

FIRST REGULAR SESSION

# HOUSE BILL NO. 638

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MATTHIESEN.

1737H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 115.105, RSMo, and to enact in lieu thereof one new section relating to election challengers.

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

Section A. Section 115.105, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.105, to read as follows:

115.105. 1. The chair of the county committee of each political party named on the ballot shall have the right to designate a challenger for each polling place, who may be present ~~[until all ballots are cast on the day of election]~~ **on election day or during the absentee voting period**, and a challenger for each location at which absentee ballots are counted, who may be present while the ballots are being prepared for counting and counted. No later than four business days before ~~[the election]~~ **a challenger may enter a polling location**, the chair of each county committee of each political party named on the ballot shall provide signed official designation forms with the names of the designated challengers and substitutes to the local election authority for confirmation of eligibility to serve as a challenger. The local election authority, after verifying the eligibility of each designated and substitute challenger, shall sign off on the official designation forms, unless the challenger is found not to have the qualifications established by subsection 4 of this section. If the election authority determines that a challenger does not meet the qualifications of subsection 4 of this section, the designating party chair may designate a replacement challenger and provide the local election authority with the name of the replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute challengers at his or her discretion during such hours.

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           2. Challenges may only be made when the challenger believes the election laws of  
19 this state have been or will be violated, and each challenger shall report any such belief to the  
20 election judges, or to the election authority if not satisfied with the decision of the election  
21 judges.

22           3. Prior to the close of the polls, challengers may list and give out the names of those  
23 who have voted. The listing and giving out of names of those who have voted by a challenger  
24 shall not be considered giving information tending to show the state of the count.

25           4. All persons selected as challengers shall have the same qualifications required by  
26 section 115.085 for election judges, except that such challenger shall be a registered voter in  
27 the jurisdiction of the election authority for which the challenger is designated as a challenger.

28           5. Any challenge by a challenger to a voter's identification for validity shall be made  
29 only to the election judges or other election authority. If the poll challenger is not satisfied  
30 with the decision of the election judges, then he or she may report his or her belief that the  
31 election laws of this state have been or will be violated to the election authority as allowed  
32 under this section.

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