

FIRST REGULAR SESSION

SENATE BILL NO. 532

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time February 26, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2256S.011

AN ACT

To repeal section 115.249, RSMo, and to enact in lieu thereof one new section relating to electronic voting machines.

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

Section A. Section 115.249, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 115.249, to read as follows:

115.249. 1. No voting machine shall be used unless it:

2 (1) Permits voting in absolute secrecy;

3 (2) Permits each voter to vote for as many candidates for each office as he
4 is lawfully entitled to vote for, and no other;

5 (3) Permits each voter to vote for or against as many questions as he is
6 lawfully entitled to vote on, and no more;

7 (4) Provides facilities for each voter to cast as many write-in votes for
8 each office as he is lawfully entitled to cast;

9 (5) Permits each voter in a primary election to vote for the candidates of
10 only one party announced by the voter in advance;

11 (6) Permits each voter at a presidential election to vote by use of a single
12 lever for the candidates of one party or group of petitioners for president, vice
13 president and their presidential electors;

14 (7) Correctly registers or records and accurately counts all votes cast for
15 each candidate and for and against each question;

16 (8) Is provided with a lock or locks which prevent any movement of the
17 voting or registering mechanism and any tampering with the mechanism;

18 (9) Is provided with a protective counter or other device whereby any
19 operation of the machine before or after an election will be detected;

20 (10) Is provided with a counter which shows at all times during the

21 election how many people have voted on the machine;

22 (11) Is provided with a proper light which enables each voter, while
23 voting, to clearly see the ballot labels;

24 (12) Is provided with a mechanical model, illustrating the manner of
25 voting on the machine, suitable for the instruction of voters;

26 **(13) Produces a paper ballot that is verifiable by the voter.**

27 **2. Machines in compliance with the Help America Vote Act of**
28 **2002 (HAVA), 42 U.S.C. Sections 15301 to 15545, as amended, other than**
29 **paper ballot marking devices, may be deployed for the sole use by**
30 **disabled voters who choose to use them until such machines are**
31 **replaced by HAVA-compliant paper ballot marking devices.**

✓

Bill

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