

SECOND REGULAR SESSION

# SENATE BILL NO. 860

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Read 1st time January 13, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4836S.011

## AN ACT

To repeal sections 115.277, 115.279, 115.283, and 115.637, RSMo, and to enact in lieu thereof four new sections relating to elections, with existing penalty provisions.

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

Section A. Sections 115.277, 115.279, 115.283, and 115.637, RSMo, are  
2 repealed and four new sections enacted in lieu thereof, to be known as sections  
3 115.277, 115.279, 115.283, and 115.637, to read as follows:

115.277. 1. **(1) Except as provided in subsections 2, 3, 4, and 5 of**  
2 **this section, any registered voter of this state may cast an absentee**  
3 **ballot in person at a location designated by the election authority for**  
4 **all candidates and issues for which such voter is eligible to vote at the**  
5 **polling place without providing a reason for the need to vote absentee.**

6 **(2) Except as provided in subsections 2, 3, 4, and 5 of this section, any**  
7 registered voter of this state may [vote by] **cast an** absentee ballot **by mail** for  
8 all candidates and issues for which such voter [would be] is eligible to vote at  
9 the polling place if such voter expects to be prevented from going to the polls to  
10 vote on election day due to:

11 **[(1)] (a) Absence on election day from the jurisdiction of the election**  
12 **authority in which such voter is registered to vote;**

13 **[(2)] (b) Incapacity or confinement due to illness or physical disability,**  
14 **including a person who is primarily responsible for the physical care of a person**  
15 **who is incapacitated or confined due to illness or disability;**

16 **[(3)] (c) Religious belief or practice;**

17 **[(4)] (d) Employment as an election authority, as a member of an election**  
18 **authority, or by an election authority at a location other than such voter's polling**

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

19 place;

20 [(5)] (e) Incarceration, provided all qualifications for voting are retained;

21 [(6)] (f) Certified participation in the address confidentiality program  
22 established under sections 589.660 to 589.681 because of safety concerns.

23 2. Any covered voter[, as defined in section 115.275,] who is eligible to  
24 register and vote in this state may vote in any election for federal office,  
25 statewide office, state legislative office, or statewide ballot initiatives by  
26 submitting a federal postcard application to apply to vote by absentee ballot or  
27 by submitting a federal postcard application at the polling place even though the  
28 person is not registered. A federal postcard application submitted by a covered  
29 voter pursuant to this subsection shall also serve as a voter registration  
30 application under section 115.908 and the election authority shall, if satisfied  
31 that the applicant is entitled to register, place the voter's name on the voter  
32 registration file. Each covered voter may vote by absentee ballot or, upon  
33 submitting an affidavit that the person is qualified to vote in the election, may  
34 vote at the person's polling place.

35 3. Any interstate former resident[, as defined in section 115.275,] may  
36 vote by absentee ballot for presidential and vice presidential electors.

37 4. Any intrastate new resident[, as defined in section 115.275,] may vote  
38 by absentee ballot at the election for presidential and vice presidential electors,  
39 United States senator, representative in Congress, statewide elected officials and  
40 statewide questions, propositions and amendments from such resident's new  
41 jurisdiction of residence after registering to vote in such resident's new  
42 jurisdiction of residence.

43 5. Any new resident[, as defined in section 115.275,] may vote by absentee  
44 ballot for presidential and vice presidential electors after registering to vote in  
45 such resident's new jurisdiction of residence.

115.279. 1. Application for an absentee ballot may be made by the  
2 applicant in person, or by mail, or for the applicant, in person, by his or her  
3 guardian or a relative within the second degree by consanguinity or affinity. The  
4 election authority shall accept applications by facsimile transmission and by  
5 electronic mail within the limits of its telecommunications capacity.

6 2. Each application shall be made to the election authority of the  
7 jurisdiction in which the person is or would be registered. Each application shall  
8 be in writing and shall state the applicant's name, address at which he or she is  
9 or would be registered, his or her reason for voting an absentee ballot, **if casting**

10 **an absentee ballot pursuant to subdivision (2) of subsection 1 of section**  
11 **115.277**, the address to which the ballot is to be mailed, if mailing is requested,  
12 and for absent uniformed services and overseas applicants, the applicant's email  
13 address if electronic transmission is requested. If the reason for the applicant  
14 voting absentee is due to the reasons established under **paragraph (f) of**  
15 **subdivision [(6)] (2)** of subsection 1 of section 115.277, the applicant shall state  
16 the voter's identification information provided by the address confidentiality  
17 program in lieu of the applicant's name, address at which he or she is or would  
18 be registered, and address to which the ballot is to be mailed, if mailing is  
19 requested. Each application to vote in a primary election shall also state which  
20 ballot the applicant wishes to receive. If any application fails to designate a  
21 ballot, the election authority shall, within three working days after receiving the  
22 application, notify the applicant by mail that it will be unable to deliver an  
23 absentee ballot until the applicant designates which political party ballot he or  
24 she wishes to receive. If the applicant does not respond to the request for  
25 political party designation, the election authority is authorized to provide the  
26 voter with that part of the ballot for which no political party designation is  
27 required.

28 3. [Except as provided in subsection 3 of section 115.281,] All applications  
29 for absentee ballots received prior to the sixth Tuesday before an election shall  
30 be stored at the office of the election authority until such time as the applications  
31 are processed in accordance with section 115.281. No application for an absentee  
32 ballot received in the office of the election authority by mail, by facsimile  
33 transmission, by electronic mail, or by a guardian or relative after 5:00 p.m. on  
34 the second Wednesday immediately prior to the election shall be accepted by any  
35 election authority. No application for an absentee ballot submitted by the  
36 applicant in person after 5:00 p.m. on the day before the election shall be  
37 accepted by any election authority, except as provided in subsections 6, 8 and 9  
38 of this section.

39 4. Each application for an absentee ballot shall be signed by the applicant  
40 or, if the application is made by a guardian or relative pursuant to this section,  
41 the application shall be signed by the guardian or relative, who shall note on the  
42 application his or her relationship to the applicant. If an applicant, guardian or  
43 relative is blind, unable to read or write the English language or physically  
44 incapable of signing the application, he or she shall sign by mark, witnessed by  
45 the signature of an election official or person of his or her own choosing. Any

46 person who knowingly makes, delivers or mails a fraudulent absentee ballot  
47 application shall be guilty of a class one election offense.

48           5. (1) Notwithstanding any law to the contrary, any resident of the state  
49 of Missouri who resides outside the boundaries of the United States or who is on  
50 active duty with the Armed Forces of the United States or members of their  
51 immediate family living with them may request an absentee ballot for both the  
52 primary and subsequent general election with one application.

53           (2) The election authority shall provide each absent uniformed services  
54 voter and each overseas voter who submits a voter registration application or an  
55 absentee ballot request, if the election authority rejects the application or request,  
56 with the reasons for the rejection.

57           (3) Notwithstanding any other law to the contrary, if a standard oath  
58 regarding material misstatements of fact is adopted for uniformed and overseas  
59 voters pursuant to the Help America Vote Act of 2002, the election authority shall  
60 accept such oath for voter registration, absentee ballot, or other election-related  
61 materials.

62           (4) Not later than sixty days after the date of each regularly scheduled  
63 general election for federal office, each election authority which administered the  
64 election shall submit to the secretary of state in a format prescribed by the  
65 secretary a report on the combined number of absentee ballots transmitted to,  
66 and returned by, absent uniformed services voters and overseas voters for the  
67 election. The secretary shall submit to the Election Assistance Commission a  
68 combined report of such information not later than ninety days after the date of  
69 each regularly scheduled general election for federal office and in a standardized  
70 format developed by the commission pursuant to the Help America Vote Act of  
71 2002. The secretary shall make the report available to the general public.

72           (5) As used in this section, the terms "absent uniformed services voter"  
73 and "overseas voter" shall have the meaning prescribed in 52 U.S.C. Section  
74 20310.

75           6. An application for an absentee ballot by a new resident shall be  
76 submitted in person by the applicant in the office of the election authority in the  
77 election jurisdiction in which such applicant resides. The application shall be  
78 received by the election authority no later than 7:00 p.m. on the day of the  
79 election. Such application shall be in the form of an affidavit, executed in  
80 duplicate in the presence of the election authority or any authorized officer of the  
81 election authority, and in substantially the following form:

82 "STATE OF \_\_\_\_\_  
 83 COUNTY OF \_\_\_\_\_, ss.

84 I, \_\_\_\_\_, do solemnly swear that:

85 (1) Before becoming a resident of this state, I resided at \_\_\_\_\_  
 86 (residence address) in \_\_\_\_\_ (town, township, village or city) of  
 87 \_\_\_\_\_ County in the state of \_\_\_\_\_;

88 (2) I moved to this state after the last day to register to vote in such  
 89 general presidential election and I am now residing in the county  
 90 of \_\_\_\_\_, state of Missouri;

91 (3) I believe I am entitled pursuant to the laws of this state to vote in  
 92 the presidential election to be held November \_\_\_\_\_, \_\_\_\_\_ (year);

93 (4) I hereby make application for a presidential and vice presidential  
 94 ballot. I have not voted and shall not vote other than by this ballot  
 95 at such election.

96 Signed \_\_\_\_\_

97 (Applicant)

98 \_\_\_\_\_

99 (Residence Address)

100 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,

101 \_\_\_\_\_

102 Signed \_\_\_\_\_

103 (Title and name of officer authorized to administer oaths)"

104 7. The election authority in whose office an application is filed pursuant  
 105 to subsection 6 of this section shall immediately send a duplicate of such  
 106 application to the appropriate official of the state in which the new resident  
 107 applicant last resided and shall file the original of such application in its office.

108 8. An application for an absentee ballot by an intrastate new resident  
 109 shall be made in person by the applicant in the office of the election authority in  
 110 the election jurisdiction in which such applicant resides. The application shall  
 111 be received by the election authority no later than 7:00 p.m. on the day of the  
 112 election. Such application shall be in the form of an affidavit, executed in  
 113 duplicate in the presence of the election authority or an authorized officer of the  
 114 election authority, and in substantially the following form:

115 "STATE OF \_\_\_\_\_

116 COUNTY OF \_\_\_\_\_, ss.

117 I, \_\_\_\_\_, do solemnly swear that:

118 (1) Before becoming a resident of this election jurisdiction, I resided at  
119 \_\_\_\_\_ (residence address) in \_\_\_\_\_ (town, township, village or  
120 city) of \_\_\_\_\_ county in the state of \_\_\_\_\_;

121 (2) I moved to this election jurisdiction after the last day to register to  
122 vote in such election;

123 (3) I believe I am entitled pursuant to the laws of this state to vote in  
124 the election to be held \_\_\_\_\_ (date);

125 (4) I hereby make application for an absentee ballot for candidates and  
126 issues on which I am entitled to vote pursuant to the laws of this  
127 state. I have not voted and shall not vote other than by this ballot  
128 at such election.

129 Signed \_\_\_\_\_

130 (Applicant)

131 \_\_\_\_\_

132 (Residence Address)

133 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,

134 \_\_\_\_\_

135 Signed \_\_\_\_\_

136 (Title and name of officer authorized to administer oaths)"

137 9. An application for an absentee ballot by an interstate former resident  
138 shall be received in the office of the election authority where the applicant was  
139 formerly registered by 5:00 p.m. on the second Wednesday immediately prior to  
140 the election, unless the application is made in person by the applicant in the  
141 office of the election authority, in which case such application shall be made no  
142 later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a statement on which the  
2 voter shall state the voter's name, the voter's voting address, the voter's mailing  
3 address and, **if casting an absentee ballot pursuant to subdivision (2) of**  
4 **subsection 1 of section 115.277**, the voter's reason for voting an absentee  
5 ballot. If the reason for the voter voting absentee is due to the reasons  
6 established under **paragraph (f) of subdivision [(6)] (2)** of subsection 1 of  
7 section 115.277, the voter shall state the voter's identification information  
8 provided by the address confidentiality program in lieu of the applicant's name,  
9 voting address, and mailing address. On the form, the voter shall also state  
10 under penalties of perjury that the voter is qualified to vote in the election, that  
11 the voter has not previously voted and will not vote again in the election, that the

12 voter has personally marked the voter's ballot in secret or supervised the marking  
 13 of the voter's ballot if the voter is unable to mark it, that the ballot has been  
 14 placed in the ballot envelope and sealed by the voter or under the voter's  
 15 supervision if the voter is unable to seal it, and that all information contained in  
 16 the statement is true. In addition, any person providing assistance to the  
 17 absentee voter shall include a statement on the envelope identifying the person  
 18 providing assistance under penalties of perjury. Persons authorized to vote only  
 19 for federal and statewide officers shall also state their former Missouri residence.

20 **2. The statement for persons voting absentee ballots pursuant to**  
 21 **subdivision (1) of subsection 1 of section 115.277 who are registered**  
 22 **voters shall be in substantially the following form:**

23 "State of Missouri  
 24 County (City) of \_\_\_\_\_  
 25 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of  
 26 St. Louis, Kansas City), hereby state under penalties of perjury  
 27 that I am qualified to vote at this election; I have not voted and  
 28 will not vote other than by this ballot at this election. I further  
 29 state that I marked the enclosed ballot in secret or that I am  
 30 blind, unable to read or write English, or physically incapable of  
 31 marking the ballot, and the person of my choosing indicated  
 32 below marked the ballot at my direction; all of the information  
 33 on this statement is, to the best of my knowledge and belief, true.

34 _____	_____
35 <b>Signature of Voter</b>	<b>Signature of Person</b>
36	<b>Assisting Voter</b>
37	<b>(if applicable)</b>
38 <b>Signed _____</b>	<b>Subscribed and sworn</b>
39 <b>Signed _____</b>	<b>to before me this</b>
40 <b>Address of Voter</b>	<b>_____ day of _____, _____</b>
41 _____	_____
42 _____	_____
43 <b>Mailing addresses</b>	<b>Signature of notary or</b>
44 <b>(if different)</b>	<b>other officer</b>
45	<b>authorized to</b>
46	<b>administer oaths"</b>

47 **3. The statement for persons voting absentee ballots pursuant to**  
 48 **subdivision (2) of subsection 1 of section 115.277 who are registered voters**

49 shall be in substantially the following form:

50 "State of Missouri

51 County (City) of \_\_\_\_\_

52 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of St.  
53 Louis, Kansas City), declare under the penalties of perjury that I expect  
54 to be prevented from going to the polls on election day due to (check one):

55 \_\_\_\_\_ absence on election day from the jurisdiction of the election  
56 authority in which I am registered;

57 \_\_\_\_\_ incapacity or confinement due to illness or physical  
58 disability, including caring for a person who is incapacitated  
59 or confined due to illness or disability;

60 \_\_\_\_\_ religious belief or practice;

61 \_\_\_\_\_ employment as an election authority or by an election  
62 authority at a location other than my polling place;

63 \_\_\_\_\_ incarceration, although I have retained all the necessary  
64 qualifications for voting;

65 \_\_\_\_\_ certified participation in the address confidentiality  
66 program established under sections 589.660 to 589.681  
67 because of safety concerns.

68 I hereby state under penalties of perjury that I am qualified to vote at this  
69 election; I have not voted and will not vote other than by this ballot at this  
70 election. I further state that I marked the enclosed ballot in secret or that  
71 I am blind, unable to read or write English, or physically incapable of  
72 marking the ballot, and the person of my choosing indicated below marked  
73 the ballot at my direction; all of the information on this statement is, to  
74 the best of my knowledge and belief, true.

75 \_\_\_\_\_  
76 Signature of Voter

\_\_\_\_\_  
Signature of Person

77 \_\_\_\_\_  
Assisting Voter  
78 (if applicable)

79 Signed \_\_\_\_\_ Subscribed and sworn  
80 Signed \_\_\_\_\_ to before me this

81 Address of Voter \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

82 \_\_\_\_\_

83 \_\_\_\_\_

84 Mailing addresses Signature of notary or



85 (if different) other officer  
 86 authorized to  
 87 administer oaths"

88 [3.] 4. The statement for persons voting absentee ballots pursuant to the  
 89 provisions of subsection 2, 3, 4, or 5 of section 115.277 without being registered  
 90 shall be in substantially the following form:

91 "State of Missouri  
 92 County (City) of \_\_\_\_\_  
 93 I, \_\_\_\_\_ (print name), declare under the penalties of perjury that I am a  
 94 citizen of the United States and eighteen years of age or older. I am not  
 95 adjudged incapacitated by any court of law, and if I have been convicted  
 96 of a felony or of a misdemeanor connected with the right of suffrage, I  
 97 have had the voting disabilities resulting from such conviction removed  
 98 pursuant to law. I hereby state under penalties of perjury that I am  
 99 qualified to vote at this election.

100 I am (check one):

101 \_\_\_\_\_ a resident of the state of Missouri and a registered voter in  
 102 \_\_\_\_\_ County and moved from that county to \_\_\_\_\_  
 103 County, Missouri, after the last day to register to vote in  
 104 this election.

105 \_\_\_\_\_ an interstate former resident of Missouri and authorized to  
 106 vote for presidential and vice presidential electors.

107 I further state under penalties of perjury that I have not voted and will  
 108 not vote other than by this ballot at this election; I marked the enclosed  
 109 ballot in secret or am blind, unable to read or write English, or physically  
 110 incapable of marking the ballot, and the person of my choosing indicated  
 111 below marked the ballot at my direction; all of the information on this  
 112 statement is, to the best of my knowledge and belief, true.

113 \_\_\_\_\_ Subscribed to and  
 114 Signature of Voter sworn before me this  
 115 \_\_\_\_\_ day of  
 116 \_\_\_\_\_, \_\_\_\_\_

117 \_\_\_\_\_  
 118 \_\_\_\_\_  
 119 Address of Voter Signature of notary or  
 120 other officer

121		authorized to
122		administer oaths
123	_____	_____
124	Mailing Address (if different)	_____
125	_____	_____
126	Signature of Person	Address of Last
127	Assisting Voter	Missouri Residence
128		(if applicable)"

129 [4.] 5. The statement for persons voting absentee ballots who are entitled  
 130 to vote at the election pursuant to the provisions of subsection 2 of section  
 131 115.137 shall be in substantially the following form:

132 "State of Missouri  
 133 County (City) of \_\_\_\_\_

134 I, \_\_\_\_\_ (print name), declare under the penalties of perjury that I expect  
 135 to be prevented from going to the polls on election day due to (check one):

- 136 \_\_\_\_\_ absence on election day from the jurisdiction of the election
- 137 authority in which I am directed to vote;
- 138 \_\_\_\_\_ incapacity or confinement due to illness or physical
- 139 disability, including caring for a person who is incapacitated
- 140 or confined due to illness or disability;
- 141 \_\_\_\_\_ religious belief or practice;
- 142 \_\_\_\_\_ employment as an election authority or by an election
- 143 authority at a location other than my polling place;
- 144 \_\_\_\_\_ incarceration, although I have retained all the necessary
- 145 qualifications of voting;
- 146 \_\_\_\_\_ certified participation in the address confidentiality
- 147 program established under sections 589.660 to 589.681
- 148 because of safety concerns.

149 I hereby state under penalties of perjury that I own property in the \_\_\_\_\_  
 150 district and am qualified to vote at this election; I have not voted and will  
 151 not vote other than by this ballot at this election. I further state that I  
 152 marked the enclosed ballot in secret or that I am blind, unable to read and  
 153 write English, or physically incapable of marking the ballot, and the  
 154 person of my choosing indicated below marked the ballot at my direction;  
 155 all of the information on this statement is, to the best of my knowledge  
 156 and belief, true.

157 \_\_\_\_\_ Subscribed and sworn  
 158 to before me this  
 159 Signature of Voter \_\_\_\_\_ day of  
 160 \_\_\_\_\_, \_\_\_\_\_  
 161 \_\_\_\_\_  
 162 \_\_\_\_\_

163 Address Signature of notary or  
 164 other officer  
 165 authorized to  
 166 administer oaths

167 \_\_\_\_\_  
 168 Signature of Person  
 169 Assisting Voter  
 170 (if applicable)"

171 [5.] 6. The statement for persons providing assistance to absentee voters  
 172 shall be in substantially the following form:

173 "The voter needed assistance in marking the ballot and signing above,  
 174 because of blindness, other physical disability, or inability to read or to  
 175 read English. I marked the ballot enclosed in this envelope at the voter's  
 176 direction, when I was alone with the voter, and I had no other  
 177 communication with the voter as to how he or she was to vote. The voter  
 178 swore or affirmed the voter affidavit above and I then signed the voter's  
 179 name and completed the other voter information above. Signed under the  
 180 penalties of perjury.

181 Reason why voter needed assistance: \_\_\_\_\_

182 ASSISTING PERSON SIGN HERE

- 183 1. \_\_\_\_\_ (signature of assisting person)
- 184 2. \_\_\_\_\_ (assisting person's name printed)
- 185 3. \_\_\_\_\_ (assisting person's residence)
- 186 4. \_\_\_\_\_ (assisting person's home city or town)."

187 [6.] 7. Notwithstanding any other provision of this section, any covered  
 188 voter as defined in section 115.902 or persons who have declared themselves to  
 189 be permanently disabled pursuant to section 115.284, otherwise entitled to vote,  
 190 shall not be required to obtain a notary seal or signature on his or her absentee  
 191 ballot.

192 [7.] 8. Notwithstanding any other provision of this section or section

193 115.291 to the contrary, the subscription, signature and seal of a notary or other  
194 officer authorized to administer oaths shall not be required on any ballot, ballot  
195 envelope, or statement required by this section if the reason for the voter voting  
196 absentee is due to the reasons established pursuant to **paragraph (b) of**  
197 subdivision (2) of subsection 1 of section 115.277.

198 [8.] 9. No notary shall charge or collect a fee for notarizing the signature  
199 on any absentee ballot or absentee voter registration.

200 [9.] 10. A notary public who charges more than the maximum fee  
201 specified or who charges or collects a fee for notarizing the signature on any  
202 absentee ballot or absentee voter registration is guilty of official misconduct.

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

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

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

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

19 (4) On the part of any candidate for election to any office of honor, trust,  
20 or profit, offering or promising to discharge the duties of such office for a less sum  
21 than the salary, fees, or emoluments as fixed by law or promising to pay back or  
22 donate to any public or private interest any portion of such salary, fees, or  
23 emolument as an inducement to voters;

24 (5) On the part of any canvasser appointed to canvass any registration  
25 list, willfully failing to appear, refusing to continue, or abandoning such canvass  
26 or willfully neglecting to perform his duties in making such canvass or willfully

27 neglecting any duties lawfully assigned to him or her;

28         (6) On the part of any employer, making, enforcing, or attempting to  
29 enforce any order, rule, or regulation or adopting any other device or method to  
30 prevent an employee from engaging in political activities, accepting candidacy for  
31 nomination to, election to, or the holding of, political office, holding a position as  
32 a member of a political committee, soliciting or receiving funds for political  
33 purpose, acting as chairman or participating in a political convention, assuming  
34 the conduct of any political campaign, signing, or subscribing his or her name to  
35 any initiative, referendum, or recall petition, or any other petition circulated  
36 pursuant to law;

37         (7) On the part of any person authorized or employed to print official  
38 ballots, or any person employed in printing ballots, giving, delivering, or  
39 knowingly permitting to be taken any ballot to or by any person other than the  
40 official under whose direction the ballots are being printed, any ballot in any form  
41 other than that prescribed by law, or with unauthorized names, with names  
42 misspelled, or with the names of candidates arranged in any way other than that  
43 authorized by law;

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

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

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

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

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

61         (13) On the part of any election judge, or party watcher or challenger,  
62 furnishing any information tending in any way to show the state of the count to

63 any other person prior to the closing of the polls;

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

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

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

72 (17) On the part of any person at any registration site, polling place,  
73 counting location or verification location, causing any breach of the peace or  
74 engaging in disorderly conduct, violence, or threats of violence whereby such  
75 registration, election, count or verification is impeded or interfered with;

76 (18) Exit polling, surveying, sampling, electioneering, distributing election  
77 literature, posting signs or placing vehicles bearing signs with respect to any  
78 candidate or question to be voted on at an election on election day inside the  
79 building in which a polling place is located or within twenty-five feet of the  
80 building's outer door closest to the polling place, or, on the part of any person,  
81 refusing to remove or permit removal from property owned or controlled by such  
82 person, any such election sign or literature located within such distance on such  
83 day after request for removal by any person;

84 (19) Stealing or willfully defacing, mutilating, or destroying any campaign  
85 yard sign on private property, except that this subdivision shall not be construed  
86 to interfere with the right of any private property owner to take any action with  
87 regard to campaign yard signs on the owner's property and this subdivision shall  
88 not be construed to interfere with the right of any candidate, or the candidate's  
89 designee, to remove the candidate's campaign yard sign from the owner's private  
90 property after the election day;

91 **(20) On the part of any initiative or referendum petition**  
92 **circulator, gathering signatures within one hundred feet of a polling**  
93 **place for any statewide ballot measure, as that term is defined in**  
94 **section 116.010, that is approved for circulation pursuant to chapter**  
95 **116.**

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