



Legislation Text

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ORDINANCE NO. 240568

Sponsor: Councilmember Melissa Patterson Hazley

Amending Chapter 50, Code of Ordinances, by enacting a new section 50-176 for the purpose of prohibiting certain acts that interfere with the performance of an election worker's official duties.

WHEREAS, election workers serve an important role in our democratic process; and

WHEREAS, in recent years, incidents of targeted threats and harassment towards election workers for simply performing their legal duties have increased in occurrence and intensity; and

WHEREAS, such incidents have contributed to a significant election workforce shortage across the country and threaten the integrity of our local elections; and

WHEREAS, an April, 2023 survey of approximately 850 local election officials conducted by the Brennan Center for Justice revealed that 11% of respondents said they are very or somewhat likely to resign before 2024;

WHEREAS, the City Council believes it is vital to enact provisions for the protection of election workers; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 50, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by enacting a new Section 50-176, to read as follows:

Sec. 50-176. Election Worker Protection.

(a) Purpose. The purpose of this section is to regulate and punish acts of aggression, violence, threats of violence, interference, or intimidation, or acts of disorderly conduct that disrupt or interfere with the conducting of an election or an election worker in the discharge of an election worker's official duties. This section is not intended to prohibit a person's constitutional right to legally protected speech.

(b) Definitions.

(1) Domestic partner means an adult, unrelated by blood, with whom a person has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.

(2) Election means any election authorized by Missouri law in accordance with RSMo Chapter 115.

- (3) *Election worker* means all election officials, election judges, the election authority's staff, challengers, watchers, and all other workers appointed by the election authority to administer an election.
 - (4) *Immediate family member* means the spouse, parent, sibling, or child of the election worker.
 - (5) *Polling place* means the voting place designated by the election authority for voters to vote in an election, including without limitation, locations for in-person absentee voting.
 - (6) *Personally identifying information* means information that identifies or reasonably can be used to identify an individual, including but not limited to: social security number or other government-issued identifier; date of birth; home or physical address; financial account number or credit or debit card number; biometric, health, or medical data, or insurance information; or school or employment locations of immediate family members or domestic partners.
 - (7) *Publish* means to disseminate or otherwise make available to another person or group of persons.
- (c) *Violations.*
- (1) It shall be unlawful for any person to willfully make use of, or threaten to make use of, any force, violence, intimidation, or restraint, or to inflict or threaten to inflict any injury upon or against an election worker in the discharge of the election worker's official duties.
 - (2) It shall be unlawful for any person to willfully obstruct, impede or prevent, or willfully attempt to impede or prevent an election worker from performing the election worker's official duties.
 - (3) It shall be unlawful for any person to willfully communicate in person, by telephone, fax machine, in writing, or by social media or any other electronic means of communication, a threat that would place the election worker or a family member of the election worker in reasonable fear of death, physical injury, or harm, including financial harm.
 - (4) It shall be unlawful for any person to willfully publish any personally identifying information of an election worker when such publication is intended to threaten or stalk or intended to encourage another to threaten or stalk, and the publication places such election worker in reasonable fear of the death of or serious bodily injury to the election worker, an immediate family member of the election worker, or a domestic partner of the election worker.
 - (5) It shall be unlawful for any person to willfully interfere with, disrupt, obstruct, or hinder an election.
 - (6) It shall be unlawful for any person, while within a polling place or within twenty-five feet of the building's outer door closest to the polling place, to willfully use any offensive, disorderly, threatening, abusive or insulting language, conduct or behavior that is calculated to provoke an immediate, violent breach of the peace.
 - (7) It shall be unlawful for any person, while within a polling place or within twenty-five feet of the building's outer door closest to the polling place, to willfully cause any breach of the peace or

engage in any disorderly conduct, violence, or threats of violence or harm.

(d) Penalty. Any person found guilty of violation of this section shall be punished by imprisonment of no more than six months, or by fine of no more than \$1,000.00, or by both such fine and imprisonment.

Approved as to form:

Andrew Bonkowski
Assistant City Attorney