

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 738

101ST GENERAL ASSEMBLY

1239H.04P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.107, 115.151, 115.157, 115.160, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.960, and 116.220, RSMo, and to enact in lieu thereof thirty-four new sections relating to elections, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.107, 115.151, 115.157, 115.160, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.960, and 116.220, RSMo, are repealed and thirty-four new sections enacted in lieu thereof, to be known as sections 28.960, 115.004, 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.107, 115.151, 115.157, 115.160, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.960, 116.225, 1, and 2, to read as follows:

**28.960. 1. The secretary of state shall have the authority to, at his or her discretion, audit the list of registered voters for any election authority to ensure accuracy.**

**2. The secretary of state shall provide at least five business days' notice to the election authority that he or she intends to inspect the list of voter registration records. Such notice may be sent electronically.**

**3. The audits conducted by the secretary of state shall, at a minimum, verify the following:**

**(1) That a registered voter is alive;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9           **(2) That a registered voter currently resides within the jurisdiction of election**  
10 **authority; and**

11           **(3) That a registered voter is entitled to vote.**

12           **4. If names are found that do not meet the criteria in subsection 3 of this section,**  
13 **the secretary of state shall instruct the election authority to remove the names from the list**  
14 **of registered voters. The secretary of state may conduct a second audit to ensure the names**  
15 **were removed.**

16           **5. The election authority shall comply with the secretary of state's office in**  
17 **conducting the audit and shall remove the names identified by the secretary of state. If an**  
18 **election authority does not cooperate with the audit, the secretary of state's office may**  
19 **withhold funds from the election authority.**

**115.004. The sections of this chapter and all related rules and regulations shall not**  
2 **be amended or modified in any manner in the twenty-six weeks preceding a presidential**  
3 **election.**

          115.013. As used in this chapter, unless the context clearly implies otherwise, the  
2 following terms mean:

3           (1) "Automatic tabulating equipment", the apparatus necessary to examine and  
4 automatically count votes, and the data processing machines which are used for counting votes  
5 and tabulating results **and is air gapped and not connected to a network;**

6           (2) "Ballot", the ~~[ballot card,]~~ paper ballot, or ballot designed for use with an electronic  
7 voting system on which each voter may cast all votes to which he or she is entitled at an election;

8           (3) ~~["Ballot card", a ballot which is voted by making a mark which can be tabulated by~~  
9 ~~automatic tabulating equipment;~~

10           ~~—(4)~~ (4) "Ballot label", the card, paper, booklet, page, or other material containing the names  
11 of all offices and candidates and statements of all questions to be voted on;

12           ~~[(5)]~~ (4) "Counting location", a location selected by the election authority for the  
13 automatic processing or counting, or both, of ballots;

14           ~~[(6)]~~ (5) "County", any county in this state or any city not within a county;

15           ~~[(7)]~~ (6) "Disqualified", a determination made by a court of competent jurisdiction, the  
16 Missouri ethics commission, an election authority or any other body authorized by law to make  
17 such a determination that a candidate is ineligible to hold office or not entitled to be voted on for  
18 office;

19           ~~[(8)]~~ (7) "District", an area within the state or within a political subdivision of the state  
20 from which a person is elected to represent the area on a policy-making body with  
21 representatives of other areas in the state or political subdivision;

22           ~~[(9)]~~ **(8)** "Electronic voting machine", any part of an electronic voting system on which  
23 a voter is able to cast a ballot under this chapter;

24           ~~[(10)]~~ **(9)** "Electronic voting system", a system of casting votes by use of marking  
25 devices, and counting votes by use of automatic tabulating or data processing equipment,  
26 including computerized voting systems;

27           ~~[(11)]~~ **(10)** "Established political party" for the state, a political party which, at either of  
28 the last two general elections, polled for its candidate for any statewide office more than two  
29 percent of the entire vote cast for the office. "Established political party" for any district or  
30 political subdivision shall mean a political party which polled more than two percent of the entire  
31 vote cast at either of the last two elections in which the district or political subdivision voted as  
32 a unit for the election of officers or representatives to serve its area;

33           ~~[(12)]~~ **(11)** "Federal office", the office of presidential elector, United States senator, or  
34 representative in Congress;

35           ~~[(13)]~~ **(12)** "Independent", a candidate who is not a candidate of any political party and  
36 who is running for an office for which political party candidates may run;

37           ~~[(14)]~~ **(13)** "Major political party", the political party whose candidates received the  
38 highest or second highest number of votes at the last general election;

39           ~~[(15)]~~ **(14)** "Marking device", any approved device which will enable the votes to be  
40 counted by automatic tabulating equipment;

41           ~~[(16)]~~ **(15)** "Municipal" or "municipality", a city, village, or incorporated town of this  
42 state;

43           ~~[(17)]~~ **(16)** "New party", any political group which has filed a valid petition and is  
44 entitled to place its list of candidates on the ballot at the next general or special election;

45           ~~[(18)]~~ **(17)** "Nonpartisan", a candidate who is not a candidate of any political party and  
46 who is running for an office for which party candidates may not run;

47           ~~[(19)]~~ **(18)** "Political party", any established political party and any new party;

48           ~~[(20)]~~ **(19)** "Political subdivision", a county, city, town, village, or township of a  
49 township organization county;

50           ~~[(21)]~~ **(20)** "Polling place", the voting place designated for all voters residing in one or  
51 more precincts for any election;

52           ~~[(22)]~~ **(21)** "Precincts", the geographical areas into which the election authority divides  
53 its jurisdiction for the purpose of conducting elections;

54           ~~[(23)]~~ **(22)** "Public office", any office established by constitution, statute or charter and  
55 any employment under the United States, the state of Missouri, or any political subdivision or  
56 special district thereof, but does not include any office in the Missouri state defense force or the

57 National Guard or the office of notary public or city attorney in cities of the third classification  
58 or cities of the fourth classification;

59 [(24)] (23) "Question", any measure on the ballot which can be voted "YES" or "NO";

60 [(25)] (24) "Relative within the second degree by consanguinity or affinity", a spouse,  
61 parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-in-  
62 law, or son-in-law;

63 [(26)] (25) "Special district", any school district, water district, fire protection district,  
64 hospital district, health center, nursing district, or other districts with taxing authority, or other  
65 district formed pursuant to the laws of Missouri to provide limited, specific services;

66 [(27)] (26) "Special election", elections called by any school district, water district, fire  
67 protection district, or other district formed pursuant to the laws of Missouri to provide limited,  
68 specific services; and

69 [(28)] (27) "Voting district", the one or more precincts within which all voters vote at  
70 a single polling place for any election.

115.031. Each election commissioner shall be a registered voter and a resident of the  
2 jurisdiction for which he is appointed [~~for at least one year preceding his appointment~~]. During  
3 his term of office, no commissioner shall hold any statutory position within a political party or  
4 on a political committee, be a candidate for political office or hold any other public office.

115.045. Each election authority shall have the authority to employ such attorneys and  
2 other employees as may be necessary to promptly and correctly perform the duties of the election  
3 authority. Where an electronic voting system or voting machines are used, the election authority  
4 shall designate competent employees to have custody of and supervise maintenance of the voting  
5 equipment. Board of election commissioners' employees shall be subject to the same restrictions  
6 and subscribe the same oath as members of the board of election commissioners, except that no  
7 employee of a board of election commissioners shall be required to post bond **or reside and be**  
8 **a registered voter within the jurisdiction of the election authority** unless directed to do so  
9 by the board. Employee oaths and any bonds shall be filed and preserved in the office of the  
10 board.

115.051. 1. In each county which does not have a board of election commissioners, the  
2 county clerk shall have the right to employ such deputies and assistants as are necessary to  
3 promptly and correctly register voters and conduct elections. Where an electronic voting system  
4 or voting machines are used, the county clerk shall designate competent employees to have  
5 custody of and supervise maintenance of the voting equipment. Each deputy shall be subject to  
6 the same restrictions and subscribe the same oath as the county clerk, except that no employee  
7 shall be required to post bond **or reside and be a registered voter within the jurisdiction of**

8 **the election authority** unless directed to do so by the clerk. Employee oaths and any bonds shall  
9 be filed and preserved in the office of the county clerk.

10 2. Within the total amount for deputies and assistants approved by the county  
11 commission, the salary of each deputy and assistant shall be set by the county clerk.

115.081. 1. Each election authority shall appoint election judges for each polling place  
2 within its jurisdiction in accordance with the provisions of this section.

3 2. In all primary and general elections, the election authority shall appoint at least two  
4 judges from each major political party to serve at each polling place. **The committee of each**  
5 **major political party within the jurisdiction of an election authority is authorized to**  
6 **provide the election authority with a list of election judge candidates who meet the**  
7 **requirements under section 115.085. The candidates shall not be required to reside within**  
8 **the jurisdiction of the election authority, as authorized under section 115.085. If a**  
9 **committee of a major political party within the jurisdiction of an election authority fails**  
10 **to provide the prescribed number of qualified names to fill all election judge positions**  
11 **before the date established by the election authority, the election authority may select**  
12 **judges to fill the positions as provided by law. If the election authority determines that a**  
13 **name submitted by a committee of a major political party is not qualified to serve as an**  
14 **election judge, the election authority shall allow the party to submit another name before**  
15 **filling the position as provided by law.** No major political party shall have a majority of the  
16 judges at any polling place. No established party shall have a greater number of judges at any  
17 polling place than any major political party.

18 3. In any election that is not a primary or general election, the election authority shall  
19 appoint at least one judge from each major political party to serve at each polling place. No  
20 major political party shall have a majority of the judges at any polling place. No established  
21 party shall have a greater number of judges at any polling place than any major political party.

22 4. The election authority shall designate two of the judges appointed for each polling  
23 place, one from each major political party, as supervisory judges. Supervisory judges shall be  
24 responsible for the return of election supplies from the polling place to the election authority and  
25 shall have any additional duties prescribed by the election authority.

26 5. Election judges may be employed to serve for the first half or last half of any election  
27 day. Such judges shall be paid one-half the regular rate of pay. If part-time judges are employed,  
28 the election authority shall employ such judges and shall see that a sufficient number for each  
29 period are present at all times so as to have the proper total number of judges present at each  
30 polling place throughout each election day. The election authority shall require that at each  
31 polling place at least one election judge from each political party serve a full day and that at all  
32 times during the day there be an equal number of election judges from each political party.

33           6. An election authority may appoint additional election judges representing other  
34 established political parties and additional election judges who do not claim a political affiliation.  
35 Any question which requires a decision by the majority of judges shall only be made by the  
36 judges from the major political parties.

          115.085. No person shall be appointed to serve as an election judge who is not a  
2 registered voter in this state~~]; provided that, before any election authority may appoint judges~~  
3 ~~who are registered voters of another election authority's jurisdiction, the election authority shall~~  
4 ~~obtain the written consent of the election authority for the jurisdiction where the prospective~~  
5 ~~judges are registered to vote].~~ Each election judge shall be a person of good repute and character  
6 who can speak, read, and write the English language. No person shall serve as an election judge  
7 at any polling place in which his or her name or the name of a relative within the second degree,  
8 by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed  
9 candidate shall be disqualified from serving as an election judge in any election jurisdiction of  
10 the state. No election judge shall, during his or her term of office, hold any other elective public  
11 office, other than as a member of a political party committee or township office, except any  
12 person who is elected to a board or commission of a political subdivision or special district may  
13 serve as an election judge except at a polling place where such political subdivision or special  
14 district has an issue or candidate on the ballot. In any county having a population of less than  
15 two hundred fifty thousand inhabitants, any candidate for the county committee of a political  
16 party who is not a candidate for any other office and who is unopposed for election as a member  
17 of the committee shall not be disqualified from serving as an election judge.

          115.107. 1. At every election, the chairman of the county committee of each political  
2 party named on the ballot shall have the right to designate a watcher for each place votes are  
3 counted. **The candidates shall not be required to reside within the jurisdiction of the**  
4 **election authority. If the election authority determines that a name submitted by a**  
5 **committee of a major political party is not qualified to serve as poll watcher, the election**  
6 **authority shall allow the party to submit another name.**

7           2. Watchers are to observe the counting of the votes and present any complaint of  
8 irregularity or law violation to the election judges, or to the election authority if not satisfied with  
9 the decision of the election judges. No watcher may be substituted for another on election day.

10          3. No watcher shall report to anyone the name of any person who has or has not voted.

11          4. A watcher may remain present until all closing certification forms are completed, all  
12 equipment is closed and taken down, the transportation case for the ballots is sealed, election  
13 materials are returned to the election authority or to the designated collection place for a polling  
14 place, and any other duties or procedures required under sections 115.447 to 115.491 are

15 completed. A watcher may also remain present at each location at which absentee ballots are  
16 counted and may remain present while such ballots are being prepared for counting and counted.

17 5. All persons selected as watchers shall have the same qualifications required by section  
18 115.085 for election judges~~[, except that such watcher shall be a registered voter in the~~  
19 ~~jurisdiction of the election authority for which the watcher is designated as a watcher].~~

20 **6. A candidate may select his or her own watchers at his or her own expense,**  
21 **provided that the watchers meet the other requirements of this section.**

115.151. 1. Each qualified applicant who appears before the election authority shall be  
2 deemed registered as of the time the applicant's completed, signed and sworn registration  
3 application is witnessed by the election authority or deputy registration official.

4 2. Each applicant who registers by mail shall be deemed to be registered as of the date  
5 the application is postmarked, if such application is accepted and not rejected by the election  
6 authority and the verification notice required pursuant to section 115.155 is not returned as  
7 undeliverable by the postal service.

8 3. Each applicant who registers at a voter registration agency or the division of motor  
9 vehicle and drivers licensing of the department of revenue shall be deemed to be registered as  
10 of the date the application is signed by the applicant, if such application is accepted and not  
11 rejected by the election authority and the verification notice required pursuant to section 115.155  
12 is not returned as undeliverable by the postal service. ~~Voter registration agencies [and the~~  
13 ~~division of motor vehicle and drivers licensing of the department of revenue]~~ shall transmit voter  
14 registration application forms to the appropriate election authority not later than five business  
15 days after the form is completed by the applicant. **The division of motor vehicle and drivers**  
16 **licensing of the department of revenue shall transmit voter registration application forms**  
17 **to the appropriate election authority not later than three business days after the form is**  
18 **completed by the applicant.**

115.157. 1. The election authority may place all information on any registration cards  
2 in computerized form in accordance with section 115.158. No election authority or secretary of  
3 state shall furnish to any member of the public electronic media or printout showing any  
4 registration information, except as provided in this section. Except as provided in subsection 2  
5 of this section, the election authority or secretary of state shall make available electronic media  
6 or printouts showing **only** unique voter identification numbers, voters' names, ~~[dates of birth,]~~  
7 addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the  
8 following separate fields:

- 9 (1) Voter identification number;  
10 (2) First name;  
11 (3) Middle initial;

- 12 (4) Last name;
- 13 (5) Suffix;
- 14 (6) Street number;
- 15 (7) Street direction;
- 16 (8) Street name;
- 17 (9) Street suffix;
- 18 (10) Apartment number;
- 19 (11) City;
- 20 (12) State;
- 21 (13) Zip code;
- 22 (14) Township;
- 23 (15) Ward;
- 24 (16) Precinct;
- 25 (17) Senatorial district;
- 26 (18) Representative district;
- 27 (19) Congressional district.

28 2. All election authorities shall enter voter history in their computerized registration  
29 systems and shall, not more than six months after the election, forward such data to the Missouri  
30 voter registration system established in section 115.158. In addition, election authorities shall  
31 forward registration and other data in a manner prescribed by the secretary of state to comply  
32 with the Help America Vote Act of 2002.

33 3. Except as provided in subsection 6 of this section, the election authority shall furnish,  
34 for a fee, electronic media or a printout showing **only** the names~~[, dates of birth]~~ and addresses  
35 of voters, or any part thereof, within the jurisdiction of the election authority who voted in any  
36 specific election, including primary elections, by township, ward or precinct, provided that  
37 nothing in this chapter shall require such voter information to be released to the public over the  
38 internet **and shall not be used for commercial purposes.**

39 4. ~~[Except as provided in subsection 6 of this section, upon a request by a candidate, a~~  
40 ~~duly authorized representative of a campaign committee, or a political party committee, the~~  
41 ~~secretary of state shall furnish, for a fee determined by the secretary of state and in compliance~~  
42 ~~with section 610.026, media in an electronic format or, if so requested, in a printed format,~~  
43 ~~showing the names, addresses, and voter identification numbers of voters within the jurisdiction~~  
44 ~~of a specific election authority who applied for an absentee ballot under section 115.279 for any~~  
45 ~~specific election involving a ballot measure or an office for which the declaration of candidacy~~  
46 ~~is required to be filed with the secretary of state pursuant to section 115.353, including primary~~  
47 ~~elections, by township, ward, or precinct. Nothing in this section shall require such voter~~



48 ~~information to be released to the public over the internet. For purposes of this section, the terms~~  
49 ~~"candidate", "campaign committee", and "political party committee" shall have the same~~  
50 ~~meaning given to such terms in section 130.011.~~

51 ~~——5.] The amount of fees charged for information provided in this section shall be~~  
52 ~~established pursuant to chapter 610. All revenues collected by the secretary of state pursuant to~~  
53 ~~this section shall be deposited in the state treasury and credited to the secretary of state's~~  
54 ~~technology trust fund account established pursuant to section 28.160. [In even-numbered years,~~  
55 ~~each election authority shall, upon request, supply the voter registration list for its jurisdiction~~  
56 ~~to all candidates and party committees for a charge established pursuant to chapter 610. Except~~  
57 ~~as provided in subsection 6 of this section, all election authorities shall make the information~~  
58 ~~described in this section available pursuant to chapter 610. Any election authority who fails to~~  
59 ~~comply with the requirements of this section shall be subject to the provisions of chapter 610.]~~

60 ~~[6.]~~ 5. Any person working as an undercover officer of a local, state or federal law  
61 enforcement agency, persons in witness protection programs, and victims of domestic violence  
62 and abuse who have received orders of protection pursuant to chapter 455 shall be entitled to  
63 apply to the circuit court having jurisdiction in his or her county of residence to have the  
64 residential address on his or her voter registration records closed to the public if the release of  
65 such information could endanger the safety of the person. Any person working as an undercover  
66 agent or in a witness protection program shall also submit a statement from the chief executive  
67 officer of the agency under whose direction he or she is serving. The petition to close the  
68 residential address shall be incorporated into any petition for protective order provided by circuit  
69 clerks pursuant to chapter 455. If satisfied that the person filing the petition meets the  
70 qualifications of this subsection, the circuit court shall issue an order to the election authority to  
71 keep the residential address of the voter a closed record and the address may be used only for the  
72 purposes of administering elections pursuant to this chapter. The election authority may require  
73 the voter who has a closed residential address record to verify that his or her residential address  
74 has not changed or to file a change of address and to affirm that the reasons contained in the  
75 original petition are still accurate prior to receiving a ballot. A change of address within an  
76 election authority's jurisdiction shall not require that the voter file a new petition. Any voter who  
77 no longer qualifies pursuant to this subsection to have his or her residential address as a closed  
78 record shall notify the circuit court. Upon such notification, the circuit court shall void the order  
79 closing the residential address and so notify the election authority.

115.160. 1. All Missouri driver's license applicants shall receive a voter registration  
2 application form as a simultaneous part of the application for a driver's license, renewal of  
3 driver's license, change of address, duplicate request and a nondriver's license.

4           2. If a single application form is used, the voter registration application portion of any  
5 application described in subsection 1 of this section may not require any information that  
6 duplicates information required in the driver's license portion of the form, except a second  
7 signature or other information required by law.

8           3. After conferring with the secretary of state as the chief state election official  
9 responsible for overseeing of the voter registration process, the director of revenue shall adopt  
10 rules and regulations pertaining to the format of the voter registration application used by the  
11 department. **The director of revenue shall utilize electronic voter registration application**  
12 **forms and provide for secure electronic transfer of voter registration information to**  
13 **election authorities. The secretary of state and the director of revenue shall ensure the**  
14 **confidentiality and integrity of the voter registration data collected, maintained, received,**  
15 **or transmitted under this section.**

16           4. No information relating to the failure of an applicant for a driver's license or  
17 nondriver's license to sign a voter registration application may be used for any purpose other than  
18 voter registration.

19           5. Any voter registration application received pursuant to the provisions of this section  
20 shall be forwarded, **in a secure and electronic manner**, to the election authority located within  
21 that county or any city not within a county, or if there is more than one election authority within  
22 the county, then to the election authority located nearest to the location where the driver's license  
23 application was received. **Voter registration information, including an electronic image of**  
24 **the signature of the applicant, shall be transmitted in a format compatible with the**  
25 **Missouri voter registration system established in section 115.158 which allows for review**  
26 **by the election authority and does not require the election authority to manually reenter**  
27 **the information.** The election authority receiving the application forms shall review the  
28 applications and forward, **in a secure and electronic manner**, any applications pertaining to a  
29 different election authority to that election authority.

30           6. A completed voter registration application accepted in the driver's licensing process  
31 shall be transmitted to the election authority described in subsection 5 of this section not later  
32 than five business days after the form is completed by the applicant.

33           7. Any person registering to vote when applying for or renewing a Missouri driver's  
34 license shall submit with the application form a copy of a birth certificate, a Native American  
35 tribal document, or other proof of United States citizenship, a valid Missouri driver's license, or  
36 other form of personal identification.

115.205. 1. ~~[Any]~~ **No person [who is] shall be** paid or otherwise compensated for  
2 soliciting ~~[more than ten]~~ voter registration applications, other than a governmental entity or a  
3 person who is paid or compensated by a governmental entity for such solicitation~~[-shall be~~

4 ~~registered with the secretary of state as a voter registration solicitor].~~ A voter registration  
 5 solicitor **who solicits more than ten voter registration applications** shall register for every  
 6 election cycle that begins on the day after the general election and ends on the day of the general  
 7 election two years later. A voter registration solicitor shall be at least eighteen years of age and  
 8 shall be a registered voter in the state of Missouri.

9 2. Each voter registration solicitor shall provide the following information in writing to  
 10 the secretary of state's office:

11 (1) The name of the voter registration solicitor;

12 (2) The residential address, including street number, city, state, and zip code;

13 (3) The mailing address, if different from the residential address; **and**

14 (4) ~~[Whether the voter registration solicitor expects to be paid for soliciting voter~~  
 15 ~~registrations;~~

16 ~~— (5) If the voter registration solicitor expects to be paid, the identity of the payor; or~~

17 ~~— (6)] The signature of the voter registration solicitor.~~

18 3. The solicitor information required in subsection 2 of this section shall be submitted  
 19 to the secretary of state's office with the following oath and affirmation: "I HEREBY SWEAR  
 20 OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME  
 21 ARE TRUE AND CORRECT."

22 4. Any voter registration solicitor who knowingly fails to register with the secretary of  
 23 state is guilty of a class three election offense. Voter registration applications shall be accepted  
 24 by the election authority if such applications are otherwise valid, even if the voter registration  
 25 solicitor who procured the applications fails to register with or submits false information to the  
 26 secretary of state.

115.225. 1. Before use by election authorities in this state, the secretary of state shall  
 2 approve the marking devices and the automatic tabulating equipment used in electronic voting  
 3 systems and may promulgate rules and regulations to implement the intent of sections 115.225  
 4 to 115.235.

5 2. No electronic voting system shall be approved unless it:

6 (1) Permits voting in absolute secrecy;

7 (2) Permits each voter to vote for as many candidates for each office as a voter is  
 8 lawfully entitled to vote for;

9 (3) Permits each voter to vote for or against as many questions as a voter is lawfully  
 10 entitled to vote on, and no more;

11 (4) Provides facilities for each voter to cast as many write-in votes for each office as a  
 12 voter is lawfully entitled to cast;

13 (5) Permits each voter in a primary election to vote for the candidates of only one party  
14 announced by the voter in advance;

15 (6) Permits each voter at a presidential election to vote by use of a single mark for the  
16 candidates of one party or group of petitioners for president, vice president and their presidential  
17 electors;

18 (7) Accurately counts all proper votes cast for each candidate and for and against each  
19 question;

20 (8) Is set to reject all votes, except write-in votes, for any office and on any question  
21 when the number of votes exceeds the number a voter is lawfully entitled to cast;

22 (9) Permits each voter, while voting, to clearly see the ballot label;

23 (10) Has been tested and is certified by an independent authority that meets the voting  
24 system standards developed by the Federal Election Commission or its successor agency. The  
25 provisions of this subdivision shall not be required for any system purchased prior to August 28,  
26 2002.

27 3. The secretary of state shall promulgate rules and regulations to allow the use of a  
28 computerized voting system. The procedures shall provide for the use of a computerized voting  
29 system with the ability to provide a paper audit trail. Notwithstanding any provisions of this  
30 chapter to the contrary, such a system may allow for the storage of processed ballot materials in  
31 an electronic form.

32 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
33 under the authority delegated in this section shall become effective only if it complies with and  
34 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
35 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
36 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule  
37 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
38 proposed or adopted after August 28, 2002, shall be invalid and void.

39 **5. If any election authority uses any touchscreen, direct-recording, electronic**  
40 **vote-counting machine, the election authority may continue to use such machine. Upon the**  
41 **removal of such voting machine from the election authority's inventory because of**  
42 **mechanical malfunction, wear and tear, or any other reason, the machine shall not be**  
43 **replaced and no additional direct-recording electronic voting machine shall be added to**  
44 **the election authority's inventory. Such machines shall not be used beginning January 1,**  
45 **2022, except that election authorities may allow the machines to be used by voters who are**  
46 **disabled as long as the machines are functional. Replacement of equipment for use by**  
47 **voters who are disabled shall be with paper ballot marking devices designed to assist**  
48 **voters.**

49           **6. Election authorities shall be members of the Center for Internet Security (CIS)**  
50 **and shall allow cyber security review of their office by the secretary of state. If an election**  
51 **authority denies access for cyber security review, the secretary of state may publicize a**  
52 **notice of noncompliance in a newspaper within the jurisdiction of the election authority or**  
53 **in electronic format. The secretary of state is also authorized to withhold funds from an**  
54 **election authority in violation of this section unless such funding is a federal mandate or**  
55 **part of a federal and state agreement.**

56           **7. The secretary of state shall have authority to require cyber security testing,**  
57 **including penetration testing, of vendor machines, programs, and systems. Failure to**  
58 **participate in such testing shall result in a revocation of vendor certification. Upon notice**  
59 **from another jurisdiction of cyber security failures or certification withholds or revocation,**  
60 **the secretary of state shall have authority to revoke or withhold certification for vendors.**  
61 **The requirements of this section shall be subject to appropriation for the purpose of cyber**  
62 **security testing.**

          115.237. 1. Each ballot printed or designed for use with an electronic voting system for  
2 any election pursuant to this chapter shall contain all questions and the names of all offices and  
3 candidates certified or filed pursuant to this chapter and no other. **Beginning January 1, 2022,**  
4 **the official ballot shall be a paper ballot that is hand-marked by the voter, or in the case**  
5 **of voters with disabilities who need assistance, by a paper ballot marking device designed**  
6 **to assist voters, except as provided in subsection 5 of section 115.225.** As far as practicable,  
7 all questions and the names of all offices and candidates for which each voter is entitled to vote  
8 shall be printed on one page except for the ballot for political party committee persons in polling  
9 places not utilizing an electronic voting system which may be printed separately and in  
10 conformity with the requirements contained in this section. As far as practicable, ballots  
11 containing only questions and the names of nonpartisan offices and candidates shall be printed  
12 in accordance with the provisions of this section, except that the ballot information may be listed  
13 in vertical or horizontal rows. The names of candidates for each office shall be listed in the order  
14 in which they are filed.

15           2. In polling places using electronic voting systems, the ballot information may be  
16 arranged in vertical or horizontal rows or on a number of separate pages or screens. In any event,  
17 the name of each candidate, the candidate's party, the office for which he or she is a candidate,  
18 and each question shall be indicated clearly on the ballot.

19           3. Nothing in this subchapter shall be construed as prohibiting the use of a separate paper  
20 ballot for questions or for the presidential preference primary in any polling place using an  
21 electronic voting system.

22           4. Where electronic voting systems are used and when write-in votes are authorized by  
23 law, a write-in ballot, which may be in the form of a separate paper ballot, card, or envelope, may  
24 be provided by the election authority to permit each voter to write in the names of persons whose  
25 names do not appear on the ballot.

26           5. No ballot printed or designed for use with an electronic voting system for any partisan  
27 election held under this chapter shall allow a person to vote a straight political party ticket. For  
28 purposes of this subsection, a "straight political party ticket" means voting for all of the  
29 candidates for elective office who are on the ballot representing a single political party by a  
30 single selection on the ballot.

31           6. The secretary of state shall promulgate rules that specify uniform standards for ballot  
32 layout for each electronic or computerized ballot counting system approved under the provisions  
33 of section 115.225 so that the ballot used with any counting system is, where possible, consistent  
34 with the intent of this section. Nothing in this section shall be construed to require the format  
35 specified in this section if it does not meet the requirements of the ballot counting system used  
36 by the election authority.

37           7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
38 under the authority delegated in this section shall become effective only if it complies with and  
39 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
40 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
41 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule  
42 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
43 proposed or adopted after August 28, 2002, shall be invalid and void.

115.257. 1. In jurisdictions where electronic voting machines are used, the election  
2 authority shall cause the voting machines to be put in order, set, adjusted and made ready for  
3 voting before they are delivered to polling places.

4           2. At least five days before preparing electronic voting machines for any election, notice  
5 of the time and place of such preparation shall be mailed to each independent candidate and the  
6 chairman of the county committee of each established political party named on the ballot. The  
7 preparation shall be watched by two observers designated by the election authority, one from  
8 each major political party, and shall be open to representatives of the political parties, candidates,  
9 the news media and the public.

10           3. When an electronic voting machine has been examined by such observers and shown  
11 to be in good working order, the machine shall be locked against voting. The observers shall  
12 certify the vote count on each machine is set at zero.

13 4. After an electronic voting machine has been properly prepared and locked, its keys  
14 shall be retained by the election authority and delivered to the election judges along with the  
15 other election supplies.

16 5. For the purpose of processing absentee ballots, cast by voters in person in the office  
17 of the election authority **that is deemed a designated polling place**, the election authority ~~[may]~~  
18 **shall** cause voting machines, **if used**, to be put in order, set, adjusted, tested, and made ready for  
19 voting within one business day of the printing of absentee ballots as provided in section 115.281.  
20 The election authority shall have the recording counter except for the protective counter on the  
21 voting machine set to zero (000). After the voting machines have been made ready for voting,  
22 the election authority shall not permit any person to handle any voting machine, except voters  
23 while they are voting and others expressly authorized by the election authority. The election  
24 authority shall neither be nor permit any other person to be in any position or near any position  
25 that enables the authority or person to see how any absentee voter votes or has voted.

26 6. Nothing in this section shall prohibit the on-site storage of electronic voting machines  
27 and the preparation of the electronic machines for voting, provided the electronic voting  
28 machines are put in order, set, adjusted and made ready for voting as provided in subsections 1,  
29 2, 3, 4, and 5 of this section.

115.275. As used in sections 115.275 to 115.304, unless the context clearly indicates  
2 otherwise, the following terms shall mean:

3 (1) "Absentee ballot", any ~~[of the ballots]~~ **ballot** a person is authorized to cast away from  
4 a polling place **or in the office of the election authority or other authorized location**  
5 **designated by the election authority** pursuant to the provisions of sections 115.275 to 115.304;

6 (2) "Covered voter":

7 (a) A uniformed services voter who is registered to vote in this state;

8 (b) A uniformed services voter defined in this section whose voting residence is in this  
9 state and who otherwise satisfies this state's voter eligibility requirements;

10 (c) An overseas voter;

11 (d) Civilian employees of the United States government working outside the boundaries  
12 of the United States, and their spouses and dependents;

13 (e) Active members of religious or welfare organizations assisting servicemen, and their  
14 spouses and dependents; or

15 (f) Persons who have been honorably discharged from the Armed Forces, **including**  
16 **Space Force**, or who have terminated their service or employment in any group mentioned in  
17 this section within sixty days of an election, and their spouses and dependents;

18 (3) "Interstate former resident", a former resident and registered voter in this state who  
19 moves from Missouri to another state after the deadline to register to vote in any presidential

20 election in the new state and who otherwise possesses the qualifications to register and vote in  
21 such state;

22 (4) "Intrastate new resident", a registered voter of this state who moves from one election  
23 authority's jurisdiction in the state to another election authority's jurisdiction in the state after the  
24 last day authorized in this chapter to register to vote in an election and otherwise possesses the  
25 qualifications to vote;

26 (5) "New resident", a person who moves to this state after the last date authorized in this  
27 chapter to register to vote in any presidential election;

28 (6) "Overseas voter":

29 (a) A person who resides outside the United States and is qualified to vote in the last  
30 place in which the person was domiciled before leaving the United States; or

31 (b) A person who resides outside the United States and, but for such residence, would  
32 be qualified to vote in the last place in which the person was domiciled before leaving the United  
33 States;

34 (7) "Uniformed services":

35 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, or  
36 Coast Guard of the United States;

37 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or the  
38 commissioned corps of the National Oceanic and Atmospheric Administration of the United  
39 States; or

40 (c) The Missouri National Guard;

41 (8) "Uniformed services voter", an individual who is qualified to vote and is:

42 (a) A member of the active or reserve components of the Army, Navy, Air Force, Marine  
43 Corps, or Coast Guard of the United States who is on active duty;

44 (b) A member of the Merchant Marine, the commissioned corps of the Public Health  
45 Service, or the commissioned corps of the National Oceanic and Atmospheric Administration  
46 of the United States;

47 (c) A member on activated status of the National Guard; or

48 (d) A spouse or dependent of a member referred to in this subdivision;

49 (9) "United States", used in the territorial sense, the several states, the District of  
50 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession  
51 subject to the jurisdiction of the United States.

115.277. 1. **Beginning on the third Tuesday before the date of the election, except  
2 as provided in subsections 2, 3, 4, and 5 of this section, any registered voter of this state  
3 may cast an absentee ballot in person at a location designated by the election authority for  
4 all candidates and issues for which such voter is eligible to vote at the polling place without**



5 **providing a reason for the need to vote absentee. Any registered voter casting a ballot**  
6 **under the provisions of this subdivision shall provide photo identification.**

7       **2.** Except as provided in subsections [2,] 3, 4, [and] 5, **and 6** of this section, any  
8 registered voter of this state may [vote by] **cast an** absentee ballot for all candidates and issues  
9 for which such voter would be eligible to vote at the polling place if such voter expects to be  
10 prevented from going to the polls to vote on election day [due to:]. **Any absentee ballot that**  
11 **is not requested and completed in person with photo identification at the office of the**  
12 **election authority shall be notarized, except that absentee ballots requested under**  
13 **subdivisions (2) and (5) of this subsection shall not require notarization. This subsection**  
14 **shall apply only in the case of absentee ballots that are not cast in person, but that are**  
15 **returned to the election authority by the voter in person, or returned in person by a**  
16 **relative of the voter who is within the second degree of consanguinity or affinity, or by mail**  
17 **or registered carrier, or by a team of deputy election authorities. A voter may request an**  
18 **absentee ballot for any of the following reasons:**

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

21       (2) Incapacity or confinement due to illness or physical disability **on election day,**  
22 including a person who is primarily responsible for the physical care of a person who is  
23 incapacitated or confined due to illness or disability **and resides at the same address;**

24       (3) Religious belief or practice;

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

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

28       (6) Certified participation in the address confidentiality program established under  
29 sections 589.660 to 589.681 because of safety concerns[; or

30 ~~—— (7) For an election that occurs during the year 2020, the voter has contracted or is in an~~  
31 ~~at-risk category for contracting or transmitting severe acute respiratory syndrome coronavirus~~  
32 ~~2. This subdivision shall expire on December 31, 2020].~~

33       [2,] **3.** Any covered voter who is eligible to register and vote in this state may vote in any  
34 election for federal office, statewide office, state legislative office, or statewide ballot initiatives  
35 by submitting a federal postcard application to apply to vote by absentee ballot or by submitting  
36 a federal postcard application at the polling place even though the person is not registered. A  
37 federal postcard application submitted by a covered voter pursuant to this subsection shall also  
38 serve as a voter registration application under section 115.908 and the election authority shall,  
39 if satisfied that the applicant is entitled to register, place the voter's name on the voter registration

40 file. Each covered voter may vote by absentee ballot or, upon submitting an affidavit that the  
 41 person is qualified to vote in the election, may vote at the person's polling place.

42 ~~[3-]~~ 4. Any interstate former resident may vote by absentee ballot for presidential and  
 43 vice presidential electors.

44 ~~[4-]~~ 5. Any intrastate new resident may vote by absentee ballot at the election for  
 45 presidential and vice presidential electors, United States senator, representative in Congress,  
 46 statewide elected officials and statewide questions, propositions and amendments from such  
 47 resident's new jurisdiction of residence after registering to vote in such resident's new jurisdiction  
 48 of residence.

49 ~~[5-]~~ 6. Any new resident may vote by absentee ballot for presidential and vice  
 50 presidential electors after registering to vote in such resident's new jurisdiction of residence.

51 **7. The provisions of this section authorizing the casting of absentee ballots without**  
 52 **stating a reason and requiring the use photographic identification are essentially connected**  
 53 **and if any of the photographic identification requirements under this section, or other**  
 54 **general law requiring the use of photographic identification in order to cast an absentee**  
 55 **ballot, are held unconstitutional, or otherwise made ineffective, then subsection 1 of this**  
 56 **section and all other general laws or rules enabling the casting of absentee ballots without**  
 57 **stating a reason shall be null and void.**

58 ~~[6- For purposes of this section, the voters who are in an at-risk category for contracting~~  
 59 ~~or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:~~

- 60 ~~—— (1) Are sixty-five years of age or older;~~  
 61 ~~—— (2) Live in a long-term care facility licensed under chapter 198;~~  
 62 ~~—— (3) Have chronic lung disease or moderate to severe asthma;~~  
 63 ~~—— (4) Have serious heart conditions;~~  
 64 ~~—— (5) Are immunocompromised;~~  
 65 ~~—— (6) Have diabetes;~~  
 66 ~~—— (7) Have chronic kidney disease and are undergoing dialysis; or~~  
 67 ~~—— (8) Have liver disease.]~~

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

5 2. Each application shall be made to the election authority of the jurisdiction in which  
 6 the person is or would be registered. Each application shall be in writing and shall state the  
 7 applicant's name, address at which he or she is or would be registered, his or her reason for  
 8 voting an absentee ballot, **if casting an absentee ballot under subsection 2 of section 115.277,**

9 the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed  
10 services and overseas applicants, the applicant's email address if electronic transmission is  
11 requested. If the reason for the applicant voting absentee is due to the reasons established under  
12 subdivision (6) of subsection [4] 2 of section 115.277, the applicant shall state the voter's  
13 identification information provided by the address confidentiality program in lieu of the  
14 applicant's name, address at which he or she is or would be registered, and address to which the  
15 ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall  
16 also state which ballot the applicant wishes to receive. If any application fails to designate a  
17 ballot, the election authority shall, within three working days after receiving the application,  
18 notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant  
19 designates which political party ballot he or she wishes to receive. If the applicant does not  
20 respond to the request for political party designation, the election authority is authorized to  
21 provide the voter with that part of the ballot for which no political party designation is required.

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

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

39 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who  
40 resides outside the boundaries of the United States or who is on active duty with the Armed  
41 Forces of the United States, **including Space Force**, or members of their immediate family  
42 living with them may request an absentee ballot for both the primary and subsequent general  
43 election with one application.

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

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

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

60 (5) As used in this section, the terms "absent uniformed services voter" and "overseas  
 61 voter" shall have the meaning prescribed in 52 U.S.C. Section 20310.

62 6. An application for an absentee ballot by a new resident shall be submitted in person  
 63 by the applicant in the office of the election authority in the election jurisdiction in which such  
 64 applicant resides. The application shall be received by the election authority no later than 7:00  
 65 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed  
 66 in duplicate in the presence of the election authority or any authorized officer of the election  
 67 authority, and in substantially the following form:

68 "STATE OF \_\_\_\_\_

69 COUNTY OF \_\_\_\_\_, ss.

70 I, \_\_\_\_\_, do solemnly swear that:

71 (1) Before becoming a resident of this state, I resided at \_\_\_\_\_ (residence address)  
 72 in \_\_\_\_\_ (town, township, village or city) of \_\_\_\_\_ County in the state of  
 73 \_\_\_\_\_;

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

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

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

81 Signed \_\_\_\_\_

82 (Applicant)

83 \_\_\_\_\_

84 (Residence Address)

85 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

86 Signed \_\_\_\_\_

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

88 7. The election authority in whose office an application is filed pursuant to subsection  
89 6 of this section shall immediately send a duplicate of such application to the appropriate official  
90 of the state in which the new resident applicant last resided and shall file the original of such  
91 application in its office.

92 8. An application for an absentee ballot by an intrastate new resident shall be made in  
93 person by the applicant in the office of the election authority in the election jurisdiction in which  
94 such applicant resides. The application shall be received by the election authority no later than  
95 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit,  
96 executed in duplicate in the presence of the election authority or an authorized officer of the  
97 election authority, and in substantially the following form:

98 "STATE OF \_\_\_\_\_

99 COUNTY OF \_\_\_\_\_, ss.

100 I, \_\_\_\_\_, do solemnly swear that:

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

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

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

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

111 Signed \_\_\_\_\_

112 (Applicant)

113 \_\_\_\_\_

114 (Residence Address)

115 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

116 Signed \_\_\_\_\_

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

118 9. An application for an absentee ballot by an interstate former resident shall be received  
119 in the office of the election authority where the applicant was formerly registered by 5:00 p.m.  
120 on the second Wednesday immediately prior to the election, unless the application is made in  
121 person by the applicant in the office of the election authority, in which case such application shall  
122 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  
2 the voter's name, the voter's voting address, the voter's mailing address **if casting an absentee**  
3 **ballot under subsection 2 of section 115.277**, and the voter's reason for voting an absentee  
4 ballot. If the reason for the voter voting absentee is due to the reasons established under  
5 subdivision (6) of subsection [4] 2 of section 115.277, the voter shall state the voter's  
6 identification information provided by the address confidentiality program in lieu of the  
7 applicant's name, voting address, and mailing address. On the form, the voter shall also state  
8 under penalties of perjury that the voter is qualified to vote in the election, that the voter has not  
9 previously voted and will not vote again in the election, that the voter has personally marked the  
10 voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to  
11 mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under  
12 the voter's supervision if the voter is unable to seal it, and that all information contained in the  
13 statement is true. In addition, any person providing assistance to the absentee voter shall include  
14 a statement on the envelope identifying the person providing assistance under penalties of  
15 perjury. Persons authorized to vote only for federal and statewide officers shall also state their  
16 former Missouri residence.

17 2. **The statement for persons voting absentee ballots under subsection 1 of section**  
18 **115.277 who are registered voters shall be in substantially the following form:**

19 "State of Missouri

20 County (City) of \_\_\_\_\_

21 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of St. Louis,  
22 Kansas City), hereby state under penalties of perjury that I am qualified to vote at  
23 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  
25 blind, unable to read or write English, or physically incapable of marking the  
26 ballot, and the person of my choosing, indicated below, marked the ballot at my  
27 direction; all of the information on this statement is, to the best of my knowledge  
28 and belief, true.

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\_\_\_\_\_  
**Signature of Voter**

**Signed** \_\_\_\_\_

**Signed** \_\_\_\_\_

**Address of Voter**

\_\_\_\_\_

\_\_\_\_\_

**Mailing addresses**

**(if different)**

\_\_\_\_\_  
**Signature of Person**

**Assisting Voter**

**(if applicable)**

**Subscribed and sworn**

**to before me this**

\_\_\_\_\_ **day of** \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
**Signature of notary or**

**other officer**

**authorized to**

**administer oaths"**

3. The statement for persons voting absentee ballots **under subsection 2 of section 115.277 and** who are registered voters shall be in substantially the following form:

"State of Missouri  
County (City) of \_\_\_\_\_

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

\_\_\_\_\_ absence on election day from the jurisdiction of the election authority in which I am registered;

\_\_\_\_\_ incapacity or confinement due to illness or physical disability **on election day**, including caring for a person who is incapacitated or confined due to illness or disability **and resides at the same address**;

\_\_\_\_\_ religious belief or practice;

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

\_\_\_\_\_ incarceration, although I have retained all the necessary qualifications for 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 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 or write English, or physically

65 incapable of marking the ballot, and the person of my choosing indicated below marked the  
66 ballot at my direction; all of the information on this statement is, to the best of my knowledge  
67 and belief, true.

68	_____	_____
69	Signature of Voter	Signature of Person
70		Assisting Voter
71		(if applicable)
72	Signed _____	Subscribed and sworn
73	Signed _____	to before me this
74	Address of Voter	_____ day of _____, _____
75	_____	_____
76	_____	_____
77	Mailing addresses	Signature of notary or
78	(if different)	other officer
79		authorized to
80		administer oaths"

81

82 [3-] 4. The statement for persons voting absentee ballots pursuant to the provisions of  
83 subsection [2,] 3, 4, [ø] 5, or 6 of section 115.277 without being registered shall be in  
84 substantially the following form:

85

86 "State of Missouri  
87 County (City) of \_\_\_\_\_

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

93 I am (check one):

94 \_\_\_\_\_ a resident of the state of Missouri and a registered voter in \_\_\_\_\_ County  
95 and moved from that county to \_\_\_\_\_ County, Missouri, after the last day to register to vote in  
96 this election.

97 \_\_\_\_\_ an interstate former resident of Missouri and authorized to vote for  
98 presidential and vice presidential electors.

99 I further state under penalties of perjury that I have not voted and will not vote other than  
100 by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read



101 or write English, or physically incapable of marking the ballot, and the person of my choosing  
102 indicated below marked the ballot at my direction; all of the information on this statement is, to  
103 the best of my knowledge and belief, true.

104	_____	Subscribed to and
105	Signature of Voter	sworn before me this
106		_____ day of
107		_____, _____
108	_____	
109	_____	_____
110	Address of Voter	Signature of notary or
111	other officer	
112	authorized to	
113	administer oaths	
114	_____	_____
115	Mailing Address (if different)	_____
116	_____	
117	_____	_____
118	Signature of Person	Address of Last
119	Assisting Voter	Missouri Residence
120		(if applicable)"

121  
122 [4.] 5. The statement for persons voting absentee ballots who are entitled to vote at the  
123 election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially  
124 the following form:

125

126 "State of Missouri

127 County (City) of \_\_\_\_\_

128 I, \_\_\_\_\_ (print name), declare under the penalties of perjury that I expect to be prevented

129 from going to the polls on election day due to (check one):

130 \_\_\_\_\_ absence on election day from the jurisdiction of the election authority in

131 which I am directed to vote;

132 \_\_\_\_\_ incapacity or confinement due to illness or physical disability **on election**

133 **day**, including caring for a person who is incapacitated or confined due to illness or disability

134 **and resides at the same address**;

135 \_\_\_\_\_ religious belief or practice;

136 \_\_\_\_\_ employment as an election authority or by an election authority at a  
137 location other than my polling place;

138 \_\_\_\_\_ incarceration, although I have retained all the necessary qualifications of  
139 voting;

140 \_\_\_\_\_ certified participation in the address confidentiality program established  
141 under sections 589.660 to 589.681 because of safety concerns.

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

148 \_\_\_\_\_ Subscribed and sworn  
149 Signature of Voter to before me this  
150 \_\_\_\_\_ day of  
151 \_\_\_\_\_, \_\_\_\_\_

152 \_\_\_\_\_  
153 \_\_\_\_\_  
154 Address Signature of notary or  
155 other officer  
156 authorized to  
157 administer oaths

158 \_\_\_\_\_  
159 Signature of Person  
160 Assisting Voter  
161 (if applicable)"  
162

163 [5-] 6. The statement for persons providing assistance to absentee voters shall be in  
164 substantially the following form:

165  
166 "The voter needed assistance in marking the ballot and signing above, because of  
167 blindness, other physical disability, or inability to read or to read English. I marked the ballot  
168 enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no  
169 other communication with the voter as to how he or she was to vote. The voter swore or affirmed  
170 the voter affidavit above and I then signed the voter's name and completed the other voter  
171 information above. Signed under the penalties of perjury.

172 Reason why voter needed assistance: \_\_\_\_\_

173 ASSISTING PERSON SIGN HERE

174 1. \_\_\_\_\_ (signature of assisting person)

175 2. \_\_\_\_\_ (assisting person's name printed)

176 3. \_\_\_\_\_ (assisting person's residence)

177 4. \_\_\_\_\_ (assisting person's home city or town)".

178

179 ~~[6. The election authority shall, for an election held during 2020, adjust the forms~~  
 180 ~~described in this section to account for voters voting absentee due to the reason established~~  
 181 ~~pursuant to subdivision (7) of subsection 1 of section 115.277.]~~

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

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

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

193 10. A notary public who charges more than the maximum fee specified or who charges  
 194 or collects a fee for notarizing the signature on any absentee ballot or absentee voter registration  
 195 is guilty of official misconduct.

115.285. The secretary of state may prescribe uniform regulations with respect to the  
 2 printing of ballot envelopes and mailing envelopes, which shall comply with standards  
 3 established by federal law or postal regulations. Mailing envelopes for use in returning ballots  
 4 shall be printed with business reply permits so that any ballot returned by mail does not require  
 5 postage. All fees and costs for establishing and maintaining the business reply and postage-free  
 6 mail for all ballots cast shall be paid by the secretary of state through state appropriations.  
 7 ~~[Notwithstanding any provision of law to the contrary, a ballot envelope used under section~~  
 8 ~~115.302 shall be the same ballot envelope used for absentee ballots, provided an option shall be~~  
 9 ~~listed on the envelope to clearly indicate whether the voter is casting an absentee ballot or a~~  
 10 ~~mail-in ballot.]~~

**115.286. Absentee ballots under sections 115.275 to 115.304 received by the election  
 2 authority in person or other authorized location designated by the election authority are**

3 **deemed cast when received prior to election day. Absentee ballots received by the election**  
4 **authority through a common carrier such as the United States Postal Service or through**  
5 **an authorized drop box provided by the election authority are deemed cast when received**  
6 **prior to the time fixed by law for the closing of the polls on election day.**

115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied  
2 the applicant is entitled to vote by absentee ballot, the election authority shall, within three  
3 working days after receiving the application, or if absentee ballots are not available at the time  
4 the application is received, within five working days after they become available, deliver to the  
5 voter an absentee ballot, ballot envelope and such instructions as are necessary for the applicant  
6 to vote. Delivery shall be made to the voter personally in the office of the election authority or  
7 by bipartisan teams appointed by the election authority, or by first class, registered, or certified  
8 mail at the discretion of the election authority, or in the case of a covered voter as defined in  
9 section 115.902, the method of transmission prescribed in section 115.914. Where the election  
10 authority is a county clerk, the members of bipartisan teams representing the political party other  
11 than that of county clerk shall be selected from a list of persons submitted to the county clerk by  
12 the county chairman of that party. If no list is provided by the time that absentee ballots are to  
13 be made available, the county clerk may select a person or persons from lists provided in  
14 accordance with section 115.087. If the election authority is not satisfied that any applicant is  
15 entitled to vote by absentee ballot, it shall not deliver an absentee ballot to the applicant. Within  
16 three working days of receiving such an application, the election authority shall notify the  
17 applicant and state the reason he or she is not entitled to vote by absentee ballot. The applicant  
18 may file a complaint with the elections division of the secretary of state's office under and  
19 pursuant to section 115.219.

2. If, after 5:00 p.m. on the second Wednesday before an election, any voter from the  
21 jurisdiction has become hospitalized, becomes confined due to illness or injury, or is confined  
22 in an intermediate care facility, residential care facility, or skilled nursing facility **on election**  
23 **day**, as such terms are defined in section 198.006, in the county in which the jurisdiction is  
24 located or in the jurisdiction of an adjacent election authority within the same county, the  
25 election authority shall appoint a team to deliver, witness the signing of and return the voter's  
26 application and deliver, witness the voting of and return the voter's absentee ballot. ~~[In counties~~  
27 ~~with a charter form of government and in cities not within a county, and in each city which has~~  
28 ~~over three hundred thousand inhabitants, and is situated in more than one county,]~~ If the election  
29 authority receives ten or more applications for absentee ballots from the same address it ~~[may]~~  
30 **shall** appoint a team to deliver and witness the voting and return of absentee ballots by voters  
31 residing at that address, except when such addresses are for an apartment building or other  
32 structure wherein individual living units are located, each of which has its own separate cooking

33 facilities. Each team appointed pursuant to this subsection shall consist of two registered voters,  
 34 one from each major political party. Both members of any team appointed pursuant to this  
 35 subsection shall be present during the delivery, signing or voting and return of any application  
 36 or absentee ballot signed or voted pursuant to this subsection.

37 3. On the mailing and ballot envelopes for each covered voter, the election authority  
 38 shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI" and  
 39 "U.S. Postage Paid, 39 U.S.C. Section 3406".

40 4. No information which encourages a vote for or against a candidate or issue shall be  
 41 provided to any voter with an absentee ballot.

115.291. 1. Upon receiving an absentee ballot by mail, the voter shall mark the ballot  
 2 in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on  
 3 the ballot envelope. The affidavit of each person voting an absentee ballot shall be subscribed  
 4 and sworn to before the election official receiving the ballot, a notary public or other officer  
 5 authorized by law to administer oaths, unless the voter is voting absentee due to incapacity or  
 6 confinement due to the provisions of section 115.284, illness, or physical disability **on election**  
 7 **day** [~~for an election that occurs during the year 2020, the voter has contracted or is in an at-risk~~  
 8 ~~category for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as~~  
 9 ~~defined in section 115.277,]~~ or the voter is a covered voter as defined in section 115.902. If the  
 10 voter is blind, unable to read or write the English language, or physically incapable of voting the  
 11 ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting  
 12 a voter who is not entitled to such assistance, and any person who assists a voter and in any  
 13 manner coerces or initiates a request or a suggestion that the voter vote for or against or refrain  
 14 from voting on any question, ticket or candidate, shall be guilty of a class one election offense.  
 15 If, upon counting, challenge or election contest, it is ascertained that any absentee ballot was  
 16 voted with unlawful assistance, the ballot shall be rejected. [~~For purposes of this subsection, the~~  
 17 ~~voters who are in an at-risk category for contracting or transmitting severe acute respiratory~~  
 18 ~~syndrome coronavirus 2 are voters who:~~

- 19 ~~—— (1) Sixty-five years of age or older;~~  
 20 ~~—— (2) Live in a long-term care facility licensed under chapter 198;~~  
 21 ~~—— (3) Have chronic lung disease or moderate to severe asthma;~~  
 22 ~~—— (4) Have serious heart conditions;~~  
 23 ~~—— (5) Are immunocompromised;~~  
 24 ~~—— (6) Have diabetes;~~  
 25 ~~—— (7) Have chronic kidney disease and are undergoing dialysis; or~~  
 26 ~~—— (8) Have liver disease.]~~



20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

_____	_____ , _____
Residence address	Signature of election official or other officer authorized to administer oaths
_____	
Mailing address (if different)	
_____	
Telephone Number (Optional)	

31 If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate  
32 before an official authorized to accept his or her declaration of candidacy. If the declaration is  
33 to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall  
34 be subscribed and sworn to by the candidate before a notary public or other officer authorized  
35 by law to administer oaths.

115.417. 1. Before the time fixed by law for the opening of the polls, the election  
2 authority shall deliver to each polling place a sufficient number of voter instruction cards which  
3 include the following information: ~~if paper ballots or an electronic voting system is used, the~~  
4 ~~instructions shall inform the voter on~~ how to obtain a ballot for voting, how to vote and prepare  
5 the ballot for deposit in the ballot box and how to obtain a new ballot to replace one accidentally  
6 spoiled.

7 2. The election authority at each polling place shall post in a conspicuous place voting  
8 instructions on a poster no smaller than twenty-four inches by thirty inches. Such instructions  
9 shall also inform the voter that the electronic voting equipment can be demonstrated upon  
10 request of the voter. The election authority shall also publicly post during the period of time in  
11 which a person may cast an absentee ballot and on election day a sample version of the ballot  
12 that will be used for that election, the date of the election, the hours during which the polling  
13 place will be open, instructions for mail-in registrants and first-time voters, general information  
14 on voting rights in accordance with the state plan filed by the secretary of state pursuant to the  
15 Help America Vote Act of 2002, general information on the right to cast a provisional ballot and  
16 instructions for provisional ballots, how to contact appropriate authorities if voting rights have  
17 been violated, and general information on federal and Missouri law regarding prohibitions on  
18 acts of fraud and misrepresentation. The secretary of state may promulgate rules to execute this  
19 section. No rule or portion of a rule promulgated pursuant to the authority of this section shall  
20 become effective unless it has been promulgated pursuant to chapter 536.

21           3. The secretary of state may develop multilingual voting instructions to be made  
22 available to election authorities.

          115.427. 1. Persons seeking to vote in a public election shall establish their identity and  
2 eligibility to vote at the polling place **or, if voting absentee in person under section 115.277,**  
3 **at the office of the election authority or other authorized location designated by the election**  
4 **authority** by presenting a form of personal **photo** identification to election officials. No form  
5 of personal identification other than the forms listed in this section shall be accepted to establish  
6 a voter's qualifications to vote. Forms of personal identification that satisfy the requirements of  
7 this section are any one of the following:

- 8           (1) Nonexpired Missouri driver's license;
- 9           (2) Nonexpired or nonexpiring Missouri nondriver's license;
- 10          (3) A document that satisfies all of the following requirements:
  - 11           (a) The document contains the name of the individual to whom the document was issued,  
12 and the name substantially conforms to the most recent signature in the individual's voter  
13 registration record;
  - 14           (b) The document shows a photograph of the individual;
  - 15           (c) The document includes an expiration date, and the document is not expired, or, if  
16 expired, the document expired after the date of the most recent general election; and
  - 17           (d) The document was issued by the United States or the state of Missouri; or
- 18          (4) Any identification containing a photograph of the individual which is issued by the  
19 Missouri National Guard, the United States Armed Forces, **including Space Force**, or the United  
20 States Department of Veteran Affairs to a member or former member of the Missouri National  
21 Guard or the United States Armed Forces, **including Space Force**, and that is not expired or  
22 does not have an expiration date.

23           2. (1) ~~An individual who appears at a polling place without a form of personal~~  
24 ~~identification described in subsection 1 of this section and who is otherwise qualified to vote at~~  
25 ~~that polling place [may execute a statement, under penalty of perjury, averring that the individual~~  
26 ~~is the person listed in the precinct register, averring that the individual does not possess a form~~  
27 ~~of personal identification described in subsection 1 of this section, acknowledging that the~~  
28 ~~individual is eligible to receive a Missouri nondriver's license free of charge if desiring it in order~~  
29 ~~to vote; and acknowledging that the individual is required to present a form of personal~~  
30 ~~identification, as described in subsection 1 of this section, in order to vote. Such statement shall~~  
31 ~~be executed and sworn to before the election official receiving the statement. Upon executing~~  
32 ~~such statement, the individual may cast a regular ballot, provided such individual presents one~~  
33 ~~of the following forms of identification:~~



34 ~~—— (a) Identification issued by the state of Missouri, an agency of the state, or a local~~  
35 ~~election authority of the state;~~

36 ~~—— (b) Identification issued by the United States government or agency thereof;~~

37 ~~—— (c) Identification issued by an institution of higher education, including a university,~~  
38 ~~college, vocational and technical school, located within the state of Missouri;~~

39 ~~—— (d) A copy of a current utility bill, bank statement, government check, paycheck, or other~~  
40 ~~government document that contains the name and address of the individual;~~

41 ~~—— (e) Other identification approved by the secretary of state under rules promulgated~~  
42 ~~pursuant to this section.~~

43 ~~—— (2) For any individual who appears at a polling place without a form of personal~~  
44 ~~identification described in subsection 1 of this section and who is otherwise qualified to vote at~~  
45 ~~that polling place, the election authority may take a picture of such individual and keep it as part~~  
46 ~~of that individual's voter registration file at the election authority.~~

47 ~~—— (3) Any individual who chooses not to execute the statement described in subdivision~~  
48 ~~(1) of this subsection may cast a provisional ballot. Such provisional ballot shall be counted,~~  
49 ~~provided that it meets the requirements of subsection 4 of this section.~~

50 ~~—— (4) For the purposes of this section, the term "election official" shall include any person~~  
51 ~~working under the authority of the election authority.~~

52 ~~—— 3. The statement to be used for voting under subdivision (1) of subsection 2 of this~~  
53 ~~section shall be substantially in the following form:~~

54

55 "State of \_\_\_\_\_

56 County of \_\_\_\_\_

57 I do solemnly swear (or affirm) that my name is \_\_\_\_\_; that I reside at \_\_\_\_\_; that I am the  
58 person listed in the precinct register under this name and at this address; and that, under penalty  
59 of perjury, I do not possess a form of personal identification approved for voting. As a person  
60 who does not possess a form of personal identification approved for voting, I acknowledge that  
61 I am eligible to receive free of charge a Missouri nondriver's license at any fee office if desiring  
62 it in order to vote. I furthermore acknowledge that I am required to present a form of personal  
63 identification, as prescribed by law, in order to vote. \_\_\_\_\_

64 I understand that knowingly providing false information is a violation of law and subjects me to  
65 possible criminal prosecution. \_\_\_\_\_

66 \_\_\_\_\_

67 Signature of voter \_\_\_\_\_

68 Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

69 \_\_\_\_\_

70 ~~Signature of election official" \_\_\_\_\_~~

71

72 ~~\_\_\_\_\_ 4. A voter]~~ shall be allowed to cast a provisional ballot ~~[under section 115.430 even if~~  
73 ~~the election judges cannot establish the voter's identity under this section].~~ The election judges  
74 shall make a notation on the provisional ballot envelope to indicate that the voter's identity was  
75 not verified.

76 **(2) No person shall be entitled to receive a provisional ballot until such person has**  
77 **completed a provisional ballot affidavit on the provisional ballot envelope. All provisional**  
78 **ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable**  
79 **from other ballots.**

80 **(3) The provisional ballot envelope shall be completed by the voter for use in**  
81 **determining the voter's eligibility to cast a ballot.**

82 **3. The provisional ballot envelope shall provide a place for the voter's name,**  
83 **address, date of birth, and last four digits of his or her Social Security number, followed**  
84 **by a certificate in substantially the following form:**

85

86 **"I do solemnly swear that I am the person identified above and the**  
87 **information provided is correct. I understand that my vote will not be**  
88 **counted unless:**

89 **(1) I return to this polling place today between 6:00 a.m. and 7:00**  
90 **p.m. and provide one of the following forms of identification:**

91 **(a) Nonexpired Missouri driver's license;**

92 **(b) Nonexpired or nonexpiring Missouri nondriver's license;**

93 **(c) A document that satisfies all of the following requirements:**

94 **(i) The document contains my name, in substantially the same form**  
95 **as the most recent signature on my voter registration record;**

96 **(ii) The document contains my photograph;**

97 **(iii) The document contains an expiration date and is not expired, or**  
98 **if expired, the document expired after the date of the most recent general**  
99 **election; and**

100 **(iv) The document was issued by the United States or the state of**  
101 **Missouri; or**

102 **(d) Identification containing my photograph issued to me by the**  
103 **Missouri National Guard, the United States Armed Forces, including Space**  
104 **Force, or the United States Department of Veteran Affairs as a member or**  
105 **former member of the Missouri National Guard or the United States Armed**

106 Forces, including Space Force, that is not expired or does not have an  
107 expiration date;

108 (2) The election authority verifies my identity by comparing my  
109 signature on this envelope to the signature on file with the election authority  
110 and determines that I was eligible to cast a ballot at this polling place; and

111 (3) This provisional ballot otherwise qualifies to be counted under the  
112 laws of the state of Missouri.

113

114

115 \_\_\_\_\_  
Signature of Voter

\_\_\_\_\_   
Date

116

117

118 \_\_\_\_\_  
Signatures of Election Officials"

119

120 Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and  
121 placed in a separate secured container by the election judge.

122 4. The provisional ballot cast by such voter shall not be counted unless:

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

126 (b) The election authority verifies the identity of the individual by comparing that  
127 individual's signature to the signature on file with the election authority and determines that the  
128 individual was eligible to cast a ballot at the polling place where the ballot was cast; and

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

130 5. ~~[The secretary of state shall provide advance notice of the personal identification~~  
131 ~~requirements of subsection 1 of this section in a manner calculated to inform the public generally~~  
132 ~~of the requirement for forms of personal identification as provided in this section. Such advance~~  
133 ~~notice shall include, at a minimum, the use of advertisements and public service announcements~~  
134 ~~in print, broadcast television, radio, and cable television media, as well as the posting of~~  
135 ~~information on the opening pages of the official state internet websites of the secretary of state~~  
136 ~~and governor.~~

137 ~~6.]~~ (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the  
138 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any  
139 otherwise qualified voter who does not already possess such identification and who desires the  
140 identification ~~[in order to vote]~~ for voting.

141 (2) This state and its agencies shall provide one copy of each of the following, free of  
142 charge, if needed by an individual seeking to obtain a form of personal identification described  
143 in subsection 1 of this section ~~[in order to vote]~~ **for voting**:

- 144 (a) A birth certificate;
- 145 (b) A marriage license or certificate;
- 146 (c) A divorce decree;
- 147 (d) A certificate of decree of adoption;
- 148 (e) A court order changing the person's name;
- 149 (f) A Social Security card reflecting an updated name; and
- 150 (g) Naturalization papers or other documents from the United States Department of State  
151 proving citizenship.

152

153 Any individual seeking one of the above documents in order to obtain a form of personal  
154 identification described in subsection 1 of this section ~~[in order to vote]~~ **for voting** may request  
155 the secretary of state to facilitate the acquisition of such documents. The secretary of state shall  
156 pay any fee or fees charged by another state or its agencies, or any court of competent jurisdiction  
157 in this state or any other state, or the federal government or its agencies, in order to obtain any  
158 of the above documents from such state or the federal government.

159 (3) ~~[All costs associated with the implementation of this section shall be reimbursed from  
160 the general revenue of this state by an appropriation for that purpose. If there is not a sufficient  
161 appropriation of state funds, then the personal identification requirements of subsection 1 of this  
162 section shall not be enforced.]~~

163 ~~————(4) Any applicant who requests a nondriver's license for [the purpose of] voting shall  
164 not be required to pay a fee [if the applicant executes a statement, under penalty of perjury,  
165 averring that the applicant does not have any other form of personal identification that meets the  
166 requirements of this section]. The state of Missouri shall pay the legally required fees for any  
167 such applicant. [The director of the department of revenue shall design a statement to be used  
168 for this purpose. The total cost associated with nondriver's license photo identification under this  
169 subsection shall be borne by the state of Missouri from funds appropriated to the department of  
170 revenue for that specific purpose.]~~ The department of revenue and a local election authority may  
171 enter into a contract that allows the local election authority to assist the department in issuing  
172 nondriver's license photo identifications.

173 ~~[7.]~~ **6.** The director of the department of revenue shall, by January first of each year,  
174 prepare and deliver to each member of the general assembly a report documenting the number  
175 of individuals who have requested and received a nondriver's license photo identification for the  
176 purposes of voting under this section. The report shall also include the number of persons

177 requesting a nondriver's license for purposes of voting under this section, but not receiving such  
 178 license, and the reason for the denial of the nondriver's license.

179 ~~[8.]~~ 7. The precinct register shall serve as the voter identification certificate. The  
 180 following form shall be printed at the top of each page of the precinct register:

181 VOTER'S IDENTIFICATION CERTIFICATE

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

184 PRECINCT

185 WARD OR TOWNSHIP \_\_\_\_\_

186 GENERAL (SPECIAL, PRIMARY) ELECTION Held \_\_\_\_\_, 20\_\_\_\_ Date

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

189 ~~[9.]~~ 8. The secretary of state shall promulgate rules to effectuate the provisions of this  
 190 section.

191 ~~[10.]~~ 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
 192 created under the authority delegated in this section shall become effective only if it complies  
 193 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
 194 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
 195 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and  
 196 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
 197 any rule proposed or adopted after August 28, 2002, shall be invalid and void.

198 ~~[11.]~~ 10. If any voter is unable to sign his name at the appropriate place on the certificate  
 199 or computer printout, an election judge shall print the name and address of the voter in the  
 200 appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and  
 201 the voter's mark shall be witnessed by the signature of an election judge.

202 ~~[12. This section shall become effective only upon the passage and approval by the voters~~  
 203 ~~of a constitutional amendment submitted to them by the general assembly regarding the~~  
 204 ~~authorization of photo identification requirements for elections by general law. If such~~  
 205 ~~constitutional amendment is approved by the voters, this section shall become effective June 1,~~  
 206 ~~2017.]~~

115.435. After initialing the voter's identification certificate and after completing any  
 2 procedures required by section 115.433, the election judges shall allow the voter to proceed to  
 3 the voting booth and vote. **Once the ballot has been completed by the voter and he or she**  
 4 **successfully submits the ballot into the ballot box, the ballot is deemed cast.**

115.447. 1. As used in this subchapter, unless the context clearly implies otherwise, the  
 2 following terms shall mean:

3 (1) "Counting judges" are the two judges, one from each major political party, who read  
4 each vote received by all candidates and each vote for and against all questions at a polling place;

5 (2) "Receiving judges" are the two judges, one from each major political party, who  
6 initial each voter's ballot at a polling place;

7 (3) "Recording judges" are the two judges, one from each major political party, who tally  
8 the votes received by each candidate and for and against each question at a polling place. These  
9 terms describe functions rather than individuals, and any election judge may perform more than  
10 one function at a polling place on election day.

11 2. As used in this subchapter, unless the context clearly implies otherwise, the following  
12 terms shall mean:

13 (1) "Defective ballot" is any ballot ~~[card]~~ on which the number of write-in votes and  
14 votes cast on the ballot ~~[card]~~ for any office exceed the number allowed by law, and any ballot  
15 ~~[card]~~ which is bent or damaged so that it cannot be properly counted by automatic tabulating  
16 equipment;

17 (2) "Rejected ballot" is any ballot on which no votes are counted because the ballot fails  
18 to have the initials of the proper election judges, because the number of votes for all offices and  
19 on all questions exceeds the number authorized by law, because the voter is deemed by the  
20 election judges to be unqualified, because it is an absentee ballot not accompanied by a  
21 completed and signed affidavit, or because the ballot was voted with unlawful assistance;

22 (3) "Spoiled ballot" is any ballot accidentally spoiled by a voter and replaced by election  
23 judges in the manner provided in subsection 2 of section 115.439.

115.652. ~~[1-]~~ An election shall not be conducted under sections 115.650 to 115.660  
2 unless:

3 (1) The officer or agency calling the election submits a written request that the election  
4 be conducted by mail. Such request shall be submitted not later than the date specified in section  
5 115.125 for submission of the notice of election and sample ballot;

6 (2) The election authority responsible for conducting the election authorizes the use of  
7 mailed ballots for the election;

8 (3) The election is nonpartisan;

9 (4) The election is not one at which any candidate is elected, retained or recalled; and

10 (5) The election is an issue election at which all of the qualified voters of any one  
11 political subdivision are the only voters eligible to vote.

12 ~~[2- Notwithstanding the provisions of subsection 1 of this section or any other provision~~  
13 ~~of law to the contrary, an election may be conducted by mail as authorized under section~~  
14 ~~115.302, during the year 2020, to avoid the risk of contracting or transmitting severe acute~~  
15 ~~respiratory syndrome coronavirus 2. This subsection shall expire December 31, 2020.]~~

115.960. 1. An election authority is authorized to accept voter registration applications  
2 with a signature submitted to the election authority under the provisions of sections 432.200 to  
3 432.295 as provided in this section:

4 (1) Sections 432.200 to 432.295 shall only apply to transactions between parties that  
5 have agreed to conduct transactions by electronic means;

6 (2) Except as provided in subsection 2 of this section, as used in this section and sections  
7 432.200 to 432.295, the parties who agree to conduct voter registration transactions by electronic  
8 means shall be the local election authority who is required to accept or reject a voter registration  
9 application and the prospective voter submitting the application;

10 (3) A local election authority is authorized to develop, maintain, and approve systems  
11 that transmit voter registration applications electronically under sections 432.200 to 432.295;

12 (4) Except as provided in subsection 2 of this section **and section 115.160**, no officer,  
13 agency, or organization shall collect or submit a voter registration application with an electronic  
14 signature to an election authority without first obtaining approval of the data and signature  
15 format from the local election authority and the approval of the voter to collect and store the  
16 signature and data; and

17 (5) Local election authorities who maintain a voter registration application system shall  
18 direct voter registration applicants from other jurisdictions to the system used by the local  
19 election authority for that jurisdiction to accept voter registration applications electronically.

20 2. A system maintained by the secretary of state's office shall be used to accept voter  
21 registration applications electronically subsequent to approval from the committee formed as set  
22 forth in this subsection:

23 (1) Within thirty days of, but in no event prior to January 1, 2017, the president of the  
24 Missouri Association of County Clerks and Election Authorities shall appoint fourteen of its  
25 members to serve on a committee to approve and develop uniform standards, systems, and  
26 modifications that shall be used by the secretary of state in any electronic voter registration  
27 application system offered by that office. The committee may also make recommendations  
28 regarding the purchase, maintenance, integration, and operation of electronic databases, software,  
29 and hardware used by local election authorities and the secretary of state's office including, but  
30 not limited to, systems used for military and overseas voting and for building and conducting  
31 election operations. The committee shall have fourteen local election authorities, including  
32 representatives of each classification of counties, a representative from an election board, and  
33 at least one member who has experience processing online voter registration transactions. In  
34 addition, one representative appointed by the secretary of state's office shall serve on the  
35 committee;

36 (2) The committee shall immediately meet to approve electronic signature formats and  
37 a minimum set of data collection standards for use in a voter registration application system  
38 maintained by the secretary of state;

39 (3) Once the format and data collection standards are approved by the committee and  
40 implemented for the system maintained by the secretary of state, local election authorities shall  
41 accept the transmission of voter registration applications submitted to the approved system under  
42 the provisions of sections 432.200 to 432.295;

43 (4) The secretary of state's office shall direct eligible voters to a local election authority's  
44 system to accept voter registration applications electronically if the local election authority has  
45 a system in place as of August 28, 2016, or implements a system that meets the same standards  
46 and format that has been approved by the committee for the secretary of state's system;

47 (5) The committee shall meet not less than semiannually through June 30, 2019, to  
48 recommend and approve changes and enhancements proposed by the secretary of state or election  
49 authorities to the electronic voter registration application system. Vacancies that occur on the  
50 committee shall be filled by the president of the Missouri Association of County Clerks and  
51 Election Authorities at the time of the vacancy;

52 (6) To improve the accuracy of voter registration application data and reduce costs for  
53 local election authorities, the system maintained by the secretary of state shall, as soon as is  
54 practical, provide a method where the data entered by the voter registration applicant does not  
55 have to be re-entered by the election authority to the state voter registration database.

56 3. Each applicant who registers using an approved electronic voter registration  
57 application system shall be deemed to be registered as of the date the signed application is  
58 submitted to the system, if such application is accepted and not rejected by the election authority  
59 and the verification notice required under section 115.155 is not returned as undeliverable by the  
60 postal service.

61 4. This section shall not apply to voter registration and absentee records submitted by  
62 voters authorized under federal law, section 115.291, or sections 115.900 to 115.936 to submit  
63 electronic records and signatures.

64 5. High quality copies, including electronic copies, of signatures made on paper  
65 documents may be used for petition signature verification purposes and retained as records.

66 6. Any signature required for petition submission under chapter 116 shall be handwritten  
67 on a paper document.

68 7. ~~Notwithstanding the provisions of section 432.230~~ **Except as provided under**  
69 **sections 115.160 and 432.230**, nothing in this section shall require the election authority to  
70 accept voter registration records or signatures created, generated, sent, communicated, received,  
71 stored, or otherwise processed, or used by electronic means or in electronic form from any



72 officer, agency, or organization not authorized under subsection 2 of this section without prior  
73 approval from the election authority. **Election authorities shall accept and process voter**  
74 **registration records, including electronic images of applicant signatures, transmitted**  
75 **electronically by the division of motor vehicle and drivers licensing of the department of**  
76 **revenue under section 115.160.** Except as provided in subsection 2 of this section **and section**  
77 **115.160**, no officer, agency, or organization shall give the voter the opportunity to submit a voter  
78 registration application with an electronic signature without first obtaining the approval of the  
79 local election authority.

80 8. An election authority that agrees to conduct a transaction by electronic means may  
81 refuse to conduct other transactions by electronic means.

82 9. No election authority or the secretary of state shall furnish to any member of the public  
83 any data collected under a voter registration application system except as authorized in  
84 subsections 1 to 5 of section 115.157.

85 10. Nothing in this section shall be construed to require the secretary of state to cease  
86 operating a voter registration application in place as of the effective date of this act.

**116.225. The election authority for any political subdivision or special district of**  
2 **this state shall label ballot measures of any type that are submitted to a vote of the people**  
3 **alphabetically in the order in which they are submitted by petition, ordinance, vote of a**  
4 **political subdivision or special district, or other method authorized by law. The secretary**  
5 **of state shall label statutory initiative and referendum measures with the letters A through**  
6 **I. Local election authorities shall label county ballot measures with the letters J through**  
7 **R, and local ballot measures with the letters S through Z. The election authority shall label**  
8 **the first ballot measure in each category with the first letter in the sequence designated for**  
9 **that category, and so on consecutively through the last letter designated for the category,**  
10 **and then begin labeling with the first letter for the category followed by an "A" and so on.**  
11 **A new series of letters shall be started after each election. In the event that a ballot**  
12 **measure of any type involves multiple jurisdictions, then it shall be labeled with a numeral**  
13 **beginning with the number one. Such ballot measures shall be numbered consecutively**  
14 **based upon the time of notice of the ballot measure to the requisite election authority.**  
15 **Election authorities may coordinate with each other, or with the secretary of state, to**  
16 **maintain a database or other record to facilitate numerical assignment. A new series of**  
17 **numbers shall be started after each election. In the event a measure is labeled prior to, but**  
18 **not voted on at, the next succeeding election, the letter or number assigned to such measure**  
19 **shall not be reassigned until after such measure has been voted on by the people.**

**Section 1. Notwithstanding any other provision of law to the contrary, no use of**  
2 **mail-in ballots shall be authorized by any executive or administrative order and no**

3 authorization for the use of mail-in ballots shall be inferred from any general law. This  
 4 section shall not preclude the use of absentee ballots authorized under chapter 115. Any  
 5 expansion of the use of mail-in ballots subsequent to the effective date of this section shall  
 6 require the repeal of this section by explicit reference thereto.

Section 2. 1. No election authority, or employee thereof, shall report any  
 2 information whatsoever concerning vote returns to any party, other than an election  
 3 authority or employee, until all removable media devices, or other methods of data  
 4 transport, are secured.

5 2. As soon as practicable after the election, the election authority shall count all  
 6 ballots cast, unused ballots, spoiled ballots, and provisional ballots to ensure that the same  
 7 number of ballots which the election authority sent to each precinct were returned to the  
 8 election authority at the close of the polls. Any discrepancy in such ballot numbers shall  
 9 be immediately reported to the secretary of state.

~~10 [115.302. 1. Any registered voter of this state may cast a mail-in ballot  
 2 as provided in this section. Nothing in this section shall prevent a voter from  
 3 casting an absentee ballot, provided such person has not cast a ballot pursuant to  
 4 this section. Application for a mail-in ballot may be made by the applicant in  
 5 person, or by United States mail, or on behalf of the applicant by his or her  
 6 guardian or relative within the second degree of consanguinity or affinity.~~

~~7 2. Each application for a mail-in ballot shall be made to the election  
 8 authority of the jurisdiction in which the person is registered. Each application  
 9 shall be in writing and shall state the applicant's name, address at which he or she  
 10 is registered, the address to which the ballot is to be mailed.~~

~~11 3. All applications for mail-in ballots received prior to the sixth Tuesday  
 12 before an election shall be stored at the office of the election authority until such  
 13 time as the applications are processed under section 115.281. No application for  
 14 a mail-in ballot received in the office of the election authority after 5:00 p.m. on  
 15 the second Wednesday immediately prior to the election shall be accepted by any  
 16 election authority.~~

~~17 4. Each application for a mail-in ballot shall be signed by the applicant  
 18 or, if the application is made by a guardian or relative under this section, the  
 19 application shall be signed by the guardian or relative, who shall note on the  
 20 application his or her relationship to the applicant. If an applicant, guardian, or  
 21 relative is blind, unable to read or write the English language, or physically  
 22 incapable of signing the application, he or she shall sign by mark that is  
 23 witnessed by the signature of an election official or person of his or her choice.  
 24 Knowingly making, delivering, or mailing a fraudulent mail-in-ballot application  
 25 is a class one election offense.~~

~~26 5. Not later than the sixth Tuesday prior to each election, or within  
 27 fourteen days after candidate names or questions are certified under section  
 28 115.125, the election authority shall cause to have printed and made available a~~

29 ~~sufficient quantity of ballots, ballot envelopes, and mailing envelopes. As soon~~  
 30 ~~as possible after a proper official calls a special state or county election, the~~  
 31 ~~election authority shall cause to have printed and made available a sufficient~~  
 32 ~~quantity of mail-in ballots, ballot envelopes, and mailing envelopes.~~

33 ~~6. Each ballot envelope shall bear a statement in substantially the same~~  
 34 ~~form described in subsection 9 of this section. In addition, any person providing~~  
 35 ~~assistance to the mail-in voter shall include a signature on the envelope~~  
 36 ~~identifying the person providing such assistance under penalties of perjury.~~  
 37 ~~Persons authorized to vote only for federal and statewide offices shall also state~~  
 38 ~~their former Missouri residence.~~

39 ~~7. The statement for persons voting mail-in ballots who are registered~~  
 40 ~~voters shall be in substantially the following form:~~

41 \_\_\_\_\_  
 42 ~~State of Missouri~~  
 43 ~~County (City) of \_\_\_\_\_~~  
 44 ~~I, \_\_\_\_\_ (print name), a registered voter of~~  
 45 ~~\_\_\_\_\_ County (City of St. Louis, Kansas City), declare under~~  
 46 ~~the penalties of perjury that: I am qualified to vote at this~~  
 47 ~~election; I have not voted and will not vote other than by this~~  
 48 ~~ballot at this election. I further state that I marked the enclosed~~  
 49 ~~ballot in secret or that I am blind, unable to read or write English;~~  
 50 ~~or physically incapable of marking the ballot, and the person of~~  
 51 ~~my choosing indicated below marked the ballot at my direction;~~  
 52 ~~all of the information on this statement is, to the best of my~~  
 53 ~~knowledge and belief, true.~~

54 \_\_\_\_\_  
 55 \_\_\_\_\_  
 56 ~~Signature of Voter \_\_\_\_\_ Signature of Person~~  
 57 ~~Assisting Voter~~  
 58 ~~(if applicable)~~

59 ~~Subscribed and sworn to before me this \_\_\_\_\_ day of~~  
 60 ~~\_\_\_\_\_, \_\_\_\_\_.~~

61 \_\_\_\_\_  
 62 ~~Signature of notary or other officer authorized to~~  
 63 ~~administer oaths.~~

64 \_\_\_\_\_  
 65 \_\_\_\_\_  
 66 ~~Mailing addresses~~  
 67 ~~(if different)~~

68 \_\_\_\_\_  
 69 ~~8. Upon receipt of a signed application for a mail-in ballot and if satisfied~~  
 70 ~~that the applicant is entitled to vote by mail-in ballot, the election authority shall,~~  
 71 ~~within three working days after receiving the application, or, if mail-in ballots are~~

72 ~~not available at the time the application is received, within five working days~~  
73 ~~after such ballots become available, deliver to the voter a mail-in ballot, ballot~~  
74 ~~envelope and such instructions as are necessary for the applicant to vote. If the~~  
75 ~~election authority is not satisfied that any applicant is entitled to vote by mail-in~~  
76 ~~ballot, the authority shall not deliver a mail-in ballot to the applicant. Within~~  
77 ~~three working days of receiving such an application, the election authority shall~~  
78 ~~notify the applicant and state the reason he or she is not entitled to vote by~~  
79 ~~mail-in ballot. The applicant may file a complaint with the elections division of~~  
80 ~~the secretary of state's office under section 115.219.~~

81 ~~9. On the mailing and ballot envelopes for each covered voter, the~~  
82 ~~election authority shall stamp the words "ELECTION BALLOT, STATE OF~~  
83 ~~MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".~~

84 ~~10. No information which encourages a vote for or against a candidate~~  
85 ~~or issue shall be provided to any voter with a mail-in ballot.~~

86 ~~11. Upon receiving a mail-in ballot by mail, the voter shall mark the~~  
87 ~~ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill~~  
88 ~~out the statement on the ballot envelope. The statement required under~~  
89 ~~subsection 7 of this section shall be subscribed and sworn to before a notary~~  
90 ~~public or other officer authorized by law to administer oaths. If the voter is blind,~~  
91 ~~unable to read or write the English language, or physically incapable of voting the~~  
92 ~~ballot, the voter may be assisted by a person of the voter's own choosing. Any~~  
93 ~~person who assists a voter and in any manner coerces or initiates a request or~~  
94 ~~suggestion that the voter vote for or against, or refrain from voting on, any~~  
95 ~~question or candidate, shall be guilty of a class one election offense. If, upon~~  
96 ~~counting, challenge, or election contest, it is ascertained that any mail-in ballot~~  
97 ~~was voted with unlawful assistance, the ballot shall be rejected.~~

98 ~~12. Each mail-in ballot shall be returned to the election authority in the~~  
99 ~~ballot envelope and shall only be returned by the voter by United States mail.~~

100 ~~13. The secretary of state may prescribe uniform regulations with respect~~  
101 ~~to the printing of ballot envelopes and mailing envelopes, which shall comply~~  
102 ~~with standards established by federal law or postal regulations. Mailing~~  
103 ~~envelopes for use in returning ballots shall be printed with business reply permits~~  
104 ~~so that any ballot returned by mail does not require postage. All fees and costs~~  
105 ~~for establishing and maintaining the business reply and postage-free mail for all~~  
106 ~~ballots cast shall be paid by the secretary of state through state appropriations.~~

107 ~~14. All votes on each mail-in ballot received by an election authority at~~  
108 ~~or before the time fixed by law for the closing of the polls on election day shall~~  
109 ~~be counted. No votes on any mail-in ballot received by an election authority after~~  
110 ~~the time fixed by law for the closing of the polls on election day shall be counted.~~

111 ~~15. If sufficient evidence is shown to an election authority that any~~  
112 ~~mail-in voter has died prior to the opening of the polls on election day, the ballot~~  
113 ~~of the deceased voter shall be rejected if it is still sealed in the ballot envelope.~~  
114 ~~Any such rejected ballot, still sealed in its ballot envelope, shall be sealed with~~

115 ~~the application and any other papers connected therewith in an envelope marked~~  
116 ~~"Rejected ballot of \_\_\_\_\_?, a mail-in voter of \_\_\_\_\_? voting district".~~  
117 ~~The reason for rejection shall be noted on the envelope, which shall be kept by~~  
118 ~~the election authority with the other ballots from the election until the ballots are~~  
119 ~~destroyed according to law.~~

120 ~~\_\_\_\_\_ 16. As each mail-in ballot is received by the election authority, the~~  
121 ~~election authority shall indicate its receipt on the list.~~

122 ~~\_\_\_\_\_ 17. All mail-in ballot envelopes received by the election authority shall~~  
123 ~~be kept together in a safe place and shall not be opened except as provided under~~  
124 ~~this chapter.~~

125 ~~\_\_\_\_\_ 18. Mail-in ballots shall be counted using the procedures set out in~~  
126 ~~sections 115.297, 115.299, 115.300, and 115.303.~~

127 ~~\_\_\_\_\_ 19. The false execution of a mail-in ballot is a class one election offense.~~  
128 ~~The attorney general or any prosecuting or circuit attorney shall have the~~  
129 ~~authority to prosecute such offense either in the county of residence of the person~~  
130 ~~or in the circuit court of Cole County.~~

131 ~~\_\_\_\_\_ 20. The provisions of this section shall apply only to an election that~~  
132 ~~occurs during the year 2020, to avoid the risk of contracting or transmitting~~  
133 ~~severe acute respiratory syndrome coronavirus 2.~~

134 ~~\_\_\_\_\_ 21. The provisions of this section terminate and shall be repealed on~~  
135 ~~December 31, 2020, and shall not apply to any election conducted after that date.]~~

136

2 ~~[116.220. The secretary of state shall label statutory initiative and~~  
3 ~~referendum measures alphabetically in the order in which they are submitted by~~  
4 ~~petition or in the order in which they are passed by the general assembly. The~~  
5 ~~secretary of state shall label the first as "Proposition A", and so on consecutively~~  
6 ~~through the letter Z, and then begin labeling as "Proposition AA" and so on. A~~  
7 ~~new series of letters shall be started after each general election. In the event a~~  
8 ~~measure is labeled prior to, but not voted on at, the next succeeding general~~  
9 ~~election, the letter assigned to such measure shall not be reassigned until after~~  
~~such measure has been voted on by the people.]~~

✓