

1 HB239  
2 208875-4  
3 By Representative Faulkner  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 02-FEB-22



1 him by the inspector, that he is blind or that he cannot read  
2 the names on the voting machines or that, by reason of  
3 physical disability, he is unable to see the machine or  
4 prepare it for voting or to enter the voting machine booth  
5 without assistance. The voter shall state the specific  
6 physical disability which requires him to receive assistance.  
7 Thereupon the voter may request assistance of two inspectors  
8 of his choice or some other person of his own choice and he  
9 shall be assisted by the two election officials of his choice  
10 or by such other person who shall aid him in voting, and the  
11 inspector shall forthwith enter in writing on the record of  
12 assisted voters the voter's name, the fact that the voter  
13 cannot read the names on the voting machine, if that shall be  
14 the reason for requiring assistance and, otherwise, the  
15 specific physical disability which requires him to receive  
16 assistance and the name of the election officials or such  
17 other person furnishing the assistance. Further, should an  
18 illiterate voter desire the assistance of a federal observer  
19 in casting his ballot, the election officials shall permit  
20 such federal observer to assist such the illiterate voter in  
21 casting his ballot.

22 "(b) Any individual voter who desires assistance in  
23 voting may receive assistance from any individual the voter  
24 chooses except the voter's employer, an agent of the employer,  
25 a candidate, a poll watcher, or an officer or agent of the  
26 voter's union. The voter is not required to state a reason for  
27 requesting assistance. To obtain assistance, the voter must

1 specifically request assistance by naming the individual from  
2 whom assistance is sought and by signing in the appropriate  
3 column of the voters' poll list. The individual providing  
4 assistance shall legibly sign in the adjacent column on the  
5 same line as the assisted voter's name. By signing the poll  
6 list, the assistant shall certify that he or she is not the  
7 voter's employer, an agent of the employer, a candidate, a  
8 poll watcher, or an officer or agent of the voter's union. If  
9 the voter is unable to sign the poll list, the individual  
10 providing assistance shall write the voter's name in the  
11 appropriate column and then sign his or her own name in the  
12 third column.

13           "(c) If any voter, after entering the voting machine  
14 booth and before the closing of ~~such~~ the booth ~~shall ask~~ asks  
15 for further instruction concerning the manner of voting, ~~he~~  
16 ~~the voter~~ may choose an election officer or other ~~person~~  
17 ~~individual~~ of his or her choice, except the voter's employer,  
18 an agent of the employer, a candidate, a poll watcher, or an  
19 officer or agent of the voter's union, who shall give ~~him~~ such  
20 ~~the voter~~ instructions, but no official or other ~~person~~  
21 ~~individual~~ giving a voter ~~such~~ instructions shall in any  
22 manner request, suggest, or seek to persuade or induce any  
23 ~~such~~ voter to vote any particular ticket, ~~or~~ for any  
24 particular candidate, or for or against any particular  
25 question. After giving ~~such~~ instructions and before the  
26 elector closes the booth or votes, the election officer or

1 other ~~person~~ individual shall ~~retire~~ exit the voting machine  
2 booth, and the voter shall ~~forthwith~~ vote.

3 ~~"(b) (d)~~ It shall be unlawful for ~~any official to~~  
4 ~~assist a voter who has not made the oath required in~~  
5 ~~subsection (a) of this section, or for an official or any~~  
6 other ~~person~~ individual to do anything to enable ~~himself~~ the  
7 individual to see how any voter votes other than in the course  
8 of assisting a voter as provided in subsection (a) ~~of this~~  
9 ~~section.~~

10 "(e) For purposes of this section, a candidate is  
11 any individual whose name appears on the ballot for that  
12 specific election cycle.

13 "(f) Nothing in this section shall prohibit any  
14 individual from receiving or giving assistance to a voter who  
15 is an immediate family member.

16 "§17-9-13.

17 "(a) Any ~~person~~ individual voter who wishes  
18 assistance in voting may receive assistance from any ~~person~~  
19 individual the voter chooses except the voter's employer, an  
20 agent of the employer, a candidate, a poll watcher, or an  
21 officer or agent of the voter's union. The voter is not  
22 required to state a reason for requesting assistance. To  
23 obtain assistance, the voter must specifically request  
24 assistance by naming the ~~person~~ individual from whom  
25 assistance is sought and by signing in the appropriate column  
26 of the voters' poll list. The ~~person~~ individual providing  
27 assistance shall legibly sign in the adjacent column on the

1 same line as the assisted voter's name. By signing the poll  
2 list, the assistant shall certify that he or she is not the  
3 voter's employer, an agent of the employer, a candidate, a  
4 poll watcher, or an officer or agent of the voter's union. If  
5 the voter is unable to sign the poll list, the ~~person~~  
6 individual giving assistance shall write the voter's name in  
7 the appropriate column and then sign his or her own name in  
8 the third column.

9 "(b) Any voter remaining for four minutes or longer  
10 in a voting station, including, but not limited to, a voting  
11 machine, table, booth, or device that permits a voter to  
12 complete a ballot in privacy, ~~for four minutes or longer~~ may  
13 be asked by a poll official if he or she requires assistance.  
14 At the same time, the voter shall be reminded that he or she  
15 has the right to have the assistance of any other ~~person~~  
16 individual as permitted ~~by law~~ in this section, and that the  
17 poll officials may assist the voter if ~~he or she so~~ the voter  
18 desires assistance. If the voter does not desire assistance,  
19 the voter shall be permitted to remain in the voting station  
20 for no less than one additional minute. At the end of this  
21 additional minute, and if there exists a line of individuals  
22 waiting to vote, the voter may be informed that time is up and  
23 be asked to leave. If there is no line, the voter shall have  
24 as much time as necessary to finish voting. If the voter does  
25 request assistance, the voter may have the assistance of any  
26 ~~person~~ individual of his or her choosing currently in the  
27 voting place, as permitted ~~by law~~ in this section, and may

1 have no less than an additional five minutes to vote. At the  
2 end of this additional five minutes, and if there exists a  
3 line of individuals waiting to vote, the voter may be informed  
4 that the time is up and be asked to leave the voting station.  
5 If there is no line, the voter shall have as much time as  
6 necessary to finish voting. Before an assigned voter exits the  
7 voting place, the voters' poll list must be revised to reflect  
8 that assistance was received.

9 "(c) An election official shall allow any voter who  
10 is mobility disabled or over the age of 70, who so requests,  
11 to move to the front of the line at the polling place.

12 "(d) This section applies to general, primary, and  
13 special elections.

14 "(e) The Chief election official at each polling  
15 place shall post a public notice at each polling place  
16 explaining mobility disabled voters or voters over the age of  
17 70 are allowed, upon their request, to move to the front of  
18 the line at the polling place."~~—~~

19 "(f) For purposes of this section, a candidate is  
20 any individual whose name appears on the ballot for that  
21 specific election cycle.

22 "(g) Nothing in this section shall prohibit any  
23 individual from receiving or giving assistance to a voter who  
24 is an immediate family member."

25 Section 2. This act shall become effective  
26 immediately following its passage and approval by the  
27 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Constitution,  
Campaigns and Elections..... 02-FEB-22

Read for the second time and placed  
on the calendar..... 16-FEB-22

Read for the third time and passed  
as amended..... 17-MAR-22

Yeas 79, Nays 21, Abstains 0

Jeff Woodard  
Clerk