

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 280

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WALSH (Sponsor), JOHNSON (61), LOWE (44), MEINERS, YOUNG, SPRENG, JOLLY, VOGT, SALVA, GEORGE, PAGE, HARRIS (110), KRATKY, HUGHES, MOORE, MEADOWS, CORCORAN, WHORTON, BOYKINS, HUBBARD, CHAPPELLE-NADAL, HOSKINS, ZWEIFEL, WILDBERGER, SANDER, DARROUGH, LOW (39) AND SATER (Co-sponsors).

Read 1st time January 19, 2005 and copies ordered printed.

Read 2nd time January 20, 2005 and referred to the Committee on Elections February 10, 2005.

Reported from the Committee on Elections March 9, 2005 with recommendation that the bill Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 14, 2005 with recommendation that the bill Do Pass by Consent with no time limit for debate.

Perfectured by Consent March 29, 2005.

STEPHEN S. DAVIS, Chief Clerk

1061L.01P

AN ACT

To repeal section 115.436, RSMo, and to enact in lieu thereof one new section relating to physically disabled voters.

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

Section A. Section 115.436, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.436, to read as follows:

115.436. 1. In jurisdictions using paper ballots and electronic voting systems, when any physically disabled voter within two hundred feet of a polling place is unable to enter the polling place, two election judges, one of each major political party, shall[, when time permits,] take a ballot, equipment and materials necessary for voting to the voter. The voter shall mark the ballot, and the election judges shall place the ballot in an envelope, seal it and place it in the ballot box.

2. In jurisdictions using voting machines, when any physically disabled voter within two

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.

8 hundred feet of a polling place is unable to enter the polling place, two election judges, one of
9 each major political party, shall[, when time permits,] take an absentee ballot to the voter. The
10 voter shall mark the ballot, and the election judges shall place the ballot in an envelope, seal it
11 and place it in the ballot box.

12 3. Upon request to the election authority, the election authority in any jurisdiction shall
13 designate a polling place accessible to any physically disabled voter other than the polling place
14 to which that voter would normally be assigned to vote, provided that the candidates and issues
15 voted on are consistent for both the designated location and the voting location for the voter's
16 precinct. Upon request, the election authority may also assign members of the physically
17 disabled voter's household and such voter's caregiver to the same voting location as the
18 physically disabled voter. In no event shall a voter be assigned under this section to a designated
19 location apart from the established voting location for the voter's precinct if the voter objects to
20 the assignment to another location.