

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 692, Page 1, In the Title, Lines 2 - 4, by
2 deleting the phrase "political party committee elections" and inserting in lieu thereof the following:
3 "elections"; and
4

5 Further amend said bill, Section A, Page 1, Line 4 by inserting after all of said section and line the
6 following:
7

8 "115.277. 1. Except as provided in subsections 2, 3, 4, and 5 of this section, any registered
9 voter of this state may vote by absentee ballot for all candidates and issues for which such voter
10 would be eligible to vote at the polling place if such voter expects to be prevented from going to the
11 polls to vote on election day due to:

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

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

17 (3) Religious belief or practice;

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

20 (5) Incarceration, provided all qualifications for voting are retained;

21 (6) Certified participation in the address confidentiality program established under sections
22 589.660 to 589.681 because of safety concerns.

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

28 3. Any interstate former resident, as defined in section 115.275, may vote by absentee ballot
29 for presidential and vice presidential electors.

30 4. Any intrastate new resident, as defined in section 115.275, may vote by absentee ballot at
31 the election for presidential and vice presidential electors, United States senator, representative in

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1 Congress, statewide elected officials and statewide questions, propositions and amendments from
2 such resident's new jurisdiction of residence after registering to vote in such resident's new
3 jurisdiction of residence.

4 5. Any new resident, as defined in section 115.275, may vote by absentee ballot for
5 presidential and vice presidential electors after registering to vote in such resident's new jurisdiction
6 of residence.

7 115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by
8 mail, or for the applicant, in person, by his or her guardian or a relative within the second degree by
9 consanguinity or affinity. The election authority shall accept applications by facsimile transmission
10 within the limits of its telecommunications capacity.

11 2. Each application shall be made to the election authority of the jurisdiction in which the
12 person is or would be registered. Each application shall be in writing and shall state the applicant's
13 name, address at which he or she is or would be registered, his or her reason for voting an absentee
14 ballot, the address to which the ballot is to be mailed, if mailing is requested, and for absent
15 uniformed services and overseas applicants, the applicant's email address if electronic transmission is
16 requested. If the reason for the applicant voting absentee is due to the reasons established under
17 subdivision (6) of subsection 1 of section 115.277, the applicant shall state the voter's identification
18 information provided by the address confidentiality program in lieu of the applicant's name, address
19 at which he or she is or would be registered, and address to which the ballot is to be mailed, if
20 mailing is requested. Each application to vote in a primary election shall also state which ballot the
21 applicant wishes to receive. If any application fails to designate a ballot, the election authority shall,
22 within three working days after receiving the application, notify the applicant by mail that it will be
23 unable to deliver an absentee ballot until the applicant designates which political party ballot he or
24 she wishes to receive. If the applicant does not respond to the request for political party designation,
25 the election authority is authorized to provide the voter with that part of the ballot for which no
26 political party designation is required.

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

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

1 election offense.

2 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
3 resides outside the boundaries of the United States or who is on active duty with the Armed Forces of
4 the United States or members of their immediate family living with them may request an absentee
5 ballot for both the primary and subsequent general election with one application.

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

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

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

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

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

29
30 "STATEOF

31
32 COUNTY OF, ss.

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

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

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

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

41 (4) I hereby make application for a presidential and vice presidential ballot. I have not voted

1 and shall not vote other than by this ballot at such election.

2 Signed

3 (Applicant)

4

5 (Residence Address)

6 Subscribed and sworn to before me this day of,

7 Signed

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

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

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

19 "STATEOF

20 COUNTY OF, ss.

21 I,, do solemnly swear that:

22 (1) Before becoming a resident of this election jurisdiction, I resided at

23 (residence address) in (town, township, village or city) of
24 county in the state of

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

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

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

31 Signed

32 (Applicant)

33

34 (Residence Address)

35 Subscribed and sworn to before me this day of,

36 Signed

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

38 9. An application for an absentee ballot by an interstate former resident, as defined in section
39 115.275, shall be received in the office of the election authority where the applicant was formerly
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41

1 registered by 5:00 p.m. on the Wednesday immediately prior to the election, unless the application is
 2 made in person by the applicant in the office of the election authority, in which case such application
 3 shall be made no later than 7:00 p.m. on the day of the election.

4 115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the
 5 voter's name, the voter's voting address, the voter's mailing address and the voter's reason for voting
 6 an absentee ballot. If the reason for the voter voting absentee is due to the reasons established under
 7 subdivision (6) of subsection 1 of section 115.277, the voter shall state the voter's identification
 8 information provided by the address confidentiality program in lieu of the applicant's name, voting
 9 address, and mailing address. On the form, the voter shall also state under penalties of perjury that
 10 the voter is qualified to vote in the election, that the voter has not previously voted and will not vote
 11 again in the election, that the voter has personally marked the voter's ballot in secret or supervised
 12 the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the
 13 ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal
 14 it, and that all information contained in the statement is true. In addition, any person providing
 15 assistance to the absentee voter shall include a statement on the envelope identifying the person
 16 providing assistance under penalties of perjury. Persons authorized to vote only for federal and
 17 statewide officers shall also state their former Missouri residence.

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

20
 21 State of Missouri

22
 23 County (City) of

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

27
 28 absence on election day from the jurisdiction of the election authority in which I am
 29 registered;

30
 31 incapacity or confinement due to illness or physical disability, including caring for a person
 32 who is incapacitated or confined due to illness or disability;

33
 34 religious belief or practice;

35
 36 employment as an election authority or by an election authority at a location other than my
 37 polling place;

38
 39 incarceration, although I have retained all the necessary qualifications for voting;

40
 41 certified participation in the address confidentiality program established under sections

1 589.660 to 589.681 because of safety concerns.

2
3 I hereby state under penalties of perjury that I am qualified to vote at this election; I have not voted
4 and will not vote other than by this ballot at this election. I further state that I marked the enclosed
5 ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking
6 the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of
7 the information on this statement is, to the best of my knowledge and belief, true.

8	9
10	Signature of Voter		Signature of Person
11			Assisting Voter
12			(if applicable)
13			
14	Signed		Subscribed and sworn to
15	Signed		before me this day
16	Address of Voter		of,
17
18
19	Mailing addresses		Signature of notary or
20	(if different)		other officer authorized
21			to administer oaths

22 3. The statement for persons voting absentee ballots pursuant to the provisions of subsection
23 2, 3, 4, or 5 of section 115.277 without being registered shall be in substantially the
24 following form:

25
26 State of Missouri
27
28 County (City) of

29
30 I, (print name), declare under the penalties of perjury that I am a citizen of the
31 United States and eighteen years of age or older. I am not adjudged incapacitated by any court of
32 law, and if I have been convicted of a felony or of a misdemeanor connected with the right of
33 suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I
34 hereby state under penalties of perjury that I am qualified to vote at this election.

35 I am (check one):
36 a resident of the state of Missouri and a registered voter in County and moved from
37 that county to County, Missouri, after the last day to register to vote in this election.

38
39 an interstate former resident of Missouri and authorized to vote for presidential and vice
40 presidential electors.

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

6 Subscribed to and sworn
7 Signature of Voter before me this day
8 of,

9
10
11 Address of Voter Signature of notary or
12 other officer authorized
13 to administer oaths

14
15 Mailing Address (if different)

16
17

18 Signature of Person Address of Last
19 Assisting Voter Missouri Residence
20 (if applicable)

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

24
25 State of Missouri
26
27 County (City) of

28
29 I, (print name), declare under the penalties of perjury that I expect to be
30 prevented from going to the polls on election day due to (check one):

31
32 absence on election day from the jurisdiction of the election authority in which I am directed to
33 vote;

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35 incapacity or confinement due to illness or physical disability, including caring for a person
36 who is incapacitated or confined due to illness or disability;

37
38 religious belief or practice;

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40 employment as an election authority or by an election authority at a location other than my
41 polling place;

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

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

..... Subscribed and sworn
Signature of Voter to before me this
day of,
.....
.....
Address Signature of notary or
other officer authorized
to administer oaths

.....
Signature of Person
Assisting Voter
(if applicable)

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

Reason why voter needed assistance:

ASSISTING PERSON SIGN HERE

- 1. (signature of assisting person)
- 2. (assisting person's name printed)
- 3. (assisting person's residence)
- 4. (assisting person's home city or town).
- 6. Notwithstanding any other provision of this section, any covered voter as defined in
section 115.902 or persons who have declared themselves to be permanently disabled pursuant to

1 section 115.284, otherwise entitled to vote, shall not be required to obtain a notary seal or signature
2 on his or her absentee ballot.

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

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

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

13
14 Further amend said bill, Section 115.621, Page 8, Line 58 by inserting after all of said section and
15 line the following:

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

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.