

HOUSE SUBSTITUTE AMENDMENT NO. _____

for

HOUSE _____ AMENDMENT NO. _____

Offered By

1 AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate
2 Committee Substitute for Senate Bill No. 96, Page 6, Section 115.123, Line 1, by inserting after the
3 word "as" the word "otherwise"; and
4

5 Further amend said bill, page, and section, Line 2, by deleting the words "subsection 2 of" and
6 inserting in lieu thereof the words "~~[subsection 2 of]~~"; and
7

8 Further amend said bill and section, Page 7, Line 22, by inserting after said section and line the
9 following:
10

11 "115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice of a
12 special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125, the election
13 authority shall cause legal notice of the special election to be published in a newspaper of general
14 circulation in its jurisdiction. The notice shall include the name of the officer or agency calling the
15 election, the date and time of the election, the name of the office to be filled and the date by which
16 candidates must be selected or filed for the office. Within one week prior to each special election to
17 fill a vacancy held in its jurisdiction, the election authority shall cause legal notice of the election to
18 be published in two newspapers of different political faith and general circulation in the jurisdiction.
19 The legal notice shall include the date and time of the election, the name of the officer or agency
20 calling the election and a sample ballot. If there is only one newspaper of general circulation in the
21 jurisdiction, the notice shall be published in the newspaper within one week prior to the election. If
22 there are two or more newspapers of general circulation in the jurisdiction, but no two of opposite
23 political faith, the notice shall be published in any two of the newspapers within one week prior to
24 the election.

25 2. Except as provided in subsections 1 and 4 of this section and in sections 115.521, 115.549
26 and 115.593, the election authority shall cause legal notice of each election held in its jurisdiction to
27 be published. The notice shall be published in two newspapers of different political faith and
28 qualified pursuant to chapter 493 which are published within the bounds of the area holding the

Action Taken _____ Date _____

election. If there is only one so-qualified newspaper, then notice shall be published in only one newspaper. If there is no newspaper published within the bounds of the election area, then the notice shall be published in two qualified newspapers of different political faith serving the area. Notice shall be published twice, the first publication occurring in the second week prior to the election, and the second publication occurring within one week prior to the election. Each such legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot; and, unless notice has been given as provided by section 115.129, the second publication of notice of the election shall include the location of polling places. The election authority may provide any additional notice of the election it deems desirable.

3. The election authority shall print the official ballot as the same appears on the sample ballot, and no candidate's name or ballot issue which appears on the sample ballot or official printed ballot shall be stricken or removed from the ballot except on death of a candidate or by court order, but in no event shall a candidate or issue be stricken or removed from the ballot less than eight weeks before the date of the election.

4. In lieu of causing legal notice to be published in accordance with any of the provisions of this chapter, the election authority in jurisdictions which have less than seven hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may cause legal notice to be mailed during the second week prior to the election, by first class mail, to each registered voter at the voter's voting address. All such legal notices shall include the date and time of the election, the location of the polling place, the name of the officer or agency calling the election and a sample ballot.

5. If the opening date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the opening filing date shall be 8:00 a.m., the ~~[seventeenth]~~ sixteenth Tuesday prior to the election. If the closing date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the closing filing date shall be 5:00 p.m., the ~~[fourteenth]~~ thirteenth Tuesday prior to the election or, if the thirteenth Tuesday prior to the election is a state or federal holiday, the closing filing date shall be 5:00 p.m. on the next day that is not a state or federal holiday. The political subdivision or special district calling an election shall, before the ~~[seventeenth]~~ sixteenth Tuesday, prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one newspaper of general circulation in the political subdivision or special district.

6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting costs, a candidate who has filed for an office or who has been duly nominated for an office may, at any time after the certification of the notice of election required in subsection 1 of section 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the election, withdraw as a candidate pursuant to a court order, which, except for good cause shown by the election authority in opposition thereto,

1 shall be freely given upon application by the candidate to the circuit court of the area of such
2 candidate's residence.

3 115.205. 1. No person shall be paid or otherwise compensated for soliciting voter
4 registration applications, other than a governmental entity or a person who is paid or compensated
5 by a governmental entity for such solicitation. A voter registration solicitor, other than a
6 governmental entity or a person who is paid or compensated by a governmental entity for such
7 solicitation, who solicits more than ten voter registration applications shall register for every
8 election cycle that begins on the day after the general election and ends on the day of the general
9 election two years later. A voter registration solicitor shall be at least eighteen years of age and shall
10 be a registered voter in the state of Missouri.

11 2. Each voter registration solicitor shall provide the following information in writing to the
12 secretary of state's office:

- 13 (1) The name of the voter registration solicitor;
- 14 (2) The residential address, including street number, city, state, and zip code;
- 15 (3) The mailing address, if different from the residential address; and
- 16 (4) The signature of the voter registration solicitor.

17 3. The solicitor information required in subsection 2 of this section shall be submitted to the
18 secretary of state's office with the following oath and affirmation:

19 "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL
20 STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

21 4. Any voter registration solicitor who knowingly fails to register with the secretary of state
22 is guilty of a class three election offense. Voter registration applications shall be accepted by the
23 election authority if such applications are otherwise valid, even if the voter registration solicitor who
24 procured the applications fails to register with or submits false information to the secretary of state.

25 115.284. 1. There is hereby established an absentee voting process to assist persons with
26 permanent disabilities in the exercise of their voting rights.

27 2. The local election authority shall send an application to participate in the absentee voting
28 process set out in this section to any registered voter residing within the election authority's
29 jurisdiction upon request.

30 3. Upon receipt of a properly completed application, the election authority shall enter the
31 voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

32 4. The application to participate in the absentee voting process shall be in substantially the
33 following form:

State of _____

County (City) of _____

I, _____ (print applicant's name), declare that I am a resident and
registered voter of _____ County, Missouri, and am permanently
disabled. I hereby request that my name be placed on the election

authority's list of voters qualified to participate as absentee voters pursuant to section 115.284, and that I be delivered an absentee ballot application for each election in which I am eligible to vote.

Signature of Voter

Voter's Address

1 5. Not earlier than ten weeks before an election but prior to the fourth Tuesday prior to an
2 election, the election authority shall deliver to each voter qualified to participate as absentee voters
3 pursuant to this section an absentee ballot application if the voter is eligible to vote in that election.
4 If the voter returns the absentee request application to the election authority not later than 5:00 p.m.
5 on the second Wednesday before an election and has retained the necessary qualifications to vote,
6 the election authority shall provide the voter with an absentee ballot pursuant to this chapter.

7 6. The election authority shall remove from the list of voters qualified to participate as
8 absentee voters pursuant to this section any voter who:

9 (1) Asks to be removed from the list;

10 (2) Dies;

11 (3) Becomes disqualified from voting pursuant to this chapter; or

12 (4) No longer resides at the address of his or her voter registration.

13 7. No lists of applications under this section shall be posted or displayed in any area open to
14 the general public, nor shall such lists of applications be considered a public record under the
15 provisions of chapter 610."; and

16
17 Further amend said bill and page, Section 115.351, Line 15, by inserting after said section and line
18 the following:

19
20 "115.430. 1. This section shall apply to ~~[primary and general elections where candidates for~~
21 ~~federal or statewide offices are nominated or elected and any election where statewide issue or~~
22 ~~issues are submitted to the voters]~~ any public election.

23 2. (1) A voter claiming to be properly registered in the jurisdiction of the election authority
24 and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately
25 established upon examination of the precinct register, shall be entitled to vote a provisional ballot
26 after providing a form of personal identification required pursuant to section 115.427 or upon
27 executing an affidavit under section 115.427, or may vote at a central polling place as established in
28 section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of
29 residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be

1 determined. The provisional ballot provided to a voter under this section shall be the ballot
2 provided to a resident of the voter's precinct determined by reference to the affidavit provided for in
3 this section. If the voter declares that the voter is eligible to vote and the election authority
4 determines that the voter is eligible to vote at another polling place, the voter shall be directed to the
5 correct polling place or a central polling place as established by the election authority pursuant to
6 subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central
7 polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place,
8 but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

9 (2) The following steps shall be taken to establish a voter's eligibility to vote at a polling
10 place:

11 (a) The election judge shall examine the precinct register as provided in section 115.425. If
12 the voter is registered and eligible to vote at the polling place, the voter shall receive a regular
13 ballot;

14 (b) If the voter's eligibility cannot be immediately established by examining the precinct
15 register, the election judge shall contact the election authority. If the election authority cannot
16 immediately establish that the voter is registered and eligible to vote at the polling place upon
17 examination of the Missouri voter registration system, or if the election judge is unable to make
18 contact with the election authority immediately, the voter shall be notified that the voter is entitled to
19 a provisional ballot.

20 (3) The voter shall have the duty to appear and vote at the correct polling place. If an
21 election judge determines that the voter is not eligible to vote at the polling place at which a voter
22 presents himself or herself, and if the voter appears to be eligible to vote at another polling place,
23 the voter shall be informed that he or she may cast a provisional ballot at the current polling place or
24 may travel to the correct polling place or a central polling place, as established by the election
25 authority under subsection 5 of section 115.115, where the voter may cast a regular ballot or
26 provisional ballot if the voter's eligibility still cannot be determined. Provisional ballots cast at a
27 polling place shall be counted only if the voter was eligible to vote at such polling place as provided
28 in subsection 5 of this section.

29 (4) For a voter requesting an absentee ballot in person, such voter shall be entitled to cast a
30 provisional ballot when the voter's eligibility cannot be immediately established upon examination
31 of the precinct registers or the Missouri voter registration system.

32 (5) Prior to accepting any provisional ballot at the polling place, the election judges shall
33 determine that the information provided on the provisional ballot envelope by the provisional voter
34 is consistent with the identification provided by such person under section 115.427.

35 3. (1) No person shall be entitled to receive a provisional ballot until such person has
36 completed a provisional ballot affidavit on the provisional ballot envelope.

37 (2) The secretary of state shall produce appropriate sizes of provisional ballot envelopes and
38 distribute them to each election authority according to their tabulating system. All provisional ballot
39 envelopes shall be printed on a distinguishable color of paper that is different from the color of the

regular ballot. The provisional ballot envelope shall be in the form required by subsection 4 of this section. All provisional ballots shall be marked with a conspicuous stamp or other distinguishing mark that makes them readily distinguishable from the regular ballots.

(3) Once voted, the provisional ballot shall be placed and sealed in a provisional ballot envelope.

4. The provisional ballot in its envelope shall be deposited in the ballot box. The provisional ballot envelope shall be completed by the voter for use in determining eligibility. The provisional ballot envelope specified in this section shall contain a voter's certificate which shall be in substantially the following form:

STATE OF _____

COUNTY OF _____

I do solemnly swear (or affirm) that my name is _____; that my date of birth is _____; that the last four digits of my Social Security Number are _____; that I am registered to vote in _____ County or City (if a City not within a County), Missouri; that I am a qualified voter of said County (or City not within a County); that I am eligible to vote at this polling place; and that I have not voted in this election.

I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

(Signature of Voter)

(Current Address)

Subscribed and affirmed before me this _____ day of _____, 20____

(Signature of Election Official)

The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

5. (1) Prior to counting any provisional ballot, the election authority shall determine if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility of provisional votes shall be determined according to the requirements for a voter to cast a ballot in the

1 election as set forth in sections 115.133 and 115.135. A provisional [~~voter~~] ballot shall not be
2 eligible to be counted until the election authority has determined that:

3 (a) The voter cast such provisional ballot at a polling place established for the voter or the
4 central polling place established by the election authority under subsection 5 of section 115.115;

5 (b) The individual who cast the provisional ballot is an individual registered to vote in the
6 respective election at the polling place where the ballot was cast;

7 (c) The voter did not otherwise vote in the same election by regular ballot, absentee ballot,
8 or otherwise; and

9 (d) The information on the provisional ballot envelope is found to be correct, complete, and
10 accurate.

11 (2) When the ballot boxes are delivered to the election authority from the polling places, the
12 receiving teams shall separate the provisional ballots from the rest of the ballots and place the sealed
13 provisional ballot envelopes in a separate container. Teams of election authority employees or
14 teams of election judges with each team consisting of one member of each major political party
15 shall photocopy each provisional ballot envelope, such photocopy to be used by the election
16 authority to determine provisional voter eligibility. The sealed provisional ballot envelopes shall be
17 placed by the team in a sealed container and shall remain therein until tabulation.

18 (3) To determine whether a provisional ballot is valid and entitled to be counted, the election
19 authority shall examine its records and verify that the provisional voter is properly registered and
20 eligible to vote in the election. If the provisional voter has provided information regarding the
21 registration agency where the provisional voter registered to vote, the election authority shall make
22 an inquiry of the registration agency to determine whether the provisional voter is properly
23 registered and eligible to vote in the election.

24 (4) If the election authority determines that the provisional voter is registered and eligible to
25 vote in the election, the election authority shall provide documentation verifying the voter's
26 eligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and
27 shall contain substantially the following information:

28 (a) The name of the provisional voter;

29 (b) The name of the reviewer;

30 (c) The date and time; and

31 (d) A description of evidence found that supports the voter's eligibility.

32 (5) The local election authority shall record on a provisional ballot acceptance/rejection list
33 the provisional ballot identification number and a notation marking it as accepted.

34 (6) If the election authority determines that the provisional voter is not registered or eligible
35 to vote in the election, the election authority shall provide documentation verifying the voter's
36 ineligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and
37 shall contain substantially the following information:

38 (a) The name of the provisional voter;

39 (b) The name of the reviewer;

1 (c) The date and time;

2 (d) A description of why the voter is ineligible.

3 (7) The local election authority shall record on a provisional ballot acceptance/rejection list
4 the provisional ballot identification number and notation marking it as rejected.

5 (8) If rejected, a photocopy of the envelope shall be made and used by the election authority
6 as a mail-in voter registration. The actual provisional ballot envelope shall be kept as ballot
7 material, and the copy of the envelope shall be used by the election authority for registration record
8 keeping.

9 6. All provisional ballots cast by voters whose eligibility has been verified as provided in
10 this section shall be counted in accordance with the rules governing ballot tabulation. Provisional
11 ballots shall not be counted until all provisional ballots are determined either eligible or ineligible
12 and all provisional ballots must be processed before the election is certified. The provisional ballot
13 shall be counted only if the election authority determines that the voter is registered and eligible to
14 vote. Provisional ballots voted in the wrong polling place shall not be counted. If the voter is not
15 registered but is qualified to register for future elections, the affidavit shall be considered a mail-in
16 application to register to vote pursuant to this chapter.

17 7. (1) After the election authority completes its review of the provisional voter's eligibility
18 under subsection 5 of this section, the election authority shall deliver the provisional ballots and
19 copies of the provisional ballot envelopes that include eligibility information to bipartisan counting
20 teams, which may be the board of verification, for review and tabulation. The election authority
21 shall maintain a record of such delivery. The record shall include the number of ballots delivered to
22 each team and shall include a signed receipt from two judges, one from each major political party.
23 The election authority shall provide each team with a ballot box and material necessary for
24 tabulation.

25 (2) If the person named on the provisional ballot affidavit is found to have been properly
26 qualified and registered to cast a ballot in the election and the provisional ballot otherwise qualifies
27 to be counted under the provisions of this section, the envelope shall be opened, and the ballot shall
28 be placed in a ballot box to be counted.

29 (3) If the person named on the provisional ballot affidavit is found not to have been properly
30 qualified and registered to cast a ballot in the election or if the election authority is unable to
31 determine such person's right to vote, the envelope containing the provisional ballot shall not be
32 opened, and the person's vote shall not be counted. The members of the team shall follow the
33 procedures set forth in subsection 5 of this section for rejected provisional ballots.

34 (4) The votes shall be tallied and the returns made as provided in sections 115.447 to
35 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted, the
36 ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by
37 the election authority shall be enclosed in sealed containers marked "Voted provisional ballots and
38 ballot envelopes from the election held _____, 20____". All rejected provisional ballots, ballot
39 envelopes, and copies of ballot envelopes with the eligibility information provided by the election

1 authority shall be enclosed in sealed containers marked "Rejected provisional ballots and ballot
2 envelopes from the election held _____, 20____". On the outside of each voted ballot and
3 rejected ballot container, each member of the team shall write their name and all such containers
4 shall be returned to the election authority. Upon receipt of the returns and ballots, the election
5 authority shall tabulate the provisional votes.

6 8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be present
7 during all times that the bipartisan counting teams are reviewing or counting the provisional ballots,
8 the provisional ballot envelopes, or copies of the provisional ballot envelopes that include eligibility
9 information provided by the election authority. Challengers and watchers shall be permitted to
10 observe the determination of the eligibility of all provisional ballots. The election authority shall
11 notify the county chair of each major political party of the time and location when bipartisan
12 counting teams will be reviewing or counting the provisional ballots, the provisional ballot
13 envelopes, or the copies of the provisional ballot envelopes that include the eligibility information
14 provided by the election authority.

15 9. The certificate of ballot cards shall:

16 (1) Reflect the number of provisional envelopes delivered; and

17 (2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the
18 ballot box.

19 10. In counties where the voting system does not utilize a paper ballot, the election authority
20 shall provide the appropriate provisional ballots to each polling place.

21 11. The secretary of state may promulgate rules for purposes of ensuring the uniform
22 application of this section. No rule or portion of a rule promulgated pursuant to the authority of this
23 section shall become effective unless it has been promulgated pursuant to chapter 536.

24 12. The secretary of state shall design and provide to the election authorities the envelopes
25 and forms necessary to carry out the provisions of this section.

26 13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free
27 access system is established, such as a toll-free number or an internet website, that any individual
28 who casts a provisional ballot may access to discover whether the vote of that individual was
29 counted, and, if the vote was not counted, the reason that the vote was not counted. At the time an
30 individual casts a provisional ballot, the election authority shall give the voter written information
31 that states that any individual who casts a provisional ballot will be able to ascertain under such free
32 access system whether the vote was counted, and if the vote was not counted, the reason that the
33 vote was not counted.

34 14. In accordance with the Help America Vote Act of 2002, any individual who votes in an
35 election as a result of a court order or any other order extending the time established for closing the
36 polls in section 115.407 may vote only by using a provisional ballot, and such provisional ballot
37 shall be separated and held apart from other provisional ballots cast by those not affected by the
38 order. Such ballots shall not be counted until such time as the ballots are determined to be valid.

1 No state court shall have jurisdiction to extend the polling hours established by law, including
2 section 115.407.

3 115.635. The following offenses, and any others specifically so described by law, shall be
4 class three election offenses and are deemed misdemeanors connected with the exercise of the right
5 of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more
6 than one year or by fine of not more than two thousand five hundred dollars, or by both such
7 imprisonment and fine:

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

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

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

20 (4) Giving, or making an agreement to give, any money, property, right in action, or other
21 gratuity or reward, in consideration of any grant or deputation of office;

22 (5) Bringing into this state any nonresident person with intent that such person shall vote at
23 an election without possessing the requisite qualifications;

24 (6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or other
25 device or agreeing or contracting for any money, gift, office, employment, or other reward, for
26 giving, or refraining from giving, his or her vote in any election;

27 (7) Removing, destroying or altering any supplies or information placed in or near a voting
28 booth for the purpose of enabling a voter to prepare his or her ballot;

29 (8) Entering a voting booth or compartment except as specifically authorized by law;

30 (9) On the part of any election official, challenger, watcher or person assisting a person to
31 vote, revealing or disclosing any information as to how any voter may have voted, indicated that the
32 person had voted except as authorized by this chapter, indicated an intent to vote or offered to vote,
33 except to a grand jury or pursuant to a lawful subpoena in a court proceeding relating to an election
34 offense;

35 (10) On the part of any registration or election official, refusing to permit any person to
36 register to vote or to vote when such official knows the person is legally entitled to register or
37 legally entitled to vote;

38 (11) Attempting to commit or participating in an attempt to commit any class one or class
39 two election offense[-];

1 (12) Threatening to harm or engaging in conduct reasonably calculated to harass or alarm,
 2 including stalking pursuant to section 565.227, an election judge, challenger, watcher, or employee
 3 or volunteer of an election authority, or a member of such person's family;

4 (13) Attempting to induce, influence, deceive, or pressure an election official or member of
 5 an election official's family to violate any provision of this chapter;

6 (14) Disseminating, through any means, including by posting on the internet, the home
 7 address, home telephone number, mobile telephone number, personal email address, social security
 8 number, federal tax identification number, checking account number, savings account number, credit
 9 card number, marital status, or identity of a child under eighteen years of age, of an election judge,
 10 challenger, watcher, or employee or volunteer of an election authority, or a member of such person's
 11 family, for the purposes listed in subdivisions (12) and (13) of this section.

12 115.637. The following offenses, and any others specifically so described by law, shall be
 13 class four election offenses and are deemed misdemeanors not connected with the exercise of the
 14 right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not
 15 more than one year or by a fine of not more than two thousand five hundred dollars or by both such
 16 imprisonment and fine:

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

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

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

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

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

34 (6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule,
 35 or regulation or adopting any other device or method to prevent an employee from engaging in
 36 political activities, accepting candidacy for nomination to, election to, or the holding of, political
 37 office, holding a position as a member of a political committee, soliciting or receiving funds for
 38 political purpose, acting as chairman or participating in a political convention, assuming the conduct

1 of any political campaign, signing, or subscribing his or her name to any initiative, referendum, or
 2 recall petition, or any other petition circulated pursuant to law;

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

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

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

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

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

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

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

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

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

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

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

34 (18) Exit polling, surveying, sampling, circulating initiative or referendum petitions,
 35 electioneering, distributing election literature, posting signs or placing vehicles bearing signs with
 36 respect to any candidate or question to be voted on at an election [~~on election day~~] inside the
 37 building in which a polling place is located on election day or during the absentee voting period or
 38 within twenty-five feet of the building's outer door closest to the polling place on election day or
 39 during the absentee voting period, or, on the part of any person, refusing to remove or permit

1 removal from property owned or controlled by such person, any such election sign or literature
2 located within such distance on such day after request for removal by any person;

3 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on
4 private property, except that this subdivision shall not be construed to interfere with the right of any
5 private property owner to take any action with regard to campaign yard signs on the owner's
6 property and this subdivision shall not be construed to interfere with the right of any candidate, or
7 the candidate's designee, to remove the candidate's campaign yard sign from the owner's private
8 property after the election day."; and

9
10 Further amend said bill and page, Section 115.755, Line 1, by deleting the word "A" and inserting in
11 lieu thereof the words "Subject to appropriation, a"; and

12
13 Further amend said bill, Page 9, Section 115.785, Line 1, by inserting after the word "under" the
14 word "section"; and

15
16 Further amend said bill and page, Section 115.904, Line 6, by inserting after said section and line
17 the following:

18
19 "162.471. 1. The government and control of an urban school district is vested in a board of
20 seven directors.

21 2. Except as provided in section 162.563, each director shall be a voter of the district who
22 has resided within this state for one year next preceding the director's election or appointment and
23 who is at least twenty-four years of age. All directors, except as otherwise provided in sections
24 162.481, 162.492, and 162.563, shall hold their offices for six years and until their successors are
25 duly elected and qualified. All vacancies occurring in the board~~], except as provided in section~~
26 ~~162.492,~~] shall be filled by appointment by the board as soon as practicable, and the person
27 appointed shall hold office until the next school board election, when a successor shall be elected for
28 the remainder of the unexpired term. The power of the board to perform any official duty during the
29 existence of a vacancy continues unimpaired thereby.

30 162.492. 1. In all urban districts containing the greater part of the population of a city
31 which has more than three hundred thousand inhabitants, the election authority of the city in which
32 the greater portion of the school district lies, and of the county if the district includes territory not
33 within the city limits, shall serve ex officio as a redistricting commission. The commission shall on
34 or before November 1, 2018, divide the school district into five subdistricts, all subdistricts being of
35 compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and
36 thereafter the board shall redistrict the district into subdivisions as soon as practicable after each
37 United States decennial census. In establishing the subdistricts each member shall have one vote
38 and a majority vote of the total membership of the commission is required to make effective any
39 action of the commission.

2. School elections for the election of directors shall be held on municipal election days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and until their successors are elected and qualified. At the election in 2016, directors shall be elected until 2019 and until their successors are elected and qualified. Beginning in 2019, school elections for the election of directors shall be held on the local election date as specified in the charter of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Beginning at the election for school directors in 2019, the number of directors on the board shall be reduced from nine to seven. Two directors shall be at-large directors and five directors shall represent the subdistricts, with one director from each of the subdistricts. At the 2019 election, one of the at-large directors and the directors from subdistricts one, three, and five shall be elected for a two-year term, and the other at-large director and the directors from subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors shall serve a four-year term. Directors shall serve until the next election and until their successors, then elected, are duly qualified as provided in this section. In addition to other qualifications prescribed by law, each member elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be numbered from one to five.

3. The five candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

4. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes shall be elected.

5. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

6. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

7. Vacancies which occur on the school board ~~[between the dates of election shall be filled by special election if such vacancy happens more than six months prior to the time of holding an~~

1 election as provided in subsection 2 of this section. The state board of education shall order a
2 special election to fill such a vacancy. A letter from the commissioner of education, delivered by
3 certified mail to the election authority or authorities that would normally conduct an election for
4 school board members shall be the authority for the election authority or authorities to proceed with
5 election procedures. If a vacancy occurs less than six months prior to the time of holding an
6 election as provided in subsection 2 of this section, no special election shall occur and the vacancy
7 shall be filled at the next election day on which local elections are held as specified in the charter of
8 any home rule city with more than four hundred thousand inhabitants and located in more than one
9 county] shall be filled in the manner provided in section 162.471"; and

10
11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.

13
14 THIS SUBSTITUTES 0917H12.15H