

SECOND REGULAR SESSION

# HOUSE BILL NO. 1395

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PRICE.

3013H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 115, RSMo, by adding thereto one new section relating to voters with a disability.

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

Section A. Chapter 115, RSMo, is amended by adding thereto one new section, to be known as section 115.1000, to read as follows:

2           **115.1000. 1. (1) Notwithstanding any other provision of law, an election authority**  
3 **with more than three hundred fifty thousand residents shall make available for all**  
4 **statewide elections, elections for the general assembly, or local elections at least one voting**  
5 **machine per polling location for use by voters with disabilities covered by the Americans**  
6 **with Disabilities Act, 42 U.S.C. 12101, et seq., and provided for in the Help America Vote**  
7 **Act.**

8           **(2) Notwithstanding any other provision of law, an election authority with fewer**  
9 **than three hundred fifty thousand residents shall make available for all statewide elections,**  
10 **elections for the general assembly, or local elections at least one voting machine for use by**  
11 **voters with disabilities covered by the Americans with Disabilities Act, 42 U.S.C. 12101, et**  
12 **seq., and provided for in the Help America Vote Act.**

13           **(3) For purposes of this section, each election authority shall be presumed to possess**  
14 **an accessible voting machine for purposes of compliance with the Help America Vote Act**  
15 **and such machine shall be made available at state and local elections in the same manner**  
**as for federal elections.**

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           **2. Any additional election costs for the maintenance and use of such machines**  
17 **during statewide and general assembly elections shall be paid by the state and subject to**  
18 **appropriation.**

19           **3. Any qualified voter may cast a ballot using the accessible voting machine without**  
20 **confirmation of disability by an election authority, but the provisions of this section shall**  
21 **not be interpreted to require that persons with a disability use an accessible voting**  
22 **machine. Upon signing an affidavit, voters with a disability may continue to vote by**  
23 **absentee ballot as provided by general law or by any other legal method of voting with the**  
24 **assistance of election judges under section 115.445.**

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