

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 339, Pages 1 to 5 , Section 115.427, by removing all of said Section from  
2 the bill and inserting in lieu thereof the following:

3  
4 "115.427. 1. Before receiving a ballot, voters shall [establish their identity and eligibility to  
5 vote at the polling place] identify themselves by presenting a form of personal identification[.  
6 "Personal identification" shall mean only one of the following:

7 (1) Nonexpired Missouri driver's license showing the name and a photograph or digital  
8 image of the individual; or

9 (2) Nonexpired or nonexpiring Missouri nondriver's license showing the name and a  
10 photographic or digital image of the individual; or

11 (3) A document that satisfies all of the following requirements:

12 (a) The document contains the name of the individual to whom the document was issued,  
13 and the name substantially conforms to the most recent signature in the individual's voter registration  
14 record;

15 (b) The document shows a photographic or digital image of the individual;

16 (c) The document includes an expiration date, and the document is not expired, or if expired,  
17 expired not before the date of the most recent general election; and

18 (d) The document was issued by the United States or the state of Missouri; or

19 (4) Any identification containing a photographic or digital image of the individual which is  
20 issued by the Missouri National Guard, the United States Armed Forces, or the United States  
21 Department of Veteran Affairs to a member or former member of the Missouri National Guard or the  
22 United States Armed Forces and that does not have an expiration date.

23 2. The election authority shall post a clear and conspicuous notice at each polling place  
24 informing each voter who appears at the polling place without a form of personal identification that  
25 satisfies the requirements of subsection 1 of this section that the voter may return to the polling place  
26 with a proper form of personal identification and vote a regular ballot after election judges have  
27 verified the voter's identity and eligibility under subsection 1 of this section. In addition to such  
28 posting, the election judges may also inform such voters by written or oral communication of such  
29 information posted in the notice. Voters who return to the polling place during the uniform polling  
30 hours established by section 115.407 with a current and valid form of personal identification shall be  
31 given priority in any voting lines.

32 3. An individual who appears at a polling place without identification in the form described  
33 in subsection 1 of this section and who is otherwise qualified to vote at that polling place may  
34 execute an affidavit averring that the voter is the person listed in the precinct register and that the  
35 voter does not possess a form of identification specified in this section and is unable to obtain a  
36 current and valid form of personal identification because of:

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 (1) A physical or mental disability or handicap of the voter, if the voter is otherwise  
2 competent to vote under Missouri law; or

3 (2) A sincerely held religious belief against the forms of personal identification described in  
4 subsection 1 of this section; or

5 (3) The voter being born on or before January 1, 1941.

6 Upon executing such affidavit, the individual may cast a provisional ballot. Such provisional  
7 ballot shall be counted, provided the election authority verifies the identity of the individual by  
8 comparing that individual's signature to the signature on file with the election authority and  
9 determines that the individual was eligible to cast a ballot at the polling place where the ballot was  
10 cast.

11 4. The affidavit to be used for voting under subsection 3 of this section shall be substantially  
12 in the following form: "State of ..... County of ..... I do solemnly swear  
13 (or affirm) that my name is .....; that I reside at .....; and that I am the  
14 person listed in the precinct register under this name and at this address. I further swear (or affirm)  
15 that I am unable to obtain a current and valid form of personal identification because of:

16 [ ] A physical or mental disability or handicap; or

17 [ ] A sincerely held religious belief; or

18 [ ] My being born on or before January 1, 1941.

19  
20 I understand that knowingly providing false information is a violation of law and subjects me to  
21 possible criminal prosecution.

22 .....

23 Signature of voter

24 Subscribed and affirmed before me this ..... day of ....., 20....

25 .....

26 Signature of election official"

27 5. A voter shall be allowed to cast a provisional ballot under section 115.430 even if the  
28 election judges cannot establish the voter's identity under subsection 1 of this section. The election  
29 judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity  
30 was not verified. The provisional ballot cast by such voter shall not be counted unless:

31 (1) The voter returns to the polling place during the uniform polling hours established by  
32 section 115.407 and provides a form of personal identification that allows the election judges to  
33 verify the voter's identity as provided in subsection 1 of this section; and

34 (2) The provisional ballot otherwise qualifies to be counted under section 115.430.

35 6. The secretary of state shall provide advance notice of the personal identification  
36 requirements of subsection 1 of this section in a manner calculated to inform the public generally of  
37 the requirement for photographic personal identification as provided in this section. Such advance  
38 notice shall include, at a minimum, the use of advertisements and public service announcements in  
39 print, broadcast television, radio, and cable television media, as well as the posting of information on  
40 the opening pages of the official state internet websites of the secretary of state and governor.

41 7. The provisions of section 136.055 and section 302.181 notwithstanding, any applicant  
42 who requests a nondriver's license with a photograph or digital image for the purpose of voting shall  
43 not be required to pay a fee if the applicant executes an affidavit averring that the applicant does not  
44 have any other form of photographic personal identification that meets the requirements of  
45 subsection 1 of this section. The state of Missouri shall pay the legally required fees for any such  
46 applicant. The director shall design an affidavit to be used for this purpose. However, any disabled  
47 or elderly person otherwise competent to vote shall be issued a nondriver's license photo  
48 identification through a mobile processing system operated by the Missouri department of revenue

1 upon request if the individual is physically unable to otherwise obtain a nondriver's license photo  
2 identification. The department of revenue shall make nondriver's license photo identifications  
3 available through its mobile processing system only at facilities licensed under chapter 198 and other  
4 public places accessible to and frequented by disabled and elderly persons. The department shall  
5 provide advance notice of the times and places when the mobile processing system will be available.  
6 At least nine mobile units housed under the office of administration shall remain available for  
7 dispatch upon the request of the department of revenue to fulfill the requirements of this section.  
8 The total cost associated with nondriver's license photo identification under this subsection shall be  
9 borne by the state of Missouri from funds appropriated to the department of revenue for that specific  
10 purpose. The department of revenue and a local election authority may enter into a contract that  
11 allows the local election authority to assist the department in issuing nondriver's license photo  
12 identifications.

13 8. The director of the department of revenue shall, by January first of each year, prepare and  
14 deliver to each member of the general assembly a report documenting the number of individuals who  
15 have requested and received a nondriver's license photo identification for the purposes of voting  
16 under this section. The report shall also include the number of persons requesting a nondriver's  
17 license for purposes of voting under this section, but not receiving such license, and the reason for  
18 the denial of the nondriver's license.

19 9.] from the following list:

20 (1) Identification issued by the state of Missouri, an agency of the state, or a local election  
21 authority of the state;

22 (2) Identification issued by the United States government or agency thereof;

23 (3) Identification issued by an institution of higher education, including a university, college,  
24 or vocational and technical school, located within the state of Missouri;

25 (4) Driver's license or state identification card issued by another state; or

26 (5) Other identification approved by the secretary of state under rules promulgated under  
27 subsection 3 of this section or other identification approved by federal law.

28  
29 Personal knowledge of the voter by two supervising election judges, one from each major political  
30 party, shall be acceptable voter identification upon the completion of a secretary of state-approved  
31 affidavit that is signed by both supervisory election judges and the voter that attests to the personal  
32 knowledge of the voter by the two supervisory election judges. The secretary of state may provide  
33 by rule for a sample affidavit to be used for such purpose.

34 2. The precinct register shall serve as the voter identification certificate. The following form  
35 shall be printed at the top of each page of the precinct register:

36 VOTER'S IDENTIFICATION CERTIFICATE

37 Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to  
38 vote.

39 PRECINCT

40 WARDOR TOWNSHIP .....

41 GENERAL (SPECIAL, PRIMARY) ELECTION

42 Held ....., 20....

43 Date

44 I hereby certify that I am qualified to vote at this election by signing my name and verifying my  
45 address by signing my initials next to my address.

46 [10.] 3. The secretary of state shall promulgate rules to effectuate the provisions of this  
47 section.

48 [11.] 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is

1 created under the authority delegated in this section shall become effective only if it complies with  
2 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
3 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant  
4 to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are  
5 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
6 adopted after August 28, 2002, shall be invalid and void.

7 [12.] 5. If any voter is unable to sign his name at the appropriate place on the certificate or  
8 computer printout, an election judge shall print the name and address of the voter in the appropriate  
9 place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark  
10 shall be witnessed by the signature of an election judge.

11 [13. For any election held on or before November 1, 2008, an individual who appears at a  
12 polling place without identification in the form described in subsection 1 of this section, and who is  
13 otherwise qualified to vote at that polling place, may cast a provisional ballot after:

14 (1) Executing an affidavit which is also signed by two supervising election judges, one from  
15 each major political party, who attest that they have personal knowledge of the identity of the voter,  
16 provided that the two supervising election judges who sign an affidavit under this subdivision shall  
17 not be involved or participate in the verification of the voter's eligibility by the election authority  
18 after the provisional ballot is cast; or

19 (2) (a) Executing an affidavit affirming his or her identity; and

20 (b) Presenting a form of identification from the following list:

21 a. Identification issued by the state of Missouri, an agency of the state, or a local election  
22 authority of the state;

23 b. Identification issued by the United States government or agency thereof;

24 c. Identification issued by an institution of higher education, including a university, college,  
25 vocational and technical school, located within the state of Missouri;

26 d. A copy of a current utility bill, bank statement, government check, paycheck, or other  
27 government document that contains the name and address of the voter; or

28 e. Driver's license or state identification card issued by another state. Such provisional ballot  
29 shall be entitled to be counted, provided the election authority verifies the identity of the individual  
30 by comparing that individual's signature to the current signature on file with the election authority  
31 and determines that the individual was otherwise eligible to cast a ballot at the polling place where  
32 the ballot was cast.

33 14. The affidavit to be used for voting under subsection 13 of this section shall be  
34 substantially in the following form: "State of .....

35 County of .....

36 I do solemnly swear (or affirm) that my name is .....

37 that I reside at .....

38 and that I am the person listed in the precinct register under this name and at this address.

39 I understand that knowingly providing false information is a violation of law and subjects me to  
40 possible criminal prosecution. ....

41 Signature of voter

42 Subscribed and affirmed before me this ..... day of ....., 20....

43 .....

44 Signature of Election Official".

45 15. The provisions of subsections 1 to 5 and 8 to 14 of this section shall become effective  
46 August 28, 2006, and this subsection shall expire September 1, 2006.]" and

47 Further amend said bill by amending the title, enacting clause, and intersectional references  
48 accordingly.