

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for Senate Bill No. 544,
Page 8, Section 105.485, Line 44, by inserting after all of said section and line the following:

"115.024. 1. As used in this section, "disaster" means any catastrophic or natural disaster, statewide or nationwide emergency, man-made disaster, civil disorder, insurgency, bioterrorism attack, terrorist attack, or enemy attack.

2. The supreme court shall by rule establish a panel in each district of each court of appeals of the state to consider petitions filed under this section. Each panel shall consist of three court of appeals judges from such district, and shall be known as the "election panel" of the district in which it is established.

3. In the event that any disaster prohibits any election from occurring on the day the election is required to be held under this chapter, the election authority, as defined under section 115.015, of the city or county in which the election was to be held may petition the election panel, pro se or by counsel, of the district in which the city or county is located for the election panel to authorize a relocation of the polling places affected by such disaster, or to schedule a new date and authorize the manner by ~~upon~~ which the election authority ~~may~~ shall conduct the election. The petition shall include the following:

(1) A description of the event prohibiting the election from occurring;

(2) A statement of the reasons the election cannot be held on the day required by law;

(3) The election authority's recommendation for relocation of the polling places or the new date upon which the election shall be held and the manner for conducting the election;

(4) A statement of the plan for providing notice to voters of the new location or new date of the election and manner for conducting the election;

(5) A statement that the election authority will be able to conduct the election at the recommended location or on the recommended new date ~~[in the same manner as the election would have been conducted had the disaster not occurred]~~ and in the manner recommended to the election panel.

4. If satisfied that the election authority will be unable to conduct the election as required by this chapter and that the recommended relocation of the polling places or new date of the election or manner of voting will allow all voters to vote ~~[as provided by law]~~, the election panel shall issue an order to the election authority to relocate the polling places or to conduct the election at the new locations or on the new date in the manner recommended in the petition and as set by the election panel.

5. The election authority shall provide notice to all voters in the election authority's

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jurisdiction in the same manner as required for elections by this chapter, provided that the requirements for the date and time of providing such notice in this chapter shall not apply. Notice of the election shall include a copy of the order issued by the election panel.

6. The election authority may use the same ballots that were printed for the election that was relocated or rescheduled under this section, unless such ballots were damaged, destroyed, lost, or spoiled by the disaster.

7. All procedures for voting, counting of votes, and contesting elections required under this section shall apply to any election relocated or rescheduled under this section, except as provided ~~[that any requirements for deadlines under this chapter that cannot be met because of the relocation or rescheduling of the election shall be rescheduled]~~ by the election panel.

8. The election authority may appeal any order issued by the election panel under this section to the supreme court, and the supreme court shall hear such appeal immediately.

9. In the event of a statewide emergency, the secretary of state shall petition the supreme court of Missouri under subsection 3 of this section provided that at least one-third of the total number of election authorities from each of the appellate court districts in this state provide written notice to him or her that a disaster prevents any election from occurring on the day the election is required to be held under this chapter.

(1) If satisfied that the election authorities will be unable to conduct the election as required under this chapter and that the recommended relocation of polling places or recommended new date of the election or manner of voting will allow all voters to vote, the supreme court shall issue an order to all election authorities in this state to relocate the polling places or to conduct the election at new locations or on a new date in the manner recommended by the petition and set by the supreme court.

(2) The election authorities shall provide notice to all voters in the election authority's jurisdiction in the same manner required for elections under this chapter, provided that the requirements for the date and time of providing notice under this chapter shall not apply. Notice of the election shall include a copy of the order issued by the supreme court.

(3) The election authorities may use the same ballots that were printed for the election that was relocated or rescheduled under this section, unless such ballots were damaged, destroyed, lost, or spoiled by a disaster that is the basis for the emergency.

(4) The election authority shall have the discretion to set up central polling locations during the absentee voting period prior to the election date for voting purposes as defined under section 115.117.

(5) All procedures for voting, counting of votes, and contesting elections required under this section shall apply to any election relocated or rescheduled under this section, except as provided by the supreme court."; and

Further amend said amendment, Page 13, Section 115.283, Line 18, by inserting after all of said section and line the following:

"115.300. In each jurisdiction, the election authority may start, upon receipt ~~[not earlier than the fifth day prior to the election]~~, the preparation of absentee ballots for tabulation on the election day. The election authority shall give notice to the county chairman of each major political party forty-eight hours prior to beginning preparation of absentee ballot envelopes. Absentee ballot preparation shall be completed by teams of election authority employees or teams of election judges, with each team consisting of one member from each major political party."; and
Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.