

FIRST REGULAR SESSION

HOUSE BILL NO. 782

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TROUPE.

Read 1st time February 14, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1973L.011

AN ACT

To repeal section 115.289, RSMo 2000, relating to public availability of absentee ballot lists, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 115.289, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 115.289, to read as follows:

115.289. 1. Except as provided in subsection 3 of this section, as applications for absentee ballots are received, the election authority shall list the name, voting address and mailing address, if different, of each applicant. Any person [authorized under subsection 2 of this section] may copy the list, and the election authority may make copies of the list available to such persons for a reasonable fee determined by the election authority.

2. [Except as provided in subsection 4 of this section,] All lists of applications for absentee ballots shall be [kept confidential to the extent that such lists of applications shall not be posted or displayed in any area open] **available** to the general public[, nor shall such lists of applications be shown to any person who is not entitled to see such lists of applications, either pursuant to the provisions of this chapter or any other provisions of law. Persons entitled to see such lists shall include a candidate or a duly authorized representative of a campaign committee as defined in section 130.011, RSMo, or any person with written authorization from a candidate, or any person that has applied for an absentee ballot].

3. In each city not within a county, in each county of the first classification having a population of more than nine hundred thousand inhabitants, in each county of the first classification containing the major portion of a city which has over three hundred thousand

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

17 inhabitants, and in that portion of each city which has over three hundred thousand inhabitants
18 and located in more than one county, situated in the county containing the major portion of the
19 city, as applications for absentee ballots are received, the election authority shall list the name,
20 voting address and mailing address, if different, of each applicant. [Prior to 8:00 a.m. on the
21 Friday before an election all absentee ballot applications, lists of absentee ballot applications, or
22 any information contained on the absentee ballot applications shall be kept confidential. Use of
23 the applications, lists or information contained thereon by the election authority prior to 8:00
24 a.m. on the Friday before an election for purposes other than processing absentee ballots shall
25 be deemed a class one election offense.] After 8:00 a.m. on the Friday before an election any
26 person [authorized under subsection 4 of this section] may copy the list, and the election
27 authority may make copies of the list available to such persons for a reasonable fee determined
28 by the election authority.

29 4. In each city not within a county, in each county of the first classification having a
30 population of more than nine hundred thousand inhabitants, in each county of the first
31 classification containing the major portion of a city which has over three hundred thousand
32 inhabitants, and in that portion of each city which has over three hundred thousand inhabitants
33 and located in more than one county, situated in the county containing the major portion of the
34 city, after 8:00 a.m. on the Friday before an election, all lists of applications for absentee ballots
35 shall be [kept confidential to the extent that such lists of applications shall not be posted or
36 displayed in any area open] **available** to the general public[, nor shall such lists of applications
37 be shown to any person who is not entitled to see such lists of applications, either pursuant to the
38 provisions of this chapter or any other provisions of law. Persons entitled to see such lists shall
39 include a candidate or a duly authorized representative of a campaign committee as defined in
40 section 130.011, RSMo, or any person with written authorization from a candidate, or any person
41 that has applied for an absentee ballot].