

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 0121, Page 1, Section 51.050, Line 5 by
2 inserting after all of said Line the following:

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4 “115.079. 1. Except as provided in subsection 2 of this section, all election judges in each
5 jurisdiction shall be appointed by the election authority.

6 2. If the election authority determines that there is a shortage of election judges, such
7 judges may be selected at random from a cross-section of the voter registrations of the voters
8 within the election authority's jurisdiction. The manner of selecting such election judges shall be
9 determined by the election authority. When selecting election judges under this subsection, the
10 election authority may use the Missouri voter registration system implemented under this chapter,
11 and may attempt to achieve a representative sample of the population by considering political
12 party affiliation, geographic location, demographics, or relevant skills and experience. Service as
13 an election judge under this subsection shall be voluntary, and no citizen shall be excluded from
14 appointment or selection as an election judge under this section on the basis of race, religion, sex,
15 national origin, or economic status. If the election authority selects election judges under this
16 subsection, the election authority shall notify each individual selected by a letter by first-class mail
17 at least fifteen days before the individual is required to appear for the election.

18 115.085. No person shall be appointed or randomly selected to serve as an election judge
19 who is not a registered voter in this state; provided that, before any election authority may appoint
20 judges who are registered voters of another election authority's jurisdiction, the election authority
21 shall obtain the written consent of the election authority for the jurisdiction where the prospective
22 judges are registered to vote. Each election judge shall be a person of good repute and character
23 who can speak, read, and write the English language. No person shall serve as an election judge
24 at any polling place in which his or her name or the name of a relative within the second degree,
25 by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed
26 candidate shall be disqualified from serving as an election judge in any election jurisdiction of the
27 state. No election judge shall, during his or her term of office, hold any other elective public
28 office, other than as a member of a political party committee or township office, except any
29 person who is elected to a board or commission of a political subdivision or special district may

1 serve as an election judge except at a polling place where such political subdivision or special
2 district has an issue or candidate on the ballot. In any county having a population of less than two
3 hundred fifty thousand inhabitants, any candidate for the county committee of a political party
4 who is not a candidate for any other office and who is unopposed for election as a member of the
5 committee shall not be disqualified from serving as an election judge.

6 115.089. Each board of election commissioners shall have authority to appoint election
7 judges for individual elections, or for a term coincident with the term of the board and until the
8 judges' successors are appointed and qualified. The board may ask the county committee of each
9 major political party to submit a list of persons qualified to serve as election judges and may select
10 and appoint judges from the lists. The board may compile a list of persons who claim no political
11 affiliation and who volunteer to be election judges and may select and appoint judges from the
12 list. The term of any randomly selected election judge shall not be for more than one year, and no
13 election judge shall be required to serve in more than four elections during the election judge's
14 term.

15 115.102. 1. An employer shall not terminate, discipline, threaten or take adverse actions
16 against an employee based on the employee's service as an election judge, and no person
17 appointed or randomly selected as an election judge shall be subjected to such actions, except that
18 an employer may reduce the pay of an employee for each hour of work missed by an amount equal
19 to the hourly compensation, excluding expenses, paid to the employee for such election judge
20 service.

21 2. An employee who is appointed to serve as an election judge may, on election day, be
22 absent from his or her employment for the period of time that the election authority requires the
23 employee to serve as election judge. Employees [must] shall notify employers at least seven days
24 prior to an election that they will be absent from work on election day due to service as an election
25 judge, but such notice shall not be required for any person appointed to fill a vacancy under
26 section 115.095 as a qualified temporary election judge. Any such person shall be excused upon
27 request from any shift work for the hours during which the person is requested to serve and, if the
28 person is requested to serve eight hours or more, for the eight hours before and after the time
29 period that the person is requested to serve.

30 3. No employee serving as an election judge shall be required or requested to use annual,
31 vacation, personal, or sick leave for time spent responding to a request to serve as an election
32 judge, or for time spent training for or serving as an election judge. This subsection shall not be
33 construed to require an employer to provide annual, vacation, personal, or sick leave to employees
34 who are otherwise not entitled to such benefits under the employer's policies.

35 4. An employee discharged in violation of this section may bring a civil action against the
36 employer within ninety days of discharge for recovery of lost wages and other damages caused by

1 the violation and for an order directing reinstatement of the employee. If the employee prevails,
2 the employee shall be entitled to receive reasonable attorney's fees and costs.

3 115.103. All election authorities shall establish training courses for election judges. Such
4 courses shall include substantially the curriculum developed by the secretary of state's office in
5 accordance with the Help America Vote Act of 2002. Election authorities may compensate judges
6 for attendance at the rate set for election service subject to the approval of the governing body of a
7 county not having a board of election commissioners, or the political subdivision or special
8 district. Each person appointed or randomly selected as an election judge shall report to the office
9 of the election authority or any other designated location to complete any necessary informational
10 forms and to receive training for election judge duties at the time indicated in the notice of
11 appointment or selection.”; and

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13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.

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