

HOUSE COMMITTEE _____ **AMENDMENT NO.** _____

Offered by

_____ of _____

1 AMEND Senate Committee Substitute for Senate Bills Nos. 34 & 105,
2 Page 4, Section 115.277, Line 15, by inserting immediately after
3 the word "retained" the following: ";

4 (6) Certified participation in the address confidentiality
5 program established under sections 589.660 to 589.681 because of
6 safety concerns"; and

7
8 Further amend said bill, Page 5, Section 115.277, Line 41,
9 by inserting after all of said line the following:

10 "115.279. 1. Application for an absentee ballot may be
11 made by the applicant in person, or by mail, or for the
12 applicant, in person, by his or her guardian or a relative within
13 the second degree by consanguinity or affinity. The election
14 authority shall accept applications by facsimile transmission
15 within the limits of its telecommunications capacity.

16 2. Each application shall be made to the election authority
17 of the jurisdiction in which the person is or would be
18 registered. Each application shall be in writing and shall state
19 the applicant's name, address at which he or she is or would be
20 registered, his or her reason for voting an absentee ballot, the
21 address to which the ballot is to be mailed, if mailing is
22 requested, and for absent uniformed services and overseas
23 applicants, the applicant's email address if electronic
24 transmission is requested. If the reason for the applicant
25 voting absentee is due to the reasons established under
26 subdivision (6) of subsection 1 of section 115.277, the applicant
27 shall state the voter's identification information provided by

Action Taken _____

Date _____

1 the address confidentiality program in lieu of the applicant's
2 name, address at which he or she is or would be registered, and
3 address to which the ballot is to be mailed, if mailing is
4 requested. Each application to vote in a primary election shall
5 also state which ballot the applicant wishes to receive. If any
6 application fails to designate a ballot, the election authority
7 shall, within three working days after receiving the application,
8 notify the applicant by mail that it will be unable to deliver an
9 absentee ballot until the applicant designates which political
10 party ballot he or she wishes to receive. If the applicant does
11 not respond to the request for political party designation, the
12 election authority is authorized to provide the voter with that
13 part of the ballot for which no political party designation is
14 required.

15 3. Except as provided in subsection 3 of section 115.281,
16 all applications for absentee ballots received prior to the sixth
17 Tuesday before an election shall be stored at the office of the
18 election authority until such time as the applications are
19 processed in accordance with section 115.281. No application for
20 an absentee ballot received in the office of the election
21 authority by mail, by facsimile transmission or by a guardian or
22 relative after 5:00 p.m. on the Wednesday immediately prior to
23 the election shall be accepted by any election authority. No
24 application for an absentee ballot submitted by the applicant in
25 person after 5:00 p.m. on the day before the election shall be
26 accepted by any election authority, except as provided in
27 subsections 6, 8 and 9 of this section.

28 4. Each application for an absentee ballot shall be signed
29 by the applicant or, if the application is made by a guardian or
30 relative pursuant to this section, the application shall be
31 signed by the guardian or relative, who shall note on the
32 application his or her relationship to the applicant. If an
33 applicant, guardian or relative is blind, unable to read or write
34 the English language or physically incapable of signing the
35 application, he or she shall sign by mark, witnessed by the
36 signature of an election official or person of his or her own
37 choosing. Any person who knowingly makes, delivers or mails a

1 fraudulent absentee ballot application shall be guilty of a class
2 one election offense.

3 5. (1) Notwithstanding any law to the contrary, any
4 resident of the state of Missouri who resides outside the
5 boundaries of the United States or who is on active duty with the
6 Armed Forces of the United States or members of their immediate
7 family living with them may request an absentee ballot for both
8 the primary and subsequent general election with one application.

9 (2) The election authority shall provide each absent
10 uniformed services voter and each overseas voter who submits a
11 voter registration application or an absentee ballot request, if
12 the election authority rejects the application or request, with
13 the reasons for the rejection.

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

20 (4) Not later than sixty days after the date of each
21 regularly scheduled general election for federal office, each
22 election authority which administered the election shall submit
23 to the secretary of state in a format prescribed by the secretary
24 a report on the combined number of absentee ballots transmitted
25 to, and returned by, absent uniformed services voters and
26 overseas voters for the election. The secretary shall submit to
27 the Election Assistance Commission a combined report of such
28 information not later than ninety days after the date of each
29 regularly scheduled general election for federal office and in a
30 standardized format developed by the commission pursuant to the
31 Help America Vote Act of 2002. The secretary shall make the
32 report available to the general public.

33 (5) As used in this section, the terms "absent uniformed
34 services voter" and "overseas voter" shall have the meaning
35 prescribed in 42 U.S.C. Section 1973ff-6.

36 6. An application for an absentee ballot by a new resident,
37 as defined in section 115.275, shall be submitted in person by

1 the applicant in the office of the election authority in the
2 election jurisdiction in which such applicant resides. The
3 application shall be received by the election authority no later
4 than 7:00 p.m. on the day of the election. Such application
5 shall be in the form of an affidavit, executed in duplicate in
6 the presence of the election authority or any authorized officer
7 of the election authority, and in substantially the following
8 form:

9
10 "STATE OF

11
12 COUNTY OF, ss.

13 I,, do solemnly swear
14 that:

15 (1) Before becoming a resident of this state, I resided at
16 (residence
17 address) in (town, township, village
18 or city) of County in the state
19 of

20 (2) I moved to this state after the last day to register to
21 vote in such general presidential election and I am now residing
22 in the county of, state
23 of Missouri;

24 (3) I believe I am entitled pursuant to the laws of this
25 state to vote in the presidential election to be held November
26, (year);

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

30 Signed

31 (Applicant)

32

33 (Residence Address)

34 Subscribed and sworn to before me this day of
35,

36 Signed

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

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

6 8. An application for an absentee ballot by an intrastate
7 new resident, as defined in section 115.275, shall be made in
8 person by the applicant in the office of the election authority
9 in the election jurisdiction in which such applicant resides.
10 The application shall be received by the election authority no
11 later than 7:00 p.m. on the day of the election. Such
12 application shall be in the form of an affidavit, executed in
13 duplicate in the presence of the election authority or an
14 authorized officer of the election authority, and in
15 substantially the following form:

16
17 "STATE OF

18
19 COUNTY OF, ss.

20 I,, do solemnly swear
21 that:

22 (1) Before becoming a resident of this election
23 jurisdiction, I resided at
24 (residence address) in (town, township,
25 village or city) of county in the
26 state of

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

29 (3) I believe I am entitled pursuant to the laws of this
30 state to vote in the election to be held
31 (date);

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

36 Signed

37 (Applicant)

1
2

(Residence Address)

3 Subscribed and sworn to before me this day
4 of,

5 Signed

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

7 9. An application for an absentee ballot by an interstate
8 former resident, as defined in section 115.275, shall be received
9 in the office of the election authority where the applicant was
10 formerly registered by 5:00 p.m. on the Wednesday immediately
11 prior to the election, unless the application is made in person
12 by the applicant in the office of the election authority, in
13 which case such application shall be made no later than 7:00 p.m.
14 on the day of the election.

15 115.283. 1. Each ballot envelope shall bear a statement on
16 which the voter shall state the voter's name, the voter's voting
17 address, the voter's mailing address and the voter's reason for
18 voting an absentee ballot. If the reason for the voter voting
19 absentee is due to the reasons established under subdivision (6)
20 of subsection 1 of section 115.277, the voter shall state the
21 voter's identification information provided by the address
22 confidentiality program in lieu of the applicant's name, voting
23 address, and mailing address. On the form, the voter shall also
24 state under penalties of perjury that the voter is qualified to
25 vote in the election, that the voter has not previously voted and
26 will not vote again in the election, that the voter has
27 personally marked the voter's ballot in secret or supervised the
28 marking of the voter's ballot if the voter is unable to mark it,
29 that the ballot has been placed in the ballot envelope and sealed
30 by the voter or under the voter's supervision if the voter is
31 unable to seal it, and that all information contained in the
32 statement is true. In addition, any person providing assistance
33 to the absentee voter shall include a statement on the envelope
34 identifying the person providing assistance under penalties of
35 perjury. Persons authorized to vote only for federal and
36 statewide officers shall also state their former Missouri
37 residence.

1 2. The statement for persons voting absentee ballots who
2 are registered voters shall be in substantially the following
3 form:

4
5 State of Missouri

6
7 County (City) of

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

12
13 absence on election day from the jurisdiction of the
14 election authority in which I am registered;

15
16 incapacity or confinement due to illness or physical
17 disability, including caring for a person who is incapacitated or
18 confined due to illness or disability;

19
20 religious belief or practice;

21
22 employment as an election authority or by an election
23 authority at a location other than my polling place;

24
25 incarceration, although I have retained all the
26 necessary qualifications for voting;

27
28 certified participation in the address confidentiality
29 program established under sections 589.660 to 589.681 because of
30 safety concerns.

31
32 I hereby state under penalties of perjury that I am qualified to
33 vote at this election; I have not voted and will not vote other
34 than by this ballot at this election. I further state that I
35 marked the enclosed ballot in secret or that I am blind, unable
36 to read or write English, or physically incapable of marking the
37 ballot, and the person of my choosing indicated below marked the

1 vote in this election.

2

3 an interstate former resident of Missouri and authorized
4 to vote for presidential and vice presidential electors.

5

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

13 Subscribed to and sworn
14 Signature of Voter before me this day
15 of,

16
17
18 Address of Voter Signature of notary or
19 other officer authorized
20 to administer oaths

21
22 Mailing Address (if different)
23
24
25 Signature of Person Address of Last
26 Assisting Voter Missouri Residence
27 (if applicable)

28
29
30
31
32

33 State of Missouri
34
35 County (City) of
36
37 I, (print name), declare

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

1 under the penalties of perjury that I expect to be prevented from
2 going to the polls on election day due to (check one):

3
4 absence on election day from the jurisdiction of the
5 election authority in which I am directed to vote;

6
7 incapacity or confinement due to illness or physical
8 disability, including caring for a person who is incapacitated or
9 confined due to illness or disability;

10
11 religious belief or practice;

12
13 employment as an election authority or by an election
14 authority at a location other than my polling place;

15
16 incarceration, although I have retained all the
17 necessary qualifications of voting; certified
18 participation in the address confidentiality program established
19 under sections 589.660 to 589.681 because of safety concerns.

20
21 I hereby state under penalties of perjury that I own property in
22 the district and am qualified to vote at
23 this election; I have not voted and will not vote other than by
24 this ballot at this election. I further state that I marked the
25 enclosed ballot in secret or that I am blind, unable to read and
26 write English, or physically incapable of marking the ballot, and
27 the person of my choosing indicated below marked the ballot at my
28 direction; all of the information on this statement is, to the
29 best of my knowledge and belief, true.

30
31 Subscribed and sworn
32 Signature of Voter to before me this
33 day of,
34
35
36 Address Signature of notary or
37 other officer authorized

1 to administer oaths

2

3 Signature of Person

4 Assisting Voter

5 (if applicable)

6 5. The statement for persons providing assistance to
7 absentee voters shall be in substantially the following form: The
8 voter needed assistance in marking the ballot and signing above,
9 because of blindness, other physical disability, or inability to
10 read or to read English. I marked the ballot enclosed in this
11 envelope at the voter's direction, when I was alone with the
12 voter, and I had no other communication with the voter as to how
13 he or she was to vote. The voter swore or affirmed the voter
14 affidavit above and I then signed the voter's name and completed
15 the other voter information above. Signed under the penalties of
16 perjury.

17
18 Reason why voter needed assistance:

19
20 ASSISTING PERSON SIGN HERE

- 21 1. (signature of assisting person)
- 22 2. (assisting person's name printed)
- 23 3. (assisting person's residence)
- 24 4. (assisting person's home city or town).
- 25 6. Notwithstanding any other provision of this section, any
26 covered voter as defined in section 115.902 or persons who have
27 declared themselves to be permanently disabled pursuant to
28 section 115.284, otherwise entitled to vote, shall not be
29 required to obtain a notary seal or signature on his or her
30 absentee ballot.

31 7. Notwithstanding any other provision of this section or
32 section 115.291 to the contrary, the subscription, signature and
33 seal of a notary or other officer authorized to administer oaths
34 shall not be required on any ballot, ballot envelope, or
35 statement required by this section if the reason for the voter
36 voting absentee is due to the reasons established pursuant to
37 subdivision (2) of subsection 1 of section 115.277.

1 8. No notary shall charge or collect a fee for notarizing
2 the signature on any absentee ballot or absentee voter
3 registration.

4 9. A notary public who charges more than the maximum fee
5 specified or who charges or collects a fee for notarizing the
6 signature on any absentee ballot or absentee voter registration
7 is guilty of official misconduct."; and

8
9 Further amend said bill, Page 7, Section 115.940, Line 5, by
10 inserting after all of said line the following:

11 "Section B. Because immediate action is necessary to allow
12 the provisions of this act to apply to election procedures before
13 August 28, 2015, in order to protect the security needs of
14 victims of domestic violence, rape, sexual assault, or stalking,
15 the repeal and reenactment of sections 115.277, 115.279, and
16 115.283 of this act are deemed necessary for the immediate
17 preservation of the public health, welfare, peace, and safety,
18 and are hereby declared to be an emergency act within the meaning
19 of the constitution, and the repeal and reenactment of sections
20 115.277, 115.279, and 115.283 of this act shall be in full force
21 and effect on July 1, 2015, or upon its passage and approval,
22 whichever first occurs."; and

23
24 Further amend said title, enacting clause and intersectional
25 references accordingly.