

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 842, Page 4, Section 115.237, Line 44, by
2 inserting after all of said section and line the following:

3
4 "115.631. The following offenses, and any others specifically so described by law, shall be
5 class one election offenses and are deemed felonies connected with the exercise of the right of
6 suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than
7 five years or by fine of not less than two thousand five hundred dollars but not more than ten
8 thousand dollars or by both such imprisonment and fine:

9 (1) Willfully and falsely making any certificate, affidavit, or statement required to be made
10 pursuant to any provision of this chapter, including but not limited to statements specifically
11 required to be made "under penalty of perjury"; or in any other manner knowingly furnishing false
12 information to an election authority or election official engaged in any lawful duty or action in such
13 a way as to hinder or mislead the authority or official in the performance of official duties. If an
14 individual willfully and falsely makes any certificate, affidavit, or statement required to be made
15 under section 115.155, including but not limited to statements specifically required to be made
16 "under penalty of perjury", such individual shall be guilty of a class D felony;

17 (2) Voting more than once or voting at any election knowing that the person is not entitled to
18 vote or that the person has already voted on the same day at another location inside or outside the
19 state of Missouri;

20 (3) Procuring any person to vote knowing the person is not lawfully entitled to vote or
21 knowingly procuring an illegal vote to be cast at any election;

22 (4) Applying for a ballot in the name of any other person, whether the name be that of a
23 person living or dead or of a fictitious person, or applying for a ballot in his or her own or any other
24 name after having once voted at the election inside or outside the state of Missouri;

25 (5) Aiding, abetting or advising another person to vote knowing the person is not legally
26 entitled to vote or knowingly aiding, abetting or advising another person to cast an illegal vote;

27 (6) An election judge knowingly causing or permitting any ballot to be in the ballot box at
28 the opening of the polls and before the voting commences;

29 (7) Knowingly furnishing any voter with a false or fraudulent or bogus ballot, or knowingly
30 practicing any fraud upon a voter to induce him or her to cast a vote which will be rejected, or
31 otherwise defrauding him or her of his or her vote;

Action Taken _____ Date _____

1 (8) An election judge knowingly placing or attempting to place or permitting any ballot, or
2 paper having the semblance of a ballot, to be placed in a ballot box at any election unless the ballot
3 is offered by a qualified voter as provided by law;

4 (9) Knowingly placing or attempting to place or causing to be placed any false or fraudulent
5 or bogus ballot in a ballot box at any election;

6 (10) Knowingly removing any legal ballot from a ballot box for the purpose of changing the
7 true and lawful count of any election or in any other manner knowingly changing the true and lawful
8 count of any election;

9 (11) Knowingly altering, defacing, damaging, destroying or concealing any ballot after it
10 has been voted for the purpose of changing the lawful count of any election;

11 (12) Knowingly altering, defacing, damaging, destroying or concealing any poll list, report,
12 affidavit, return or certificate for the purpose of changing the lawful count of any election;

13 (13) On the part of any person authorized to receive, tally or count a poll list, tally sheet or
14 election return, receiving, tallying or counting a poll list, tally sheet or election return the person
15 knows is fraudulent, forged or counterfeit, or knowingly making an incorrect account of any
16 election;

17 (14) On the part of any person whose duty it is to grant certificates of election, or in any
18 manner declare the result of an election, granting a certificate to a person the person knows is not
19 entitled to receive the certificate, or declaring any election result the person knows is based upon
20 fraudulent, fictitious or illegal votes or returns;

21 (15) Willfully destroying or damaging any official ballots, whether marked or unmarked,
22 after the ballots have been prepared for use at an election and during the time they are required by
23 law to be preserved in the custody of the election judges or the election authority;

24 (16) Willfully tampering with, disarranging, altering the information on, defacing, impairing
25 or destroying any voting machine or marking device after the machine or marking device has been
26 prepared for use at an election and during the time it is required by law to remain locked and sealed
27 with intent to impair the functioning of the machine or marking device at an election, mislead any
28 voter at the election, or to destroy or change the count or record of votes on such machine;

29 (17) Registering to vote knowing the person is not legally entitled to register or registering
30 in the name of another person, whether the name be that of a person living or dead or of a fictitious
31 person;

32 (18) Procuring any other person to register knowing the person is not legally entitled to
33 register, or aiding, abetting or advising another person to register knowing the person is not legally
34 entitled to register;

35 (19) Knowingly preparing, altering or substituting any computer program or other counting
36 equipment to give an untrue or unlawful result of an election;

37 (20) On the part of any person assisting a blind or disabled person to vote, knowingly failing
38 to cast such person's vote as such person directs;

39 (21) On the part of any registration or election official, permitting any person to register to
40 vote or to vote when such official knows the person is not legally entitled to register or not legally
41 entitled to vote;

1 (22) On the part of a notary public acting in his or her official capacity, knowingly violating
2 any of the provisions of this chapter or any provision of law pertaining to elections;

3 (23) Violation of any of the provisions of sections 115.275 to 115.303, or of any provision
4 of law pertaining to absentee voting;

5 (24) Assisting a person to vote knowing such person is not legally entitled to such
6 assistance, or while assisting a person to vote who is legally entitled to such assistance, in any
7 manner coercing, requesting or suggesting that the voter vote for or against, or refrain from voting
8 on any question, ticket or candidate;

9 (25) Engaging in any act of violence, destruction of property having a value of five hundred
10 dollars or more, or threatening an act of violence with the intent of denying a person's lawful right to
11 vote or to participate in the election process; [and]

12 (26) Knowingly providing false information about election procedures for the purpose of
13 preventing any person from going to the polls; and

14 (27) Coercing, intimidating, or pressuring a voter to vote in a certain manner and attempting
15 to verify the result of such acts by obtaining photographic evidence of such voter's ballot.

16 115.637. The following offenses, and any others specifically so described by law, shall be
17 class four election offenses and are deemed misdemeanors not connected with the exercise of the
18 right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not
19 more than one year or by a fine of not more than two thousand five hundred dollars or by both such
20 imprisonment and fine:

21 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots
22 that may be furnished by an organization or individual at or near any voting place on election day,
23 except that this subdivision shall not be construed so as to interfere with the right of an individual
24 voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting
25 the name of the person for whom he or she intends to vote; or to dispose of the received sample
26 ballot;

27 (2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent
28 sample ballots which appear on their face to be designed as a fraud upon voters;

29 (3) Purposefully giving a printed or written sample ballot to any qualified voter which is
30 intended to mislead the voter;

31 (4) On the part of any candidate for election to any office of honor, trust, or profit, offering
32 or promising to discharge the duties of such office for a less sum than the salary, fees, or
33 emoluments as fixed by law or promising to pay back or donate to any public or private interest any
34 portion of such salary, fees, or emolument as an inducement to voters;

35 (5) On the part of any canvasser appointed to canvass any registration list, willfully failing
36 to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his or
37 her duties in making such canvass or willfully neglecting any duties lawfully assigned to him or her;

38 (6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule,
39 or regulation or adopting any other device or method to prevent an employee from engaging in
40 political activities, accepting candidacy for nomination to, election to, or the holding of, political
41 office, holding a position as a member of a political committee, soliciting or receiving funds for

1 political purpose, acting as chairman or participating in a political convention, assuming the conduct
2 of any political campaign, signing, or subscribing his or her name to any initiative, referendum, or
3 recall petition, or any other petition circulated pursuant to law;

4 (7) On the part of any person authorized or employed to print official ballots, or any person
5 employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or
6 by any person other than the official under whose direction the ballots are being printed, any ballot
7 in any form other than that prescribed by law, or with unauthorized names, with names misspelled,
8 or with the names of candidates arranged in any way other than that authorized by law;

9 (8) On the part of any election authority or official charged by law with the duty of
10 distributing the printed ballots, or any person acting on his or her behalf, knowingly distributing or
11 causing to be distributed any ballot in any manner other than that prescribed by law;

12 (9) Any person having in his or her possession any official ballot, except in the performance
13 of his or her duty as an election authority or official, or in the act of exercising his or her individual
14 voting privilege;

15 (10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

16 (11) On the part of any election judge, being willfully absent from the polls on election day
17 without good cause or willfully detaining any election material or equipment and not causing it to be
18 produced at the voting place at the opening of the polls or within fifteen minutes thereafter;

19 (12) On the part of any election authority or official, willfully neglecting, refusing, or
20 omitting to perform any duty required of him or her by law with respect to holding and conducting
21 an election, receiving and counting out the ballots, or making proper returns;

22 (13) On the part of any election judge, or party watcher or challenger, furnishing any
23 information tending in any way to show the state of the count to any other person prior to the
24 closing of the polls;

25 (14) On the part of any voter, except as otherwise provided by law, [allowing his or her
26 ballot to be seen by any person with the intent of letting it be known how he or she is about to vote
27 or has voted, or] knowingly making a false statement as to his or her inability to mark a ballot;

28 (15) On the part of any election judge, disclosing to any person the name of any candidate
29 for whom a voter has voted;

30 (16) Interfering, or attempting to interfere, with any voter inside a polling place;

31 (17) On the part of any person at any registration site, polling place, counting location or
32 verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or
33 threats of violence whereby such registration, election, count or verification is impeded or interfered
34 with;

35 (18) Exit polling, surveying, sampling, electioneering, distributing election literature,
36 posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted
37 on at an election on election day inside the building in which a polling place is located or within
38 twenty-five feet of the building's outer door closest to the polling place, or, on the part of any
39 person, refusing to remove or permit removal from property owned or controlled by such person,
40 any such election sign or literature located within such distance on such day after request for
41 removal by any person;

1 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on
2 private property, except that this subdivision shall not be construed to interfere with the right of any
3 private property owner to take any action with regard to campaign yard signs on the owner's
4 property and this subdivision shall not be construed to interfere with the right of any candidate, or
5 the candidate's designee, to remove the candidate's campaign yard sign from the owner's private
6 property after the election day."; and
7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.