdiction, the election authority shall designate a polling place for each precinct within which any voter is entitled to vote at the election.

2. For any election, the election authority shall have the right to consolidate two or more adjoining precincts for voting at a single polling place and to designate one set of judges to conduct the election for such precincts. Voters shall be notified of the place for voting in the manner provided in section 115.127 or 115.129.

3. No person shall be required to go to more than one polling place to vote on the same day.

4. Prior to the opening of the polling places on any election day, if candidates or issues for more than one political subdivision or district are to be voted for at one precinct, the election authority for that precinct shall provide color-coded ballots, or ballots with other distinguishing codes, to show what candidates and issues the voter is eligible to vote, based on the voter's place of residence, so that on election day no voter will have an opportunity to vote for candidates or issues for which the voter is not entitled to vote. If such ballots are not available, the election

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.

16 authority shall be notified and voting at that precinct shall not begin until appropriate ballots are  
17 available.

18         5. Each local election authority shall designate one common site and may designate up  
19 to four additional common sites as election day central polling places designed for accessibility  
20 to voters who have physical disabilities, the elderly, and any other registered voter authorized  
21 by law to vote at a central polling place. Such sites shall conform to nationally accepted  
22 accessibility standards. In addition to being able to supply such voters with their appropriate  
23 ballots, and being open during regular voting hours, such a polling place shall otherwise be  
24 staffed and operated in accordance with law, especially as provided in subsection 3 of section  
25 115.436 and subsection 3 of section 115.445, and like any other polling place, insofar as  
26 possible.

27         6. Subject to receipt of sufficient Section 261 funds authorized by the Help America  
28 Vote Act of 2002, the secretary of state shall develop a comprehensive plan for increased polling  
29 place accessibility. The secretary of state shall apply for funds pursuant to Section 261 of the  
30 Help America Vote Act of 2002 and may allocate Section 101 of the Help America Vote Act of  
31 2002 funding after reaching full compliance of Title III of the Help America Vote Act of 2002.  
32 Any funds received pursuant to Section 291 of the Help America Vote Act of 2002 may be used  
33 for provisions of this section. The plan shall include:

34         (1) Completion of a comprehensive audit of current polling place accessibility using  
35 nationally accepted standards for architectural accessibility such as the Federal Election  
36 Commission Polling Place Accessibility Survey or other survey developed using the Americans  
37 with Disabilities Act Accessibility Guidelines. Audits shall be completed no later than twelve  
38 months after receipt of Section 261 of the Help America Vote Act of 2002 funds. The audit shall  
39 include recommendations and cost estimates for each polling place to achieve accessibility and  
40 shall be procured in accordance with chapter 34;

41         (2) Development of the plan, including time lines for barrier removal and funding needed  
42 to achieve one hundred percent polling place accessibility within twenty-four months after the  
43 completion of the audit. The implementation plan may be used by local election authorities in  
44 applying for any available federal and state funds available to improve polling place accessibility  
45 and shall be submitted to the general assembly by the secretary of state for use in determining  
46 future requirements and funding needs for polling place accessibility;

47         (3) Establishment of an oversight committee made up of individuals with disabilities,  
48 disability organizations, advocates, and election officials to assist the activities pursuant to this  
49 section.

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51 Nothing in this section shall be construed to limit the ability of local election authorities to apply  
52 for and receive grants for polling place accessibility pursuant to Section 261 of the Help America  
53 Vote Act of 2002 prior to the completion of the survey authorized pursuant to this section.  
54 Improvements to polling places made with grants received pursuant to Section 261 of the Help  
55 America Vote Act of 2002 shall be used to meet standards as outlined in this section unless the  
56 requirements of the grant exceed these requirements.

57 **7. Each local election authority shall designate the office of the county clerk of the**  
58 **county as the polling place of each person required to register as a sexual offender under**  
59 **sections 589.400 to 589.425 who resides within the local election authority's jurisdiction.**  
60 **Each local election authority shall also notify each such person that the person shall vote**  
61 **an absentee ballot if the person is unable to vote in person at the office of the county clerk.**

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