

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 339, Page 1, Section A, Line 2, by
2 inserting after all of said section and line the following:
3

4 "115.277. 1. Except as provided in subsections 2, 3, 4, and 5 of this section, any registered
5 voter of this state may vote by absentee ballot for all candidates and issues for which such voter
6 [would be] is eligible to vote at the polling place [if such voter expects to be prevented from going to
7 the polls to vote on election day due to:

8 (1) Absence on election day from the jurisdiction of the election authority in which such
9 voter is registered to vote;

10 (2) Incapacity or confinement due to illness or physical disability, including a person who is
11 primarily responsible for the physical care of a person who is incapacitated or confined due to illness
12 or disability;

13 (3) Religious belief or practice;

14 (4) Employment as an election authority, as a member of an election authority, or by an
15 election authority at a location other than such voter's polling place;

16 (5) Incarceration, provided all qualifications for voting are retained].

17 2. Any person in federal service[, as defined in section 115.275,] who is eligible to register
18 and vote in this state but is not registered may vote only in the election of presidential and vice
19 presidential electors, United States senator and representative in Congress even though the person is
20 not registered. Each person in federal service may vote by absentee ballot or, upon submitting an
21 affidavit that the person is qualified to vote in the election, may vote at the person's polling place.

22 3. Any interstate former resident[, as defined in section 115.275,] may vote by absentee
23 ballot for presidential and vice presidential electors.

24 4. Any intrastate new resident[, as defined in section 115.275,] may vote by absentee ballot
25 at the election for presidential and vice presidential electors, United States senator, representative in
26 Congress, statewide elected officials and statewide questions, propositions and amendments from
27 such resident's new jurisdiction of residence after registering to vote in such resident's new
28 jurisdiction of residence.

29 5. Any new resident[, as defined in section 115.275,] may vote by absentee ballot for
30 presidential and vice presidential electors after registering to vote in such resident's new jurisdiction

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1 of residence.

2 115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by
3 mail, or for the applicant, in person, by his or her guardian or a relative within the second degree by
4 consanguinity or affinity. The election authority shall accept applications by facsimile transmission
5 within the limits of its telecommunications capacity.

6 2. Each application shall be made to the election authority of the jurisdiction in which the
7 person is or would be registered. Each application shall be in writing and shall state the applicant's
8 name, address at which he or she is or would be registered, [his or her reason for voting an absentee
9 ballot,] whether the voter is incapacitated or confined due to illness or physical disability or is a
10 person who is primarily responsible for the physical care of a person who is incapacitated or
11 confined due to illness or disability, the address to which the ballot is to be mailed, if mailing is
12 requested, and for absent uniformed services and overseas applicants, the applicant's email address if
13 electronic transmission is requested. Each application to vote in a primary election shall also state
14 which ballot the applicant wishes to receive. If any application fails to designate a ballot, the
15 election authority shall, within three working days after receiving the application, notify the
16 applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates
17 which political party ballot he or she wishes to receive. If the applicant does not respond to the
18 request for political party designation, the election authority is authorized to provide the voter with
19 that part of the ballot for which no political party designation is required.

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

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

37 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
38 resides outside the boundaries of the United States or who is on active duty with the Armed Forces of
39 the United States or members of their immediate family living with them may request an absentee
40 ballot for both the primary and subsequent general election with one application. (2) The election
41 authority shall provide each absent uniformed services voter and each overseas voter who submits a

1 voter registration application or an absentee ballot request, if the election authority rejects the
2 application or request, with the reasons for the rejection.

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

7 (4) Not later than sixty days after the date of each regularly scheduled general election for
8 federal office, each election authority which administered the election shall submit to the secretary of
9 state in a format prescribed by the secretary a report on the combined number of absentee ballots
10 transmitted to, and returned by, absent uniformed services voters and overseas voters for the election.
11 The secretary shall submit to the Election Assistance Commission a combined report of such
12 information not later than ninety days after the date of each regularly scheduled general election for
13 federal office and in a standardized format developed by the commission pursuant to the Help
14 America Vote Act of 2002. The secretary shall make the report available to the general public.

15 (5) As used in this section, the terms "absent uniformed services voter" and "overseas voter"
16 shall have the meaning prescribed in [42 U.S.C. 1973ff-6] 52. U.S.C. Section 20310, as amended.

17 6. An application for an absentee ballot by a new resident[, as defined in section 115.275,]
18 shall be submitted in person by the applicant in the office of the election authority in the election
19 jurisdiction in which such applicant resides. The application shall be received by the election
20 authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of
21 an affidavit, executed in duplicate in the presence of the election authority or any authorized officer
22 of the election authority, and in substantially the following form:

23
24 "STATEOF.....

25 COUNTY OF....., ss.

26 I,....., do solemnly swear that:

27 (1) Before becoming a resident of this state, I resided at
28 (residence address) in (town, township, village or city) of
29 County in the state of

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

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

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

36 Signed

37 (Applicant)

38

39 (Residence Address)

40 Subscribed and sworn to before me this day of,

41 Signed

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

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

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

"STATE OF

COUNTY OF, ss.

I,, do solemnly swear that:

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

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

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

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

Signed

(Applicant)

.....
(Residence Address)

Subscribed and sworn to before me this day of,

Signed

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

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

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, the voter's voting address, and the voter's mailing address [and the voter's reason for voting an absentee ballot]. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has not previously voted and will not vote again in the election, that the voter has personally marked the voter's ballot in secret or supervised

1 the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the
2 ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal
3 it, and that all information contained in the statement is true. In addition, any person providing
4 assistance to the absentee voter shall include a statement on the envelope identifying the person
5 providing assistance under penalties of perjury. Persons authorized to vote only for federal and
6 statewide officers shall also state their former Missouri residence.

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

9
10 State of Missouri
11 County (City) of

12
13 I, (print name), a registered voter of County (City of St. Louis, Kansas
14 City), declare under the penalties of perjury [that I expect to be prevented from going to the polls on
15 election day due to (check one):

- 16
- 17 absence on election day from the jurisdiction of the election authority in which I am
- 18 registered;
- 19 incapacity or confinement due to illness or physical disability, including caring for a person
- 20 who is incapacitated or confined due to illness or disability;
- 21 religious belief or practice;
- 22 employment as an election authority or by an election authority at a location other than my
- 23 polling place;
- 24 incarceration, although I have retained all the necessary qualifications for voting.
- 25

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

31
32
33	Signature of Voter	Signature of Person
34		Assisting Voter
35		(if applicable)

36		
37	Signed	Subscribed and sworn to
38	Signed	before me this day
39	Address of Voter	of,
40
41

1 Mailing addresses Signature of notary or
2 (if different) other officer authorized
3 to administer oaths

4 3. The statement for persons voting absentee ballots pursuant to the provisions of subsection
5 2, 3, 4, or 5 of section 115.277 without being registered shall be in substantially the following form:

6
7 State of Missouri
8 County (City) of

9
10 I, (print name), declare under the penalties of perjury that I am a citizen of the
11 United States and eighteen years of age or older. I am not adjudged incapacitated by any court of
12 law, and if I have been convicted of a felony or of a misdemeanor connected with the right of
13 suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I
14 hereby state under penalties of perjury that I am qualified to vote at this election.

15 I am (check one):

16
17 a resident of the state of Missouri and a registered voter in County and moved from
18 that county to County, Missouri, after the last day to register to vote in
19 this election.

20 an interstate former resident of Missouri and authorized to vote for presidential and vice
21 presidential electors.

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

28
29 Subscribed to and sworn
30 Signature of Voter before me this day
31 of,

32
33
34 Address of Voter Signature of notary or
35 other officer authorized
36 to administer oaths

37
38 Mailing Address (if different)

39
40

41 Signature of Person Address of Last

1 Assisting Voter Missouri Residence
2 (if applicable)

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

6
7 State of Missouri
8 County (City) of

9
10 I, (print name), declare under the penalties of perjury [that I expect to be
11 prevented from going to the polls on election day due to (check one):

- 12
- 13 absence on election day from the jurisdiction of the election authority in which I am directed
- 14 to vote;
- 15 incapacity or confinement due to illness or physical disability, including caring for a person
- 16 who is incapacitated or confined due to illness or disability;
- 17 religious belief or practice;
- 18 employment as an election authority or by an election authority at a location other than my
- 19 polling place;
- 20 incarceration, although I have retained all the necessary qualifications of voting.

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

28
29 Subscribed and sworn
30 Signature of Voter to before me this
31 day of,

32
33
34 Address Signature of notary or
35 other officer authorized
36 to administer oaths

37
38 Signature of Person
39 Assisting Voter
40 (if applicable)

41 5. The statement for persons providing assistance to absentee voters shall be in substantially

1 the following form:

2

3 The voter needed assistance in marking the ballot and signing above, because of blindness, other
4 physical disability, or inability to read or to read English. I marked the ballot enclosed in this
5 envelope at the voter's direction, when I was alone with the voter, and I had no other communication
6 with the voter as to how he or she was to vote. The voter swore or affirmed the voter affidavit above
7 and I then signed the voter's name and completed the other voter information above. Signed under
8 the penalties of perjury.

9

10 Reason why voter needed assistance:

11

12 ASSISTING PERSON SIGN HERE

- 13 1. (signature of assisting person)
- 14 2. (assisting person's name printed)
- 15 3. (assisting person's residence)
- 16 4. (assisting person's home city or town).

17 6. Notwithstanding any other provision of this section, any covered voter as defined in
18 section 115.902 or persons who have declared themselves to be permanently disabled pursuant to
19 section 115.284, otherwise entitled to vote, shall not be required to obtain a notary seal or signature
20 on his or her absentee ballot.

21 7. Notwithstanding any other provision of this section or section 115.291 to the contrary, the
22 subscription, signature and seal of a notary or other officer authorized to administer oaths shall not
23 be required on any ballot, ballot envelope, or statement required by this section if the [reason for the]
24 voter voting absentee is [due to the reasons established pursuant to subdivision (2) of subsection 1 of
25 section 115.277] incapacitated or confined due to illness or physical disability, including a person
26 who is primarily responsible for the physical care of a person who is incapacitated or confined due to
27 illness or disability.

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

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

33

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