

SECOND REGULAR SESSION

HOUSE BILL NO. 2238

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BURNETT.

52431.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.635, RSMo, and to enact in lieu thereof one new section relating to election offenses, with penalty provisions.

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

Section A. Section 115.635, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.635, to read as follows:

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

(1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to procure, any money or valuable consideration, office, or place of employment, to or for any voter, to or for any person on behalf of any voter, or to or for any person, in order to induce any voter to vote or refrain from voting or corruptly doing any such act on account of such voter having already voted or refrained from voting at any election;

(2) Making use of, or threatening to make use of, any force, violence, or restraint, or inflicting or threatening to inflict any injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election;

(3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress or any fraudulent device or contrivance, the free exercise of the franchise of any voter or, by abduction, duress, or any fraudulent device, compelling, inducing, or prevailing upon any voter to vote or refrain from voting at any election;

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.

- 18 (4) Giving, or making an agreement to give, any money, property, right in action, or
19 other gratuity or reward, in consideration of any grant or deputation of office;
- 20 (5) Bringing into this state any nonresident person with intent that such person shall vote
21 at an election without possessing the requisite qualifications;
- 22 (6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or
23 other device or agreeing or contracting for any money, gift, office, employment, or other reward,
24 for giving, or refraining from giving, his or her vote in any election;
- 25 (7) Removing, destroying or altering any supplies or information placed in or near a
26 voting booth for the purpose of enabling a voter to prepare his or her ballot;
- 27 (8) Entering a voting booth or compartment except as specifically authorized by law;
- 28 (9) On the part of any election official, challenger, watcher or person assisting a person
29 to vote, revealing or disclosing any information as to how any voter may have voted, indicated
30 that the person had voted except as authorized by this chapter, indicated an intent to vote or
31 offered to vote, except to a grand jury or pursuant to a lawful subpoena in a court proceeding
32 relating to an election offense;
- 33 (10) On the part of any registration or election official, refusing to permit any person to
34 register to vote or to vote when such official knows the person is legally entitled to register or
35 legally entitled to vote;
- 36 (11) Attempting to commit or participating in an attempt to commit any class one or
37 class two election offense;
- 38 **(12) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring**
39 **to procure any money or valuable consideration with the intent of inducing any person to**
40 **run for any such office in this state if the person has a name that is identical or similar to**
41 **another candidate for the same elective public office and would not otherwise run for**
42 **elective public office but for the inducement. Campaign donations made in accordance**
43 **with the laws of this state shall not be construed to be an inducement to run for elective**
44 **public office under this subdivision.**

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