

SECOND REGULAR SESSION

HOUSE BILL NO. 2113

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

4103H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.107, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.417, 115.427, 115.435, 115.447, and 115.652, RSMo, and to enact in lieu thereof thirty-two new sections relating to elections, with penalty provisions.

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, 115.105, 115.107, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.417, 115.427, 115.435, 115.447, and 115.652, RSMo, are repealed and thirty-two new sections enacted in lieu thereof, to be known as sections 28.960, 115.004, 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.107, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.417, 115.427, 115.435, 115.447, and 115.652, 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. Any audit conducted by the secretary of state shall, at minimum, determine whether the local election authority has performed the following voter registration list maintenance activities, as required by law:

(1) Sending verification notices in accordance with section 115.155; and

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.

8 **(2) Registering voters and removing names from the voter registration system in**
9 **accordance with section 115.158.**

10 **3. After completing the audit, the secretary of state shall notify the local election**
11 **authority of any maintenance updates that are required and shall advise the local**
12 **election authority they have thirty days to make required updates. If, after thirty days,**
13 **the secretary of state determines that the local election authority has not performed the**
14 **required maintenance of voter registration lists as required by law, the secretary of**
15 **state's office shall have the authority to withhold funds from the local election authority.**

115.004. The sections of this chapter and all related rules and regulations shall
2 **not be amended or modified in any manner in the twenty-six weeks preceding a**
3 **presidential 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
5 votes 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
7 electronic voting system on which each voter may cast all votes to which he or she is entitled
8 at an election;

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

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

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

15 ~~[(6)]~~ (5) "County", any county in this state or any city not within a county;

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

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

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

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

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

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

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

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

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

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

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

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

48 ~~[(19)]~~ **(18)** "Political party", any established political party and any new party;

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

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

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

55 ~~[(23)]~~ **(22)** "Public office", any office established by constitution, statute or charter
56 and any employment under the United States, the state of Missouri, or any political
57 subdivision or special district thereof, but does not include any office in the Missouri state
58 defense force or the National Guard or the office of notary public or city attorney in cities of
59 the third classification or cities of the fourth classification;

60 ~~[(24)]~~ **(23)** "Question", any measure on the ballot which can be voted "YES" or
61 "NO";

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

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

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

71 [(28)] (27) "Voting district", the one or more precincts within which all voters vote at
72 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]~~.
3 During his term of office, no commissioner shall hold any statutory position within a political
4 party or on a political committee, be a candidate for political office or hold any other public
5 office.

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

 115.051. 1. In each county which does not have a board of election commissioners,
2 the 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
4 system or voting machines are used, the county clerk shall designate competent employees to
5 have custody of and supervise maintenance of the voting equipment. Each deputy shall be
6 subject to the same restrictions and subscribe the same oath as the county clerk, except that no
7 employee shall be required to post bond **or reside and be a registered voter within the**
8 **jurisdiction of the election authority** unless directed to do so by the clerk. Employee oaths
9 and any bonds shall 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
2 place 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**
8 **within the jurisdiction of the election authority, as authorized under section 115.085. If**
9 **a committee of a major political party within the jurisdiction of an election authority**
10 **fails to provide the prescribed number of qualified names to fill all election judge**
11 **positions before the date established by the election authority, the election authority may**
12 **select judges to fill the positions as provided by law. If the election authority determines**
13 **that a name submitted by a committee of a major political party is not qualified to serve**
14 **as an election judge, the election authority shall allow the party to submit another name**
15 **before filling the position as provided by law.** No major political party shall have a
16 majority of the judges at any polling place. No established party shall have a greater number
17 of judges at any 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
25 and 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
27 election day. Such judges shall be paid one-half the regular rate of pay. If part-time judges
28 are employed, the election authority shall employ such judges and shall see that a sufficient
29 number for each period are present at all times so as to have the proper total number of judges
30 present at each polling place throughout each election day. The election authority shall
31 require that at each polling place at least one election judge from each political party serve a
32 full day and that at all times during the day there be an equal number of election judges from
33 each political party.

34 6. An election authority may appoint additional election judges representing other
35 established political parties and additional election judges who do not claim a political
36 affiliation. Any question which requires a decision by the majority of judges shall only be
37 made by the 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~~
4 ~~shall obtain the written consent of the election authority for the jurisdiction where the~~
5 ~~prospective judges are registered to vote]~~. Each election judge shall be a person of good
6 repute and character who can speak, read, and write the English language. No person shall
7 serve as an election judge at any polling place in which his or her name or the name of a
8 relative within the second degree, by consanguinity or affinity, appears on the ballot.
9 However, no relative of any unopposed candidate shall be disqualified from serving as an
10 election judge in any election jurisdiction of the state. No election judge shall, during his or
11 her term of office, hold any other elective public office, other than as a member of a political
12 party committee or township office, except any person who is elected to a board or
13 commission of a political subdivision or special district may serve as an election judge except
14 at a polling place where such political subdivision or special district has an issue or candidate
15 on the ballot. In any county having a population of less than two hundred fifty thousand
16 inhabitants, any candidate for the county committee of a political party who is not a candidate
17 for any other office and who is unopposed for election as a member of the committee shall not
18 be disqualified from serving as an election judge.

115.105. 1. The chair of the county committee of each political party named on the
2 ballot shall have the right to designate a challenger for each polling place, who may be
3 present until all ballots are cast on the day of election, and a challenger for each location at
4 which absentee ballots are counted, who may be present while the ballots are being prepared
5 for counting and counted. No later than four business days before the election, the chair of
6 each county committee of each political party named on the ballot shall provide signed
7 official designation forms with the names of the designated challengers and substitutes to the
8 local election authority for confirmation of eligibility to serve as a challenger. The local
9 election authority, after verifying the eligibility of each designated and substitute challenger,
10 shall sign off on the official designation forms, unless the challenger is found not to have the
11 qualifications established by subsection 5 of this section. If the election authority determines
12 that a challenger does not meet the qualifications of subsection 5 of this section, the
13 designating party chair may designate a replacement challenger and provide the local election
14 authority with the name of the replacement challenger before 5:00 p.m. of the Monday
15 preceding the election. The designating chair may substitute challengers at his or her
16 discretion during such hours.

17 2. Challenges may only be made when the challenger believes the election laws of
18 this state have been or will be violated, and each challenger shall report any such belief to the

19 election judges, or to the election authority if not satisfied with the decision of the election
20 judges.

21 3. Prior to the close of the polls, challengers may list and give out the names of those
22 who have voted. The listing and giving out of names of those who have voted by a challenger
23 shall not be considered giving information tending to show the state of the count.

24 4. In a presidential primary election, challengers may collect information about the
25 party ballot selected by the voter and may disclose party affiliation information after the polls
26 close.

27 5. All persons selected as challengers shall have the same qualifications required by
28 section 115.085 for election judges~~], except that such challenger shall be a registered voter in~~
29 ~~the jurisdiction of the election authority for which the challenger is designated as a~~
30 ~~challenger].~~

31 6. Any challenge by a challenger to a voter's identification for validity shall be made
32 only to the election judges or other election authority. If the poll challenger is not satisfied
33 with the decision of the election judges, then he or she may report his or her belief that the
34 election laws of this state have been or will be violated to the election authority as allowed
35 under this section.

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 watcher 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 political party is not qualified to serve as watcher, the election authority**
6 **shall allow the committee 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
9 with the decision of the election judges. No watcher may be substituted for another on
10 election day.

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

13 4. A watcher may remain present until all closing certification forms are completed,
14 all equipment is closed and taken down, the transportation case for the ballots is sealed,
15 election materials are returned to the election authority or to the designated collection place
16 for a polling place, and any other duties or procedures required under sections 115.447 to
17 115.491 are completed. A watcher may also remain present at each location at which
18 absentee ballots are counted and may remain present while such ballots are being prepared for
19 counting and counted.

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

 115.135. 1. Any person who is qualified to vote, or who shall become qualified to
2 vote on or before the day of election, shall be entitled to register in the jurisdiction within
3 which he or she resides. In order to vote in any election for which registration is required, a
4 person must be registered to vote in the ~~[jurisdiction of his or her residence]~~ **state of Missouri**
5 no later than 5:00 p.m., or the normal closing time of any public building where the
6 registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to
7 the election, unless the voter is an interstate former resident, ~~[an intrastate new resident,]~~ a
8 new resident, or a covered voter, as defined in section 115.275. ~~[Except as provided in~~
9 ~~subsection 4 of this section, in no case shall registration for an election extend beyond 10:00~~
10 ~~p.m. on the fourth Wednesday prior to the election.]~~ Any person registering after such date
11 shall be eligible to vote in subsequent elections.

12 2. A person applying to register with an election authority or a deputy registration
13 official shall identify himself or herself by presenting a copy of a birth certificate, a Native
14 American tribal document, other proof of United States citizenship, a valid Missouri drivers
15 license or other form of personal identification at the time of registration.

16 3. Except as provided in federal law or federal elections and in section 115.277, no
17 person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his
18 or her residence ~~[prior to the deadline to register to vote]~~.

19 4. A covered voter as defined in section 115.275 who has been discharged from
20 military service, has returned from a military deployment or activation, or has separated from
21 employment outside the territorial limits of the United States after the deadline to register to
22 vote, and who is otherwise qualified to register to vote, may register to vote in an election in
23 person before the election authority until 5:00 p.m. on the Friday before such election. Such
24 persons shall produce sufficient documentation showing evidence of qualifying for late
25 registration pursuant to this section.

 115.151. 1. Each qualified applicant who appears before the election authority shall
2 be 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
12 115.155 is not returned as undeliverable by the postal service. Voter registration agencies
13 ~~[and the division of motor vehicle and drivers licensing of the department of revenue]~~ shall
14 transmit voter registration application forms to the appropriate election authority not later
15 than five business days after the form is 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
3 of 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
5 2 of this section, the election authority or secretary of state shall make available electronic
6 media or printouts showing unique voter identification numbers, voters' names, ~~[dates]~~ **year**
7 of birth, addresses, townships or wards, and precincts. Electronic data shall be maintained in
8 at least the 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]~~ **three** months after the election, forward such data to
30 the Missouri voter registration system established in section 115.158. In addition, election

31 authorities shall forward registration and other data in a manner prescribed by the secretary of
32 state to comply with the Help America Vote Act of 2002.

33 3. Except as provided in subsection [6] 5 of this section, the election authority shall
34 furnish, for a fee, electronic media or a printout showing **only** the names, [dates] year of birth
35 and addresses of voters, or any part thereof, within the jurisdiction of the election authority
36 who voted in any specific election, including primary elections, by township, ward or
37 precinct, provided that nothing in this chapter shall require such voter information to be
38 released to the public over the 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~~
42 ~~compliance with section 610.026, media in an electronic format or, if so requested, in a~~
43 ~~printed format, showing the names, addresses, and voter identification numbers of voters~~
44 ~~within the jurisdiction of a specific election authority who applied for an absentee ballot~~
45 ~~under section 115.279 for any specific election involving a ballot measure or an office for~~
46 ~~which the declaration of candidacy is required to be filed with the secretary of state pursuant~~
47 ~~to section 115.353, including primary elections, by township, ward, or precinct. Nothing in~~
48 ~~this section shall require such voter information to be released to the public over the internet.~~
49 ~~For purposes of this section, the terms "candidate", "campaign committee", and "political~~
50 ~~party committee" shall have the same 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
53 to 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~~
55 ~~years, each election authority shall, upon request, supply the voter registration list for its~~
56 ~~jurisdiction to all candidates and party committees for a charge established pursuant to~~
57 ~~chapter 610. Except as provided in subsection 6 of this section, all election authorities shall~~
58 ~~make the information described in this section available pursuant to chapter 610. Any~~
59 ~~election authority who fails to comply with the requirements of this section shall be subject to~~
60 ~~the provisions of chapter 610.~~

61 6.] 5. Any person working as an undercover officer of a local, state or federal law
62 enforcement agency, persons in witness protection programs, and victims of domestic
63 violence and abuse who have received orders of protection pursuant to chapter 455 shall be
64 entitled to apply to the circuit court having jurisdiction in his or her county of residence to
65 have the residential address on his or her voter registration records closed to the public if the
66 release of such information could endanger the safety of the person. Any person working as
67 an undercover agent or in a witness protection program shall also submit a statement from the

68 chief executive officer of the agency under whose direction he or she is serving. The petition
69 to close the residential address shall be incorporated into any petition for protective order
70 provided by circuit clerks pursuant to chapter 455. If satisfied that the person filing the
71 petition meets the qualifications of this subsection, the circuit court shall issue an order to the
72 election authority to keep the residential address of the voter a closed record and the address
73 may be used only for the purposes of administering elections pursuant to this chapter. The
74 election authority may require the voter who has a closed residential address record to verify
75 that his or her residential address has not changed or to file a change of address and to affirm
76 that the reasons contained in the original petition are still accurate prior to receiving a ballot.
77 A change of address within an election authority's jurisdiction shall not require that the voter
78 file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his
79 or her residential address as a closed record shall notify the circuit court. Upon such
80 notification, the circuit court shall void the order closing the residential address and so notify
81 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 through the voter registration application system established in**
14 **section 115.158 and maintained by the secretary of state. The secretary of state and the**
15 **director of revenue shall ensure the confidentiality and integrity of the voter registration**
16 **data collected, maintained, received, or transmitted under this section.**

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

20 5. Any voter registration application received pursuant to the provisions of this
21 section shall be forwarded, **in a secure and electronic manner**, to the election authority
22 located within that county or any city not within a county, or if there is more than one election
23 authority within the county, then to the election authority located nearest to the location where

24 the driver's license application was received. **Voter registration information, including an**
25 **electronic image of the signature of the applicant, shall be transmitted in a format**
26 **compatible with the Missouri voter registration system established in section 115.158**
27 **that allows review by the election authority and does not require the election authority**
28 **to manually reenter the information.** The election authority receiving the application forms
29 shall review the applications and forward, **in a secure and electronic manner,** any
30 applications pertaining to a different election authority to that election authority.

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

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

115.165. 1. If the voter files a change of address application in person at the office of
2 the election authority, at the polling place, or pursuant to section 115.159, 115.160, 115.162 or
3 115.193, or otherwise provides signed written notice of the move, including notice by
4 facsimile, **electronic, or online** transmission, an election authority may change the address on
5 a voter registration record for a voter who moves within the election authority's jurisdiction
6 after comparing and verifying the signature. Before changing the address on a voter record,
7 the election authority shall be satisfied that the record is that of the person providing the
8 change of address information.

9 2. A registered voter who has changed his or her residence within an election
10 authority's jurisdiction and has not been removed from the list of registered voters pursuant to
11 this chapter shall be permitted to file a change of address with the election authority or before
12 an election judge at a polling place and vote at a central polling place or at the polling place
13 that serves his or her new address upon written or oral affirmation by the voter of the new
14 address.

15 3. **A registered voter who has changed his or her residence within the state and**
16 **has not been removed from the list of registered voters shall be permitted to file a**
17 **change of address form in person at the office of the election authority on election day.**

18 4. If the applicant for registration was last registered in another jurisdiction within
19 this state or another state, the election authority shall send notice of the registration to the
20 election authority where the applicant was previously registered. The election authority
21 sending the notice shall provide identifying information to assist the election authority
22 receiving the notice to determine whether the person named was previously registered in such

23 jurisdiction and whether, based on the identifying information provided, the application can
24 be removed from the voting record in the former jurisdiction.

25 [4.] 5. Upon receipt of a notice from another election authority that a voter has
26 registered in another jurisdiction in this state or another state, the election authority shall
27 determine whether sufficient information is provided in the notice to identify the person
28 named in such notice as previously registered in the election authority's jurisdiction and
29 presently removable from the voting records in the election authority's jurisdiction. Every
30 election authority is authorized to examine the information provided in a notice of duplicate
31 registration provided by the Missouri voter registration system authorized pursuant to section
32 115.158 to determine if a voter in one election authority's voter registration records has
33 subsequently registered in another jurisdiction. If, after reviewing the information provided,
34 the election authority is satisfied that the person identified in the notice is listed as a registered
35 voter in the election authority's jurisdiction but has subsequently registered in another
36 jurisdiction, the election authority may remove the person's registration from the list of
37 registered voters.

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
7 general election two years later. A voter registration solicitor shall be at least eighteen years
8 of age and shall be a registered voter in the state of Missouri.

9 2. Each voter registration solicitor shall provide the following information in writing
10 to 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:

20 "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL
21 STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

22 4. Any voter registration solicitor who knowingly fails to register with the secretary
23 of state is guilty of a class three election offense. Voter registration applications shall be
24 accepted by the election authority if such applications are otherwise valid, even if the voter
25 registration solicitor who procured the applications fails to register with or submits false
26 information to the 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
3 voting systems and may promulgate rules and regulations to implement the intent of sections
4 115.225 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
14 party 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
17 presidential 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
26 28, 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
29 voting system with the ability to provide a paper audit trail. Notwithstanding any provisions
30 of this chapter to the contrary, such a system may allow for the storage of processed ballot
31 materials in an electronic form.

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

40 **5. If any election authority uses any touchscreen, direct-recording, or electronic**
41 **vote-counting machine, the election authority may continue to use such machine. Upon**
42 **the removal of such voting machine from the election authority's inventory because of**
43 **mechanical malfunction, wear and tear, or any other reason, the machine shall not be**
44 **replaced and no additional direct-recording electronic voting machine shall be added to**
45 **the election authority's inventory. Such machines shall not be used beginning January**
46 **1, 2024, except that election authorities may allow the machines to be used by voters who**
47 **are disabled as long as the machines are functional. Replacement of equipment for use**
48 **by voters who are disabled shall be with paper ballot marking devices designed to assist**
49 **voters.**

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

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

115.237. 1. Each ballot printed or designed for use with an electronic voting system
2 for any election pursuant to this chapter shall contain all questions and the names of all offices
3 and candidates certified or filed pursuant to this chapter and no other. **Beginning January 1,**
4 **2024, the official ballot shall be a paper ballot that is hand marked by the voter or in the**

5 **case of voters with disabilities who need assistance, by a paper ballot marking device**
6 **designed to assist voters, except as provided in subsection 5 of section 115.225.** As far as
7 practicable, all questions and the names of all offices and candidates for which each voter is
8 entitled to vote shall be printed on one page except for the ballot for political party committee
9 persons in polling places not utilizing an electronic voting system which may be printed
10 separately and in conformity with the requirements contained in this section. As far as
11 practicable, ballots containing only questions and the names of nonpartisan offices and
12 candidates shall be printed in accordance with the provisions of this section, except that the
13 ballot information may be listed in vertical or horizontal rows. The names of candidates for
14 each office shall be listed in the order 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
17 event, the name of each candidate, the candidate's party, the office for which he or she is a
18 candidate, 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
20 paper ballot for questions or for the presidential preference primary in any polling place using
21 an electronic voting system.

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

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

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

37 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is
38 created under the authority delegated in this section shall become effective only if it complies
39 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
40 This section and chapter 536 are nonseverable and if any of the powers vested with the
41 general assembly pursuant to chapter 536 to review, to delay the effective date or to

42 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
43 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
44 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,
5 notice of the time and place of such preparation shall be mailed to each independent candidate
6 and the chairman of the county committee of each established political party named on the
7 ballot. The preparation shall be watched by two observers designated by the election
8 authority, one from each major political party, and shall be open to representatives of the
9 political parties, candidates, the news media and the public.

10 3. When an electronic voting machine has been examined by such observers and
11 shown to be in good working order, the machine shall be locked against voting. The
12 observers shall 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
18 ~~may~~ **shall** cause voting machines, **if used**, to be put in order, set, adjusted, tested, and made
19 ready for voting within one business day of the printing of absentee ballots as provided in
20 section 115.281. The election authority shall have the recording counter except for the
21 protective counter on the voting machine set to zero (000). After the voting machines have
22 been made ready for voting, the election authority shall not permit any person to handle any
23 voting machine, except voters while they are voting and others expressly authorized by the
24 election authority. The election authority shall neither be nor permit any other person to be in
25 any position or near any position that enables the authority or person to see how any absentee
26 voter votes or has voted.

27 6. Nothing in this section shall prohibit the on-site storage of electronic voting
28 machines and the preparation of the electronic machines for voting, provided the electronic
29 voting machines are put in order, set, adjusted and made ready for voting as provided in
30 subsections 1, 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
4 from 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
6 115.304;

7 (2) "Covered voter":

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

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

11 (c) An overseas voter;

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

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

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

19 (3) "Interstate former resident", a former resident and registered voter in this state
20 who moves from Missouri to another state after the deadline to register to vote in any
21 presidential election in the new state and who otherwise possesses the qualifications to
22 register and vote in such state;

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

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

29 ~~[(6)]~~ (5) "Overseas voter":

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

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

35 ~~[(7)]~~ (6) "Uniformed services":

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

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

41 (c) The Missouri National Guard;

42 ~~[(8)]~~ (7) "Uniformed services voter", an individual who is qualified to vote and is:
43 (a) A member of the active or reserve components of the Army, Navy, Air Force,
44 Marine Corps, or Coast Guard of the United States who is on active duty;
45 (b) A member of the Merchant Marine, the commissioned corps of the Public Health
46 Service, or the commissioned corps of the National Oceanic and Atmospheric Administration
47 of the United States;
48 (c) A member on activated status of the National Guard; or
49 (d) A spouse or dependent of a member referred to in this subdivision;
50 ~~[(9)]~~ (8) "United States", used in the territorial sense, the several states, the District of
51 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular
52 possession subject to the jurisdiction of the United States.

115.277. 1. **Any registered voter of this state may cast an absentee ballot in
2 person at a location designated by the election authority for all candidates and issues for
3 which such voter is eligible to vote at the polling place. Any registered voter casting a
4 ballot under the provisions of this subsection shall provide a form of personal
5 identification that is consistent with subsection 1 of section 115.427.**

6 2. Except as provided in subsections ~~[2, 3,]~~ 4, ~~[and]~~ 5, 6, and 7 of this section, any
7 registered voter of this state may ~~[vote by]~~ **cast an** absentee ballot for all candidates and
8 issues for which such voter would be eligible to vote at the polling place if such voter expects
9 to be prevented from going to the polls to vote on election day ~~[due to:]~~. **Any absentee ballot
10 that is not requested and completed in person at the office of the election authority with
11 a form of personal identification that is consistent with subsection 1 of section 115.427
12 shall have the statement on the ballot envelope notarized as required under section
13 115.283, except that absentee ballots requested under subdivisions (2) and (5) of
14 subsection 3 of this section shall not require notarization. This subsection shall apply
15 only in the case of absentee ballots that are not cast in person.**

16 3. **A voter may request an absentee ballot for any of the following reasons:**

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

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

22 (3) Religious belief or practice;

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

25 (5) Incarceration, provided all qualifications for voting are retained; **or**

26 (6) Certified participation in the address confidentiality program established under
27 sections 589.660 to 589.681 because of safety concerns~~]; or~~

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

31 ~~[2-]~~ 4. Any covered voter who is eligible to register and vote in this state may vote in
32 any election for federal office, statewide office, state legislative office, or statewide ballot
33 initiatives by submitting a federal postcard application to apply to vote by absentee ballot or
34 by submitting a federal postcard application at the polling place even though the person is not
35 registered. A federal postcard application submitted by a covered voter pursuant to this
36 subsection shall also serve as a voter registration application under section 115.908 and the
37 election authority shall, if satisfied that the applicant is entitled to register, place the voter's
38 name on the voter registration file. Each covered voter may vote by absentee ballot or, upon
39 submitting an affidavit that the person is qualified to vote in the election, may vote at the
40 person's polling place.

41 ~~[3-]~~ 5. Any interstate former resident may vote by absentee ballot for presidential and
42 vice presidential electors.

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

48 ~~5-]~~ 6. Any new resident may vote by absentee ballot for presidential and vice
49 presidential electors after registering to vote in such resident's new jurisdiction of residence.

50 **7. The provisions of this section authorizing the casting of absentee ballots and**
51 **requiring the use of a personal form of identification pursuant to subsection 1 of section**
52 **115.427 are essentially connected, and if any of the personal form of identification**
53 **requirements in this section, or subsection 1 of section 115.427 are held unconstitutional,**
54 **or otherwise made ineffective, subsection 1 of this section and all other general laws or**
55 **rules enabling the casting of absentee ballots shall be null and void.**

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

- 58 ~~(1) Are sixty-five years of age or older;~~
59 ~~(2) Live in a long-term care facility licensed under chapter 198;~~
60 ~~(3) Have chronic lung disease or moderate to severe asthma;~~
61 ~~(4) Have serious heart conditions;~~
62 ~~(5) Are immunocompromised;~~

- 63 ~~(6) Have diabetes;~~
64 ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~
65 ~~(8) Have liver disease.]~~

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

2. **No individual, group, or party shall solicit a voter into obtaining an absentee ballot application. Absentee ballot applications shall not have the information pre-filled prior to it being provided to a voter.**

3. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot, **if casting an absentee ballot under subsection 2 of section 115.277**, the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed services and overseas applicants, the applicant's email address if electronic transmission is requested. If the reason for the applicant voting absentee is due to the reasons established under subdivision (6) of subsection ~~[4]~~ **3** of section 115.277, the applicant shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, address at which he or she is or would be registered, and address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which political party ballot he or she wishes to receive. If the applicant does not respond to the request for political party designation, the election authority is authorized to provide the voter with that part of the ballot for which no political party designation is required.

~~[3. Except as provided in subsection 3 of section 115.281,]~~ **4.** All applications for absentee ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed in accordance with section 115.281. No application for an absentee ballot received in the office of the election authority by mail, by facsimile transmission, by electronic mail, or by a guardian or relative after 5:00 p.m. on the second Wednesday immediately prior to the election shall be accepted by any election authority. No application for an absentee ballot submitted by the

34 applicant in person after 5:00 p.m. on the day before the election shall be accepted by any
35 election authority, except as provided in subsections ~~[6, 8 and]~~ **7, 8, and** 9 of this section.

36 ~~[4-]~~ **5.** Each application for an absentee ballot shall be signed by the applicant or, if
37 the application is made by a guardian or relative pursuant to this section, the application shall
38 be signed by the guardian or relative, who shall note on the application his or her relationship
39 to the applicant. If an applicant, guardian or relative is blind, unable to read or write the
40 English language or physically incapable of signing the application, he or she shall sign by
41 mark, witnessed by the signature of an election official or person of his or her own choosing.
42 Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application
43 shall be guilty of a class one election offense.

44 ~~[5-]~~ **6.** (1) Notwithstanding any law to the contrary, any resident of the state of
45 Missouri who resides outside the boundaries of the United States or who is on active duty
46 with the Armed Forces of the United States or members of their immediate family living with
47 them may request an absentee ballot for both the primary and subsequent general election
48 with one application.

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

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

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

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

67 ~~[6-]~~ **7.** An application for an absentee ballot by a new resident shall be submitted in
68 person by the applicant in the office of the election authority in the election jurisdiction in
69 which such applicant resides. The application shall be received by the election authority no
70 later than 7:00 p.m. on the day of the election. Such application shall be in the form of an

71 affidavit, executed in duplicate in the presence of the election authority or any authorized
 72 officer of the election authority, and in substantially the following form:

73 "STATE OF _____
 74 COUNTY OF _____, ss.
 75 I, _____, do solemnly swear that:
 76 (1) Before becoming a resident of this state, I resided at _____
 77 (residence address) in _____ (town, township, village or city) of
 78 _____ County in the state of _____;
 79 (2) I moved to this state after the last day to register to vote in such
 80 general presidential election and I am now residing in the county
 81 of _____, state of Missouri;
 82 (3) I believe I am entitled pursuant to the laws of this state to vote in
 83 the presidential election to be held November _____, _____
 84 (year);
 85 (4) I hereby make application for a presidential and vice presidential
 86 ballot. I have not voted and shall not vote other than by this ballot
 87 at such election.
 88 Signed _____
 89 (Applicant)
 90 _____
 91 (Residence Address)
 92 Subscribed and sworn to before me this _____ day of _____, _____
 93 _____
 94 Signed _____
 95 (Title and name of officer authorized to administer oaths)"

96 [7.] 8. The election authority in whose office an application is filed pursuant to
 97 subsection 6 of this section shall immediately send a duplicate of such application to the
 98 appropriate official of the state in which the new resident applicant last resided and shall file
 99 the original of such application in its office.

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

106 ["STATE OF _____]
 107 [COUNTY OF _____, ss.]

108 [I, _____, do solemnly swear that:]
 109 [~~(- [Before becoming a resident of this election jurisdiction, I resided~~
 110 1)] at _____ (residence address) in _____ (town, township, village
 111 or city) of _____ county in the state of _____;]
 112 [~~(- [I moved to this election jurisdiction after the last day to register~~
 113 2)] to vote in such election;]
 114 [~~(- [I believe I am entitled pursuant to the laws of this state to vote in~~
 115 3)] the election to be held _____ (date);]
 116 [~~(- [I hereby make application for an absentee ballot for candidates~~
 117 4)] and issues on which I am entitled to vote pursuant to the laws of
 118 this state. I have not voted and shall not vote other than by this
 119 ballot at such election.]
 120 [Signed _____]
 121 [(Applicant)]
 122 _____
 123 -]
 124 [(Residence Address)]
 125 [Subscribed and sworn to before me this _____ day of _____,
 126 -]
 127 [Signed _____]
 128 (Title and name of officer authorized to administer oaths)"

129 9. An application for an absentee ballot by an interstate former resident shall be
 130 received in the office of the election authority where the applicant was formerly registered by
 131 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application
 132 is made in person by the applicant in the office of the election authority, in which case such
 133 application shall be made no later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state
 2 the voter's name, the voter's voting address, the voter's mailing address **if casting an absentee**
 3 **ballot under subsection 3 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
 9 not previously voted and will not vote again in the election, that the voter has personally
 10 marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is

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

17 2. **The statement for persons voting absentee ballots under subsection 1 of**
 18 **section 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	
22	of St. Louis, Kansas City), hereby state under penalties of perjury	
23	that I am qualified to vote at this election; I have not voted and	
24	will not vote other than by this ballot at this election. I further	
25	state that I marked the enclosed ballot in secret or that I am	
26	blind, unable to read or write English, or physically incapable of	
27	marking the ballot, and the person of my choosing, indicated	
28	below, marked the ballot at my direction; all of the information	
29	on this statement is, to the best of my knowledge and belief, true.	
30	_____	_____
31	Signature of Voter	Signature of Person Assisting
32		Voter (if applicable)
33	Signed _____	Subscribed and sworn
34	Signed _____	to before me this
35	Address of Voter	__ day of _____, ____.
36	_____	_____
37	_____	_____
38	Mailing addresses	Signature of notary or
39	(if different)	other officer authorized to
40		administer oaths

41 **3.** The statement for persons voting absentee ballots **under subsection 2 of section**
 42 **115.277 and** who are registered voters shall be in substantially the following form:

43	State of Missouri	
44	County (City) of _____	
45	I, _____ (print name), a registered voter of _____ County (City of	
46	St. Louis, Kansas City), declare under the penalties of perjury that I	
47	expect to be prevented from going to the polls on election day due to	
48	(check one):	
49	_____	absence on election day from the jurisdiction of the election
50		authority in which I am registered;
51	_____	incapacity or confinement due to illness or physical disability
52		on election day , including caring for a person who is
53		incapacitated or confined due to illness or disability and
54		resides at the same address;
55	_____	religious belief or practice;
56	_____	employment as an election authority or by an election
57		authority at a location other than my polling place;
58	_____	incarceration, although I have retained all the necessary
59		qualifications for voting;
60	_____	certified participation in the address confidentiality program
61		established under sections 589.660 to 589.681 because of
62		safety concerns.
63	I hereby state under penalties of perjury that I am qualified to vote at	
64	this election; I have not voted and will not vote other than by this	
65	ballot at this election. I further state that I marked the enclosed ballot	
66	in secret or that I am blind, unable to read or write English, or	
67	physically incapable of marking the ballot, and the person of my	
68	choosing indicated below marked the ballot at my direction; all of the	
69	information on this statement is, to the best of my knowledge and	
70	belief, true.	
71	_____	_____
72	_____	_____
73	Signature of Voter	Signature of Person
74		Assisting Voter
75		(if applicable)
76	Signed _____	Subscribed and sworn
77	Signed _____	to before me this

78		_____ day of _____
79	Address of Voter	_____, _____
80		_____
81	_____	_____
82		_____
83		_____
84	Mailing addresses	Signature of notary or
85	(if different)	other officer
86		authorized to
87		administer oaths

88 ~~[3-]~~ 4. The statement for persons voting absentee ballots pursuant to the provisions of
 89 subsection ~~[2, 3,]~~ 4, ~~[or]~~ 5, 6, or 7 of section 115.277 without being registered shall be in
 90 substantially the following form:

91	State of Missouri
92	County (City) of _____
93	I, _____ (print name), declare under the penalties of perjury that I am
94	a citizen of the United States and eighteen years of age or older. I am
95	not adjudged incapacitated by any court of law, and if I have been
96	convicted of a felony or of a misdemeanor connected with the right of
97	suffrage, I have had the voting disabilities resulting from such
98	conviction removed pursuant to law. I hereby state under penalties of
99	perjury that I am qualified to vote at this election.
100	I am (check one):
101	_____ a resident of the state of Missouri and a registered voter in ____
102	_____ County and moved from that county to _____ County,
103	Missouri, after the last day to register to vote in this election.
104	_____ an interstate former resident of Missouri and authorized to
105	vote for presidential and vice presidential electors.
106	I further state under penalties of perjury that I have not voted and will
107	not vote other than by this ballot at this election; I marked the enclosed
108	ballot in secret or am blind, unable to read or write English, or
109	physically incapable of marking the ballot, and the person of my
110	choosing indicated below marked the ballot at my direction; all of the
111	information on this statement is, to the best of my knowledge and
112	belief, true.
113	_____ Subscribed to and

114	Signature of Voter	sworn before me this
115		_____ day of
116		_____, _____
117	_____	
118	_____	
119	Address of Voter	Signature of notary or
120		other officer
121		authorized to
122		administer oaths
123	_____	_____
124	Mailing Address (if different)	_____
125		_____
126	_____	_____
127	Signature of Person	Address of Last
128	Assisting Voter	Missouri Residence
129		(if applicable)

130 [4-] 5. The statement for persons voting absentee ballots who are entitled to vote at
 131 the election pursuant to the provisions of subsection 2 of section 115.137 shall be in
 132 substantially the following form:

133	State of Missouri
134	County (City) of _____
135	I, _____ (print name), declare under the penalties of perjury that I
136	expect to be prevented from going to the polls on election day due to
137	(check one):
138	_____ absence on election day from the jurisdiction of the election
139	authority in which I am directed to vote;
140	_____ incapacity or confinement due to illness or physical disability
141	on election day , including caring for a person who is
142	incapacitated or confined due to illness or disability and
143	resides at the same address;
144	_____ religious belief or practice;
145	_____ employment as an election authority or by an election
146	authority at a location other than my polling place;
147	_____ incarceration, although I have retained all the necessary
148	qualifications of voting;

149	_____	certified participation in the address confidentiality program
150		established under sections 589.660 to 589.681 because of
151		safety concerns.
152	I hereby state under penalties of perjury that I own property in the ____	
153	____ district and am qualified to vote at this election; I have not voted	
154	and will not vote other than by this ballot at this election. I further state	
155	that I marked the enclosed ballot in secret or that I am blind, unable to	
156	read and write English, or physically incapable of marking the ballot,	
157	and the person of my choosing indicated below marked the ballot at	
158	my direction; all of the information on this statement is, to the best of	
159	my knowledge and belief, true.	
160	_____	Subscribed and sworn
161	Signature of Voter	to before me this
162		_____ day of
163		_____, _____
164	_____	
165	_____	
166	Address	Signature of notary or
167		other officer
168		authorized to
169		administer oaths
170	_____	
171	Signature of Person	
172	Assisting Voter	
173	(if applicable)	

174 [5.] 6. The statement for persons providing assistance to absentee voters shall be in
 175 substantially the following form:

176	The voter needed assistance in marking the ballot and signing above,
177	because of blindness, other physical disability, or inability to read or to
178	read English. I marked the ballot enclosed in this envelope at the
179	voter's direction, when I was alone with the voter, and I had no other
180	communication with the voter as to how he or she was to vote. The
181	voter swore or affirmed the voter affidavit above and I then signed the
182	voter's name and completed the other voter information above. Signed
183	under the penalties of perjury.
184	Reason why voter needed assistance: _____

<p>ASSISTING PERSON SIGN HERE</p> <p>1. _____ (signature of assisting person)</p> <p>2. _____ (assisting person's name printed)</p> <p>3. _____ (assisting person's residence)</p> <p>4. _____ (assisting person's home city or town).</p>
--

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

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

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

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

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

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

115.286. Absentee ballots under sections 115.275 to 115.304 received in person by the election authority or other authorized location designated by the election authority are deemed cast when received prior to election day. Absentee ballots received by the election authority through a common carrier such as the United States Postal Service or

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

20 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~~
27 ~~counties with a charter form of government and in cities not within a county, and in each city~~
28 ~~which has over three hundred thousand inhabitants, and is situated in more than one county,]~~
29 If the election authority receives ten or more applications for absentee ballots from the same
30 address it ~~may~~ **shall** appoint a team to deliver and witness the voting and return of absentee
31 ballots by voters residing at that address, except when such addresses are for an apartment
32 building or other structure wherein individual living units are located, each of which has its

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

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

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

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

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

2. Except as provided in subsection 4 of this section, each absentee ballot that is not cast by the voter in person in the office of the election authority shall be returned to the

29 election authority in the ballot envelope and shall only be returned by the voter in person, or
30 in person by a relative of the voter who is within the second degree of consanguinity or
31 affinity, by mail or registered carrier or by a team of deputy election authorities; except that
32 covered voters, when sent from a location determined by the secretary of state to be
33 inaccessible on election day, shall be allowed to return their absentee ballots cast by use of
34 facsimile transmission or under a program approved by the Department of Defense for
35 electronic transmission of election materials.

36 3. In cases of an emergency declared by the President of the United States or the
37 governor of this state where the conduct of an election may be affected, the secretary of state
38 may provide for the delivery and return of absentee ballots by use of a facsimile transmission
39 device or system. Any rule promulgated pursuant to this subsection shall apply to a class or
40 classes of voters as provided for by the secretary of state.

41 4. No election authority shall refuse to accept and process any otherwise valid marked
42 absentee ballot submitted in any manner by a covered voter solely on the basis of restrictions
43 on envelope type.

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
3 which include the following information: ~~[if paper ballots or an electronic voting system is~~
4 ~~used, the instructions shall inform the voter on how to obtain a ballot for voting,]~~ how to vote
5 and prepare the ballot for deposit in the ballot box and how to obtain a new ballot to replace
6 one accidentally 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
11 in which a person may cast an absentee ballot and on election day a sample version of the
12 ballot that will be used for that election, the date of the election, the hours during which the
13 polling place will be open, instructions for mail-in registrants and first-time voters, general
14 information on voting rights in accordance with the state plan filed by the secretary of state
15 pursuant to the Help America Vote Act of 2002, general information on the right to cast a
16 provisional ballot and instructions for provisional ballots, how to contact appropriate
17 authorities if voting rights have been violated, and general information on federal and
18 Missouri law regarding prohibitions on acts of fraud and misrepresentation. The secretary of
19 state may promulgate rules to execute this section. No rule or portion of a rule promulgated
20 pursuant to the authority of this section shall become effective unless it has been promulgated
21 pursuant to chapter 536.

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

 115.427. 1. Persons seeking to vote in a public election shall establish their identity
2 and eligibility to vote at the polling place **or, if voting absentee in person under section**
3 **115.277, at the office of the election authority or other authorized location designated by**
4 **the election authority** by presenting a form of personal **photo** identification to election
5 officials. No form of personal identification other than the forms listed in this section shall be
6 accepted to establish a voter's qualifications to vote. Forms of personal identification that
7 satisfy the requirements of 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
 - 12 issued, and the name substantially conforms to the most recent signature in the individual's
 - 13 voter 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
 - 19 the Missouri National Guard, the United States Armed Forces, or the United States
 - 20 Department of Veteran Affairs to a member or former member of the Missouri National
 - 21 Guard or the United States Armed Forces and that is not expired or does not have an
 - 22 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
25 at that polling place ~~[may execute a statement, under penalty of perjury, averring that the~~
26 ~~individual is the person listed in the precinct register; averring that the individual does not~~
27 ~~possess a form of personal identification described in subsection 1 of this section;~~
28 ~~acknowledging that the individual is eligible to receive a Missouri nondriver's license free of~~
29 ~~charge if desiring it in order to vote; and acknowledging that the individual is required to~~
30 ~~present a form of personal identification, as described in subsection 1 of this section, in order~~
31 ~~to vote. Such statement shall be executed and sworn to before the election official receiving~~
32 ~~the statement. Upon executing such statement, the individual may cast a regular ballot,~~
33 ~~provided such individual presents one 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~~
40 ~~other 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~~
45 ~~at that polling place, the election authority may take a picture of such individual and keep it as~~
46 ~~part 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~~
51 ~~person 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 ~~["State of _____]~~
55 ~~[County of _____]~~
56 ~~[I do solemnly swear (or affirm) that my name is _____; that I reside~~
57 ~~at _____; that I am the person listed in the precinct register under this~~
58 ~~name and at this address; and that, under penalty of perjury, I do not~~
59 ~~possess a form of personal identification approved for voting. As a~~
60 ~~person who does not possess a form of personal identification approved~~
61 ~~for voting, I acknowledge that I am eligible to receive free of charge a~~
62 ~~Missouri nondriver's license at any fee office if desiring it in order to~~
63 ~~vote. I furthermore acknowledge that I am required to present a form~~
64 ~~of personal identification, as prescribed by law, in order to vote.]~~
65 ~~[I understand that knowingly providing false information is a violation~~
66 ~~of law and subjects me to possible criminal prosecution.]~~
67 ~~[_____]~~
68 ~~[Signature of voter]~~
69 ~~[Subscribed and affirmed before me this _____ day of _____, 20__~~
70 ~~__]~~
71 ~~[_____]~~
72 ~~[Signature of election official"]~~

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

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

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

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

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**
88 **not be counted unless:**

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

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

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

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

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

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

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

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

104 **(d) Identification containing my photograph issued to me by the**
105 **Missouri National Guard, the United States Armed Forces,**
106 **including Space Force, or the United States Department of**
107 **Veteran Affairs as a member or former member of the Missouri**
108 **National Guard or the United States Armed Forces that is not**
109 **expired or does not have an expiration date;**

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

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

Signature of Voter

Date

Signatures of Election Officials

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

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

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

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

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

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

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

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

(a) A birth certificate;

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

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

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

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

~~[7-]~~ 6. The director of the department of revenue shall, by January first of each year, prepare and deliver to each member of the general assembly a report documenting the number of individuals who have requested and received a nondriver's license photo identification for the purposes of voting under this section. The report shall also include the number of persons requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

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

VOTER'S IDENTIFICATION CERTIFICATE

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

PRECINCT _____

WARD OR TOWNSHIP _____

GENERAL (SPECIAL, PRIMARY) ELECTION

Held _____, 20____

Date

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

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

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

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

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

115.435. After initialing the voter's identification certificate and after completing any procedures required by section 115.433, the election judges shall allow the voter to proceed to the voting booth and vote. **Once the ballot has been completed by the voter and he or she 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 following terms shall mean:

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

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

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

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

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

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

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

115.652. ~~[4-]~~ 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
4 election be conducted by mail. Such request shall be submitted not later than the date
5 specified in section 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
7 of 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~~
13 ~~provision of law to the contrary, an election may be conducted by mail as authorized under~~

14 ~~section 115.302, during the year 2020, to avoid the risk of contracting or transmitting severe~~
15 ~~acute respiratory syndrome coronavirus 2. This subsection shall expire December 31, 2020.]~~

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

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

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

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

28 ~~5. Not later than the sixth Tuesday prior to each election, or within~~
29 ~~fourteen days after candidate names or questions are certified under section~~
30 ~~115.125, the election authority shall cause to have printed and made available~~
31 ~~a sufficient quantity of ballots, ballot envelopes, and mailing envelopes. As~~
32 ~~soon as possible after a proper official calls a special state or county election,~~
33 ~~the election authority shall cause to have printed and made available a~~
34 ~~sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes.~~

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

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

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

Signature of Voter

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.

Mailing addresses
(if different)

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

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

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

11. ~~Upon receiving a mail-in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The statement required under subsection 7 of this section shall be subscribed and sworn to before a notary public or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own~~

choosing. Any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail in ballot was voted with unlawful assistance, the ballot shall be rejected.

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

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

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

15. If sufficient evidence is shown to an election authority that any mail in voter has died prior to the opening of the polls on election day, the ballot of the deceased voter shall be rejected if it is still sealed in the ballot envelope. Any such rejected ballot, still sealed in its ballot envelope, shall be sealed with the application and any other papers connected therewith in an envelope marked "Rejected ballot of _____, a mail in voter of _____ voting district". The reason for rejection shall be noted on the envelope, which shall be kept by the election authority with the other ballots from the election until the ballots are destroyed according to law.

16. As each mail in ballot is received by the election authority, the election authority shall indicate its receipt on the list.

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

18. Mail in ballots shall be counted using the procedures set out in sections 115.297, 115.299, 115.300, and 115.303.

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

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

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