

FIRST REGULAR SESSION

# HOUSE BILL NO. 1000

## 95TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES GUEST (Sponsor), DEEKEN, WELLS, OXFORD, CHAPPELLE-NADAL, WALTON GRAY, McGHEE, NANCE, SCHAAF, KINGERY, WRIGHT, SCHLOTTACH, WOOD, FISHER (125), SANDER, STEVENSON, POLLOCK, SCHARNHORST, WALLACE, JONES (117), WILSON (119), WILSON (130), LOEHNER, ATKINS AND LOW (Co-sponsors).

1251L.02I

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal section 115.249, RSMo, and to enact in lieu thereof one new section relating to voting machine standards.

---

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

Section A. Section 115.249, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.249, to read as follows:

115.249. **1.** No voting machine shall be used unless it:

(1) Permits voting in absolute secrecy;

(2) Permits each voter to vote for as many candidates for each office as he is lawfully entitled to vote for, and no other;

(3) Permits each voter to vote for or against as many questions as he is lawfully entitled to vote on, and no more;

(4) Provides facilities for each voter to cast as many write-in votes for each office as he is lawfully entitled to cast;

(5) Permits each voter in a primary election to vote for the candidates of only one party announced by the voter in advance;

(6) Permits each voter at a presidential election to vote by use of a single lever for the candidates of one party or group of petitioners for president, vice president and their presidential electors;

(7) Correctly registers or records and accurately counts all votes cast for each candidate and for and against each question;

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 (8) Is provided with a lock or locks which prevent any movement of the voting or  
17 registering mechanism and any tampering with the mechanism;

18 (9) Is provided with a protective counter or other device whereby any operation of the  
19 machine before or after an election will be detected;

20 (10) Is provided with a counter which shows at all times during the election how many  
21 people have voted on the machine;

22 (11) Is provided with a proper light which enables each voter, while voting, to clearly  
23 see the ballot labels;

24 (12) Is provided with a mechanical model, illustrating the manner of voting on the  
25 machine, suitable for the instruction of voters.

26 **2. For each voting machine that operates using software, there shall be a software-**  
27 **independent record of each voter's choices for election officials to use to verify the results**  
28 **produced by the software. As used in this subsection, "software-independent record"**  
29 **means a hand-marked paper ballot, except in cases in which a disabled voter needs**  
30 **mechanical assistance to record a vote. In cases in which a disabled voter needs**  
31 **mechanical assistance to record a vote, a machine-marked paper ballot that is verifiable**  
32 **by the voter shall serve as the software-independent record.**

33 **3. If any election authority uses any voting machines other than paper ballot**  
34 **marking devices to accommodate disabled voters, but such voting machines comply with**  
35 **the Help America Vote Act of 2002, as amended, the election authority may continue to use**  
36 **such machines solely for disabled voters who desire to use them. Upon the removal of such**  
37 **voting machines from the election authority's inventory because of mechanical**  
38 **malfunxion, wear and tear, or any other reason, the election authority shall replace such**  
39 **machines with paper ballot marking devices that comply with the Help America Vote Act**  
40 **of 2002, as amended.**

✓