

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/SCS/Senate Bill No. 1094, Page 31, Section 115.453, Line 86,

2 by inserting after all of said line the following:

3 "115.637. The following offenses, and any others
4 specifically so described by law, shall be class four
5 election offenses and are deemed misdemeanors not connected
6 with the exercise of the right of suffrage. Conviction for
7 any of these offenses shall be punished by imprisonment of
8 not more than one year or by a fine of not more than two
9 thousand five hundred dollars or by both such imprisonment
10 and fine:

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

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

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

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

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

39 (6) On the part of any employer, making, enforcing, or
40 attempting to enforce any order, rule, or regulation or
41 adopting any other device or method to prevent an employee
42 from engaging in political activities, accepting candidacy
43 for nomination to, election to, or the holding of, political
44 office, holding a position as a member of a political
45 committee, soliciting or receiving funds for political
46 purpose, acting as chairman or participating in a political
47 convention, assuming the conduct of any political campaign,
48 signing, or subscribing his or her name to any initiative,
49 referendum, or recall petition, or any other petition
50 circulated pursuant to law;

51 (7) On the part of any person authorized or employed
52 to print official ballots, or any person employed in
53 printing ballots, giving, delivering, or knowingly
54 permitting to be taken any ballot to or by any person other
55 than the official under whose direction the ballots are
56 being printed, any ballot in any form other than that
57 prescribed by law, or with unauthorized names, with names

58 misspelled, or with the names of candidates arranged in any
59 way other than that authorized by law;

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

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

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

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

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

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

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

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

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

96 (17) On the part of any person at any registration
97 site, polling place, counting location or verification
98 location, causing any breach of the peace or engaging in
99 disorderly conduct, violence, or threats of violence whereby
100 such registration, election, count or verification is
101 impeded or interfered with;

102 (18) Exit polling, surveying, sampling,
103 electioneering, distributing election literature, posting
104 signs or placing vehicles bearing signs with respect to any
105 candidate or question to be voted on at an election on
106 election day inside the building in which a polling place is
107 located or within [twenty-five] fifty feet of the building's
108 outer door closest to the polling place, or, on the part of
109 any person, refusing to remove or permit removal from
110 property owned or controlled by such person, any such
111 election sign or literature located within such distance on
112 such day after request for removal by any person.____

113 Notwithstanding the preceding sentence, a candidate may be
114 up to twenty-five feet from the building's outer door
115 closest to the polling place at any time at which the
116 candidate is not seeking to vote;

117 (19) Stealing or willfully defacing, mutilating, or
118 destroying any campaign yard sign on private property,
119 except that this subdivision shall not be construed to
120 interfere with the right of any private property owner to
121 take any action with regard to campaign yard signs on the
122 owner's property and this subdivision shall not be construed
123 to interfere with the right of any candidate, or the

124 candidate's designee, to remove the candidate's campaign
125 yard sign from the owner's private property after the
126 election day."; and
127 Further amend the title and enacting clause accordingly.