

SENATE BILL NO. 740

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

2600S.011

KRISTINA MARTIN, Secretary

AN ACT

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

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Section A. Section 115.105, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.105, to read as follows: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

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

21 meet the qualifications of subsection 4 of this section, the
22 designating party chair may designate a replacement
23 challenger and provide the local election authority with the
24 name of the replacement challenger before 5:00 p.m. of the
25 Monday preceding the election. The designating chair may
26 substitute challengers at his or her discretion during such
27 hours.

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

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

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

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

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