

HB 192 -- Voter Caging Prohibition Act of 2009

Sponsor: Hughes

This bill establishes the Voter Caging Prohibition Act of 2009 which:

(1) Prohibits any person from using lists of ineligible voters to disqualify those wishing to vote or registering to vote unless the list contains specific information such as signatures, photographs, or unique numbers showing that the individual being challenged does not meet the statutory requirements to vote because the challenged individual is dead, has been convicted of certain crimes, has changed his or her address, or is ineligible for other reasons;

(2) Prohibits any person from making challenges to disqualify those wishing to vote or registering to vote based on errors on the documents used for voter registration unless the error relates to voter eligibility;

(3) Prohibits the use of documents to determine whether an individual has changed his or her address and no longer qualifies to vote unless the attempted delivery of the document used to verify his or her address was at least two election cycles before the challenge;

(4) Prohibits anyone except an election authority from making a challenge unless the challenger is a registered voter in the precinct in which the challenge is being made, has first-hand knowledge of the grounds of ineligibility, documents the challenge in writing, and signs an oath under penalty of perjury that the individual being challenged is ineligible. Other procedures for a non-election authority to challenge voter eligibility are specified in the bill;

(5) Allows anyone rejected from voting on election day by an election authority to vote a provisional ballot; and

(6) Specifies that anyone who knowingly makes a false challenge of voter eligibility will be guilty of a class one election offense. Each violation will be a separate offense.