

HB 2577 -- ELECTIONS

SPONSOR: Simmons

This bill changes election laws. In its main provisions the bill:

(1) Authorizes the Secretary of State (SOS) to audit voter registration lists and require election authorities to remove improper names. Audit procedures are specified in the bill and noncompliance could result in a withhold of funds (Section 28.960, RSMo);

(2) Prohibits changes to election laws in the 26 weeks preceding a presidential election (Section 115.004);

(3) Removes obsolete references to ballot cards and requires voting machines to be air gapped as a security measure and unable to be connected to the Internet or receive outside communications (Section 115.013, 115.417, 115.447);

(4) Repeals a one year residency requirement for election commissioners (Section 115.031);

(5) Exempts board of election commissioners and clerk employees from requirement to reside or register within the jurisdiction in which they serve (Sections 115.045 and 115.051);

(6) Allows appointment of election judges who reside outside the requisite election authorities jurisdiction without the need for written consent from the election authority in whose jurisdiction the potential judge resides. Procedures for selecting election judges from lists submitted by political party committees is specified. Election judges and challengers shall have the same qualifications (Section 115.081; 115.085, 115.105);

(7) Allows candidates to select poll watchers at their own expense to monitor an election. Candidates for watcher need not reside or be a registered voter within the jurisdiction they serve (Section 115.107);

(8) Requires local election authorities to allow election challengers and watchers to observe the election process in designated areas. Requirements for challengers and watchers are specified in the bill (Section 115.111);

(9) Allows change of address filing in person at the office of an election authority on election day by a registered voter (Section 115.135);

(10) Authorizes the Department of Revenue to use electronic applications when sending materials to election authorities under the existing voter registration program in place at the Division of Motor Vehicles and Drivers Licensing, within the Department of Revenue. Electronic applications shall be sent no later than three business days after completion of a form. The electronic applications shall be secure and in a format compatible with the existing Voter Registration System under Section 115.158. The Secretary of State and Director of the Department of Revenue shall guarantee the security and transmission of electronic data. Images of signatures may be used for the purpose of voter registration (Sections 115.151, 115.160, 115.960);

(9) Restricts voter information released by election authorities by eliminating the date of birth and prohibiting uses for commercial purposes. Certain requirements to release such information to the general public are also repealed or modified (Sections 115.157 and 115.289);

(10) Prohibits the payment of persons for soliciting voter registration applications and requires registration of any person soliciting more than 10 voter registration applications (Section 115.205);

(11) Beginning January 1, 2024, the bill requires the use of a paper ballot and repeals electronic voting system language with certain exceptions for voting equipment used for the disabled. Requires local election authorities to be members of the Elections Infrastructure Information Sharing and Analysis Center and allows the SOS to review cyber security for local election authorities and vendors as specified in the bill. Testing of vendor products such as programs and machines is allowed and subject to appropriation (Sections 115.225, 115.237);

(12) Defines absentee ballots as those authorized to be cast away from a polling place or in the office of the election authority or other authorized location designated by the election authority. (Sections 115.257 and 115.275 and 115.427);

(13) Repeals obsolete language related to voting during the COVID pandemic (Sections 115.277, 115.285, 115.291);

(14) Prohibits solicitation of an absentee ballot applications and pre-filing information on such ballots for other persons (Section 115.279);

(15) Authorizes the counting of absentee ballots received in person prior to election day and those received by mail or authorized drop box prior to the closing of polls on election day.

Prohibits the practice of "ballot curing" which is defined in the bill. A violation of the ballot curing provision will be a class 4 election offense (Section 115.286);

(16) Repeals specific COVID-19 references that have expired (Sections 115.287, 115.291, and 115.652);

(17) Prohibits the use of mail-in ballots except for existing absentee ballots authorized under Chapter 115 (Section 115.302);

(18) Specifies photographic identification requirements for voting a regular ballot, but allows use of provisional ballots with any type of documentation currently allowed for voting. A line item appropriation for the Secretary of State's Office regarding notice of personal identification is repealed. Certain affidavit requirements are repealed and requirements for provisional ballots are specified in the bill (Section 115.427);

(19) Specifies that once a ballot is deposited in the ballot box, then it is deemed cast. Prohibits the practice of ballot curing as specified in the bill (Section 115.435); and

(20) Imposes a labeling requirement for political subdivision and special district ballot measures beginning with "Proposition A" and so on consecutively to "Proposition Z" and continuing with double letters in alphabetical order if necessary. If a measure is labeled, but not voted upon at the next election, then it retains its letter designation until it has been voted on. Certain ballots involving multiple jurisdictions will be labeled using numbers in a similar fashion. This practice is identical to the current law on statewide ballot measure labeling (Section 116.225).

This bill is similar to Reperfected HB 738 (2021).