

FIRST REGULAR SESSION

# HOUSE BILL NO. 479

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MCGAUGH.

0138H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

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

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*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Section A. Section 115.635, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.635, to read as follows: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. 1. 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

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.

17 abduction, duress, or any fraudulent device, compelling, inducing, or prevailing upon any  
18 voter to vote or refrain from voting at any election;

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

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

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

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

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

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

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

37 (11) Attempting to commit or participating in an attempt to commit any class one or  
38 class two election offense;

39 **(12) Threatening to harm or engaging in conduct reasonably calculated to harass**  
40 **or alarm, including stalking under section 565.227, an election judge, challenger,**  
41 **watcher, or employee or volunteer of an election authority, or a member of such person's**  
42 **family;**

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

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

52 **2. For the purposes of this section, the term "election official" includes the**  
53 **election authority for the county, election judges, and other volunteers or employees of**

54 **an election authority. If a violation of subdivisions (12), (13), or (14) results in death or**  
55 **bodily injury to an election official or a member of the official's family, the offense shall**  
56 **be a class B felony.**

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