

SECOND REGULAR SESSION

HOUSE BILL NO. 1483

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

3200H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 9.010, 115.013, 115.081, 115.085, 115.105, 115.107, 115.151, 115.160, 115.225, 115.237, 115.257, 115.277, 115.279, 115.302, 115.417, 115.427, 115.447, 115.449, 115.637, and 115.960, RSMo, and to enact in lieu thereof twenty-six 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 9.010, 115.013, 115.081, 115.085, 115.105, 115.107, 115.151, 115.160, 115.225, 115.237, 115.257, 115.277, 115.279, 115.302, 115.417, 115.427, 115.447, 115.449, 115.637, and 115.960, RSMo, are repealed and twenty-six new sections enacted in lieu thereof, to be known as sections 9.010, 21.1020, 28.960, 28.965, 115.013, 115.022, 115.081, 115.085, 115.105, 115.107, 115.151, 115.160, 115.178, 115.225, 115.237, 115.257, 115.277, 115.279, 115.302, 115.417, 115.427, 115.447, 115.449, 115.450, 115.637, and 115.960, to read as follows:

9.010. The first day of January, the third Monday of January, the twelfth day of February, the third Monday in February, the eighth day of May, the last Monday in May, the fourth day of July, the first Monday in September, the second Monday in October, **the Tuesday after the first Monday in November in even-numbered years**, the eleventh day of November, the fourth Thursday in November, and the twenty-fifth of December, are declared and established public holidays; and when any of such holidays falls upon Sunday, the Monday next following shall be considered the holiday. There shall be no holiday for state employees on the fourth Monday of October.

21.1020. 1. There is hereby established a joint committee of the general assembly to be known as the "Joint Committee on Elections", to be comprised of seven

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.

3 members of the house of representatives appointed by the speaker of the house of
4 representatives and the minority floor leader of the house of representatives and seven
5 members of the senate to be appointed by the president pro tempore of the senate and
6 the minority floor leader of the senate. The appointment of each member shall continue
7 during the member's term of office or until a successor has been appointed to fill the
8 member's place when his or her term of office as a member of the general assembly has
9 expired. No party shall be represented by more than four members from the house of
10 representatives or more than four members from the senate. A majority of the joint
11 committee shall constitute a quorum, but the concurrence of a majority of the members
12 shall be required for a determination of any matter within the joint committee's duties.

13 **2. The joint committee shall appoint an "Election Integrity Committee". The**
14 **committee shall be appointed for the first time before October 1, 2022, and reappointed**
15 **following each general election thereafter. There shall be no limits on the number of**
16 **terms a committee member may serve. The committee shall be comprised of twenty**
17 **members. There shall be two members from each congressional district, one**
18 **representing each of the two major political parties receiving the most votes in the**
19 **most recent gubernatorial election. The remaining four members shall be appointed at-**
20 **large, two representing each of the two major political parties receiving the most votes**
21 **in the most recent gubernatorial election.**

22 **(1) Beginning January 1, 2023, the election integrity committee shall implement**
23 **a random auditing system to audit the election results of two precincts, as described in**
24 **this subsection.**

25 **(2) Each general election day, the joint committee on elections shall randomly**
26 **draw two precincts to audit. One precinct shall be in the largest five precincts by**
27 **number of votes received and one precinct shall be in the smallest one hundred precincts**
28 **by number of votes received.**

29 **(3) The random audits shall be conducted in an expeditious manner with the**
30 **results reported to the house of representatives and the senate within thirty days. The**
31 **results of the random audits shall be a public record under chapter 610.**

32 **(4) At least two citizen volunteers shall be present during the audit.**

33 **(5) If any audit under this section shows clear and convincing evidence of a**
34 **discrepancy in vote count likely to affect the outcome of any local, state, or federal**
35 **election, a second audit shall be conducted by two independent teams.**

36 **(6) If the second audit confirms discrepancies, a statewide election investigation**
37 **shall be conducted at the order of the joint committee on elections, the election integrity**
38 **committee, or the secretary of state. The recount shall be conducted in the same manner**
39 **as under section 115.601 and the results provided to the general public and candidates.**

40 Such recount shall be paid for using the election integrity fund authorized under this
41 section.

42 (7) Any candidate may make use of an audit report to file an election contest of
43 any type as authorized under chapter 115.

44 3. The election integrity committee shall conduct a comprehensive risk
45 assessments of each election authority in the state. The risk assessment may be
46 conducted by an outside entity and shall identify security risks, the magnitude of such
47 risks, and areas that require safeguards. The risk assessment shall include the
48 following:

49 (1) Load testing and stress testing to ensure that the online voter registration
50 system has sufficient capacity to accommodate foreseeable use, including during periods
51 of high-volume website use in the week before the voter registration deadline;

52 (2) Screening computers and networks used to support the online voter
53 registration system for malware and other vulnerabilities;

54 (3) Evaluating database infrastructure, including software and operating
55 systems, in order to fortify defenses against cyber attacks; and

56 (4) Identifying any anticipated threats to the security and integrity of data
57 collected, maintained, received, or transmitted by the online voter registration system.

58 4. The requirements of this section shall be subject to appropriation from the
59 election integrity fund.

60 (1) There is hereby created in the state treasury the "Election Integrity Fund",
61 which shall consist of moneys collected under this section. The state treasurer shall be
62 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
63 may approve disbursements. The fund shall be a dedicated fund and, upon
64 appropriation, moneys in this fund shall be used solely as provided in this section.

65 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
66 remaining in the fund at the end of the biennium shall not revert to the credit of the
67 general revenue fund.

68 (3) The state treasurer shall invest moneys in the fund in the same manner as
69 other funds are invested. Any interest and moneys earned on such investments shall be
70 credited to the fund.

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

4 2. The secretary of state shall provide at least five business days' notice to the
5 election authority that he or she intends to inspect the list of voter registration records.

6 Such notice may be sent electronically.

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

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

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

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

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

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

28.965. 1. The office of secretary of state shall have exclusive authority to
2 **promulgate rules pertaining to the use of election equipment, machines, programs, and**
3 **systems involved with the tabulation and counting of votes. For the purpose of**
4 **enhancing election security, the secretary of state's office shall be a member of the**
5 **Center for Internet Security (CIS) and shall employ such security experts as necessary**
6 **to conduct testing on proposed vendor machines, programs, and systems.**

7 **2. The office of secretary of state shall require that vendors entering into**
8 **contracts with election authorities waive all objections to the examination and testing of**
9 **election equipment, machines, programs, and systems by the office or its employees or**
10 **agents. The office may examine and test hardware or software and may engage in**
11 **penetration testing of such vendor-provided equipment. The office shall not approve**
12 **any equipment, machine, program, or system that is capable of internet connection by**
13 **modem, installed parts, or any other means, except that data transfer by disk or other**
14 **physical drive of any type shall be permissible.**

15 **3. The office of secretary of state may forbid the use of election equipment,**
16 **machines, programs, or systems that violate this section or rules promulgated**
17 **thereunder. Election authorities who fail to comply with any requirements of this**
18 **section or rules promulgated thereunder shall be subject to an injunction by any court**
19 **of proper jurisdiction and to the payment of any court costs and attorney's fees to the**
20 **office of the secretary of state if such office is the prevailing party in a lawsuit to enforce**
21 **this section or rules promulgated thereunder.**

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, not connected to a network, and unable to**
6 **be connected to the internet or receive outside communications;**

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

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

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

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

16 (6) (5) "County", any county in this state or any city not within a county;

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

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

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

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

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

35 (12) (11) "Federal office", the office of presidential elector, United States senator, or
36 representative in Congress;

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

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

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

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

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

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

49 ~~[(19)]~~ (18) "Political party", any established political party and any new party;

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

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

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

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

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

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

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

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

72 ~~[(28)]~~ (27) "Voting district", the one or more precincts within which all voters vote at
73 a single polling place for any election.

**115.022. Notwithstanding any other law to the contrary, neither the state of
2 Missouri nor any political subdivision thereof that conducts elections shall not receive or**

3 **expend private moneys for preparing, administering, or conducting an election,**
4 **including registering voters.**

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. **The committee**
3 **of each major political party within the jurisdiction of the election authority is**
4 **authorized to provide the election authority with a list of election judge candidates. The**
5 **candidates shall not be required to reside within the jurisdiction of the election**
6 **authority. If a committee of a major political party does not provide the number of**
7 **qualified names required to fill all election judge positions before the date established by**
8 **the election authority, the election authority may fill the positions as provided in this**
9 **section. If the election authority determines that a name submitted by a committee of a**
10 **major political party is not qualified to serve as an election judge, the election authority**
11 **shall allow the party to submit another name before filling the position.**

12 2. In all primary and general elections, the election authority shall appoint [~~at least~~
13 ~~two~~] **four** judges from each major political party to serve at each polling place. No major
14 political party shall have a majority of the judges at any polling place. No established party
15 shall have a greater number of judges at any polling place than any major political party.

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

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

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

33 6. An election authority may appoint additional election judges representing other
34 established political parties and additional election judges who do not claim a political

35 affiliation. Any question which requires a decision by the majority of judges shall only be
36 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].~~ **If an election authority is unable to fill all**
6 **election judge positions with registered voters of its jurisdiction, the election authority**
7 **shall appoint judges who are registered voters of another election authority's**
8 **jurisdiction.** Each election judge shall be a person of good repute and character who can
9 speak, read, and write the English language. No person shall serve as an election judge at any
10 polling place in which his or her name or the name of a relative within the second degree, by
11 consanguinity or affinity, appears on the ballot. However, no relative of any unopposed
12 candidate shall be disqualified from serving as an election judge in any election jurisdiction of
13 the state. No election judge shall, during his or her term of office, hold any other elective
14 public office, other than as a member of a political party committee or township office, except
15 any person who is elected to a board or commission of a political subdivision or special
16 district may serve as an election judge except at a polling place where such political
17 subdivision or special district has an issue or candidate on the ballot. In any county having a
18 population of less than two hundred fifty thousand inhabitants, any candidate for the county
19 committee of a political party who is not a candidate for any other office and who is
20 unopposed for election as a member of the committee shall not be disqualified from serving
21 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 **from the time the election judges arrive at the polling place** until all ballots are
4 cast on the day of election~~], and~~; a challenger for each location at which absentee ballots are
5 counted, who may be present while the ballots are being prepared for counting and counted;
6 **and a challenger for each location where ballots cast at each polling place are returned**
7 **and counted and results are verified, who may be present until all ballots are returned**
8 **and counted and results are verified.** No later than four business days before the election,
9 the chair of each county committee of each political party named on the ballot shall provide
10 signed official designation forms with the names of the designated challengers and substitutes
11 to the local election authority for confirmation of eligibility to serve as a challenger. The
12 local election authority, after verifying the eligibility of each designated and substitute
13 challenger, shall sign off on the official designation forms, unless the challenger is found not
14 to have the qualifications established by subsection 5 of this section. If the election authority

15 determines that a challenger does not meet the qualifications of subsection 5 of this section,
16 the designating party chair may designate a replacement challenger and provide the local
17 election authority with the name of the replacement challenger before 5:00 p.m. of the
18 Monday preceding the election. The designating chair may substitute challengers at his or her
19 discretion during such hours.

20 2. Challenges may only be made when the challenger believes the election laws of
21 this state have been or will be violated, and each challenger shall report any such belief to the
22 election judges, or to the election authority if not satisfied with the decision of the election
23 judges.

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

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

30 5. All persons selected as challengers shall have the same qualifications required by
31 section 115.085 for election judges, except that **each** such challenger shall be a registered
32 voter in the jurisdiction of the election authority for which the challenger is designated as a
33 challenger.

34 6. Any challenge by a challenger to a voter's identification for validity shall be made
35 only to the election judges or other election authority. If the poll challenger is not satisfied
36 with the decision of the election judges, then he or she may report his or her belief that the
37 election laws of this state have been or will be violated to the election authority as allowed
38 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~~] **four watchers** for each
3 place votes are counted.

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

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

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

14 115.491 are completed. A watcher may also remain present at each location at which
15 ~~[absentee]~~ all ballots are counted and may remain present while such ballots are being
16 prepared for counting and counted.

17 5. All persons selected as watchers shall have the same qualifications required by
18 section 115.085 for election judges~~[- except that such watcher shall be a registered voter in~~
19 ~~the jurisdiction of the election authority for which the watcher is designated as a watcher]~~. A
20 **candidate may select his or her own watchers at his or her own expense, provided that**
21 **the watchers meet the requirements of 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. **The division of motor**
16 **vehicle and driver licensing of the department of revenue shall transmit voter**
17 **registration application forms to the appropriate election authority not later than three**
18 **business days after the form is completed by the applicant.**

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

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

8 3. After conferring with the secretary of state as the chief state election official
9 responsible for overseeing of the voter registration process, the director of revenue shall adopt
10 rules and regulations pertaining to the format of the voter registration application used by the
11 department. **The director of revenue shall utilize electronic voter registration application**

12 **forms and provide for secure electronic transfer of voter registration information to**
13 **election authorities. The secretary of state and the director of revenue shall ensure the**
14 **confidentiality and integrity of the voter registration data collected, maintained,**
15 **received, or transmitted under this section.**

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

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

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

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

115.178. An election authority may remove names from voter registration lists at
2 **any time a review of such lists identifies an individual that is not entitled to vote under**
3 **the laws of this 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 an 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, 2023, except that election authorities may allow the machines to be used by voters who**
47 **are disabled for as long as the machines are functional. Replacement of equipment for**
48 **use by voters who are disabled shall be with paper ballot marking devices designed to**
49 **assist voters.**

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

57 **7. The secretary of state shall have the authority to require cyber security**
58 **testing, including penetration testing, of vendor machines, programs, and systems.**
59 **Failure to participate in such testing shall result in a revocation of vendor certification.**
60 **Upon notice from another jurisdiction of cyber security failures or certification**
61 **withholds or revocation, the secretary of state shall have authority to revoke or withhold**
62 **certification for vendors. The requirements of this section shall be subject to**
63 **appropriation for the 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 **2023, 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 under subsection 5 of section 115.225. As**
7 far as practicable, all questions and the names of all offices and candidates for which each
8 voter is entitled to vote shall be printed on one page except for the ballot for political party
9 committee persons in polling places not utilizing an electronic voting system which may be
10 printed separately and in conformity with the requirements contained in this section. As far
11 as 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
17 office of the election authority **that is deemed a designated polling place**, the election
18 authority ~~may~~ **shall** cause voting machines, **if used**, to be put in order, set, adjusted, tested,
19 and made ready for voting within one business day of the printing of absentee ballots as
20 provided in section 115.281. The election authority shall have the recording counter except
21 for the protective counter on the voting machine set to zero (000). After the voting machines
22 have been made ready for voting, the election authority shall not permit any person to handle
23 any voting machine, except voters while they are voting and others expressly authorized by
24 the election authority. The election authority shall neither be nor permit any other person to
25 be in any position or near any position that enables the authority or person to see how any
26 absentee 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.

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

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

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

10 (3) Religious belief or practice;

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

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

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

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

19 2. Any covered voter who is eligible to register and vote in this state may vote in any
20 election for federal office, statewide office, state legislative office, or statewide ballot
21 initiatives by submitting a federal postcard application to apply to vote by absentee ballot or
22 by submitting a federal postcard application at the polling place even though the person is not
23 registered. A federal postcard application submitted by a covered voter pursuant to this
24 subsection shall also serve as a voter registration application under section 115.908 and the
25 election authority shall, if satisfied that the applicant is entitled to register, place the voter's
26 name on the voter registration file. Each covered voter may vote by absentee ballot or, upon
27 submitting an affidavit that the person is qualified to vote in the election, may vote at the
28 person's polling place.

29 3. Any interstate former resident may vote by absentee ballot for presidential and vice
30 presidential electors.

31 4. Any intrastate new resident may vote by absentee ballot at the election for
32 presidential and vice presidential electors, United States senator, representative in Congress,
33 statewide elected officials and statewide questions, propositions and amendments from such
34 resident's new jurisdiction of residence after registering to vote in such resident's new
35 jurisdiction of residence.

36 5. Any new resident may vote by absentee ballot for presidential and vice presidential
37 electors after registering to vote in such resident's new jurisdiction of residence.

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

40 ~~(1) Are sixty five years of age or older;~~

41 ~~(2) Live in a long term care facility licensed under chapter 198;~~

42 ~~(3) Have chronic lung disease or moderate to severe asthma;~~

43 ~~(4) Have serious heart conditions;~~

44 ~~(5) Are immunocompromised;~~

45 ~~(6) Have diabetes;~~

46 ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~

47 ~~(8) Have liver disease]~~ **A voter who casts an absentee ballot in person at the**
48 **election authority shall be required to show identification as required under section**
49 **115.427.**

115.279. 1. Application for an absentee ballot may be made by the applicant in
2 person, or by mail, or for the applicant, in person, by his or her guardian or a relative within
3 the second degree by consanguinity or affinity. The election authority shall accept

4 applications by facsimile transmission and by electronic mail within the limits of its
5 telecommunications capacity.

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

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

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

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

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

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

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

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

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

<p>69 "STATE OF _____</p> <p>70 COUNTY OF _____, ss.</p> <p>71 I, _____, do solemnly swear that:</p> <p>72 (1) Before becoming a resident of this state, I resided at _____ (residence address) in</p> <p>73 _____ (town, township, village or city) of _____ County in the state of _____;</p> <p>74 (2) I moved to this state after the last day to register to vote in such general presidential</p> <p>75 election and I am now residing in the county of _____, state of Missouri;</p>

76 (3) I believe I am entitled pursuant to the laws of this state to vote in the presidential
77 election to be held November _____, _____ (year);
78 (4) I hereby make application for a presidential and vice presidential ballot. I have not
79 voted and shall not vote other than by this ballot at such election.
80 Signed _____
81 (Applicant)
82 _____
83 (Residence Address)
84 Subscribed and sworn to before me this _____ day of _____, _____
85 Signed _____
86 (Title and name of officer authorized to administer oaths)"

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

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

97 "STATE OF _____
98 COUNTY OF _____, ss.
99 I, _____, do solemnly swear that:
100 (1) Before becoming a resident of this election jurisdiction, I resided at _____
101 (residence address) in _____ (town, township, village or city) of _____ county in
102 the state of _____;
103 (2) I moved to this election jurisdiction after the last day to register to vote in such
104 election;
105 (3) I believe I am entitled pursuant to the laws of this state to vote in the election to be
106 held _____ (date);
107 (4) I hereby make application for an absentee ballot for candidates and issues on which
108 I am entitled to vote pursuant to the laws of this state. I have not voted and shall not
109 vote other than by this ballot at such election.
110 Signed _____
111 (Applicant)

112 _____
 113 (Residence Address)
 114 Subscribed and sworn to before me this _____ day of _____, _____
 115 Signed _____
 116 (Title and name of officer authorized to administer oaths)"

117 9. An application for an absentee ballot by an interstate former resident shall be
 118 received in the office of the election authority where the applicant was formerly registered by
 119 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application
 120 is made in person by the applicant in the office of the election authority, in which case such
 121 application shall be made no later than 7:00 p.m. on the day of the election.

122 **10. No individual or organization, including local election authorities and boards**
 123 **of election, shall distribute unsolicited applications for absentee ballots by mail, email,**
 124 **or any other means. Violation of the provisions of this subsection shall be a class four**
 125 **election offense.**

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

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

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

~~16 4. Each application for a mail-in ballot shall be signed by the applicant or, if the
 17 application is made by a guardian or relative under this section, the application shall be signed
 18 by the guardian or relative, who shall note on the application his or her relationship to the
 19 applicant. If an applicant, guardian, or relative is blind, unable to read or write the English
 20 language, or physically incapable of signing the application, he or she shall sign by mark that
 21 is witnessed by the signature of an election official or person of his or her choice. Knowingly~~

22 making, delivering, or mailing a fraudulent mail-in ballot application is a class one election
23 offense.

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

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

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

37 [State of Missouri]

38 [County (City) of _____]

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

48 [_____]

49 [Signature of Voter]

[_____]

[Signature of Person]

[Assisting Voter]

[(if applicable)]

52 [Subscribed and sworn to before me this _____ day of _____,
53 _____.]

54 [_____]

55 [Signature of notary or other officer authorized to administer oaths.]

56 [_____]

57 [_____]

58 [Mailing addresses]

59 [(if different)]

60 [8.— Upon receipt of a signed application for a mail-in ballot and if satisfied that the
61 applicant is entitled to vote by mail-in ballot, the election authority shall, within three
62 working days after receiving the application, or, if mail-in ballots are not available at the time
63 the application is received, within five working days after such ballots become available,
64 deliver to the voter a mail-in ballot, ballot envelope and such instructions as are necessary for
65 the applicant to vote. If the election authority is not satisfied that any applicant is entitled to
66 vote by mail-in ballot, the authority shall not deliver a mail-in ballot to the applicant. Within
67 three working days of receiving such an application, the election authority shall notify the
68 applicant and state the reason he or she is not entitled to vote by mail-in ballot. The applicant
69 may file a complaint with the elections division of the secretary of state's office under section
70 115.219.

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

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

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

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

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

94 and postage-free mail for all ballots cast shall be paid by the secretary of state through state
95 appropriations.

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

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

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

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

112 18. Mail-in ballots shall be counted using the procedures set out in sections 115.297,
113 115.299, 115.300, and 115.303.

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

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

121 21. The provisions of this section terminate and shall be repealed on December 31,
122 2020, and shall not apply to any election conducted after that date.]

123

124 **Notwithstanding any other provision of law to the contrary, the use of mail-in ballots**
125 **shall only be authorized by any executive or administrative order, and no authorization**
126 **for the use of mail-in ballots shall be inferred from any general law. This section shall**
127 **not preclude the use of absentee ballots authorized under chapter 115. Any expansion of**
128 **the use of mail-in ballots subsequent to the effective date of this section shall require the**
129 **repeal of this section by explicit reference thereto.**

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

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

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

115.427. 1. Persons seeking to vote in a public election shall establish their identity and eligibility to vote at the polling place **or, if voting absentee in person under section 115.257, at the office of the election authority or other authorized location designated by the election authority** by presenting a form of personal **photo** identification to election officials. No form of personal identification other than the forms listed in this section shall be accepted to establish a voter's qualifications to vote. Forms of personal identification that satisfy the requirements of this section are any one of the following:

- (1) Nonexpired Missouri driver's license;
- (2) Nonexpired or nonexpiring Missouri nondriver's license;
- (3) A document that satisfies all of the following requirements:
 - (a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;
 - (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:**

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

- (1) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:**
 - (a) A nonexpired Missouri driver's license;**
 - (b) A nonexpired or nonexpiring Missouri nondriver's license;**
 - (c) A document that satisfies all of the following requirements:**
 - (i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;**
 - (ii) The document contains my photograph;**
 - (iii) The document contains an expiration date and is not expired, or if expired, the document expired after the date of the most recent general election; and**
 - (iv) The document was issued by the United States or the state of Missouri; or**
 - (d) Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces that is not expired or does not have an expiration date; or**
- (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 I was eligible to cast a ballot at this polling place; and**

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(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	

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

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

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

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

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

131 5. ~~[The secretary of state shall provide advance notice of the personal identification~~
132 ~~requirements of subsection 1 of this section in a manner calculated to inform the public~~
133 ~~generally of the requirement for forms of personal identification as provided in this section.~~

134 ~~Such advance notice shall include, at a minimum, the use of advertisements and public~~
135 ~~service announcements in print, broadcast television, radio, and cable television media, as~~
136 ~~well as the posting of information on the opening pages of the official state internet websites~~
137 ~~of the secretary of state and governor.~~

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

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

145 (a) A birth certificate;

146 (b) A marriage license or certificate;

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

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154 Any individual seeking one of the above documents in order to obtain a form of personal

155 identification described in subsection 1 of this section ~~[in order to vote]~~ **for voting** may

156 request the secretary of state to facilitate the acquisition of such documents. The secretary of

157 state shall pay any fee or fees charged by another state or its agencies, or any court of

158 competent jurisdiction in this state or any other state, or the federal government or its

159 agencies, in order to obtain any of the above documents from such state or the federal

160 government.

161 (3) ~~[All costs associated with the implementation of this section shall be reimbursed~~

162 ~~from the general revenue of this state by an appropriation for that purpose. If there is not a~~

163 ~~sufficient appropriation of state funds, then the personal identification requirements of~~

164 ~~subsection 1 of this section shall not be enforced.]~~

165 (4) Any applicant who requests a nondriver's license for ~~[the purpose of]~~ voting shall

166 not be required to pay a fee ~~[if the applicant executes a statement, under penalty of perjury,~~

167 ~~averring that the applicant does not have any other form of personal identification that meets~~

168 ~~the requirements of this section].~~ The state of Missouri shall pay the legally required fees for

169 any such applicant. ~~[The director of the department of revenue shall design a statement to be~~

170 ~~used for this purpose. The total cost associated with nondriver's license photo identification~~

171 ~~under this subsection shall be borne by the state of Missouri from funds appropriated to the~~

172 ~~department of revenue for that specific purpose.]~~ The department of revenue and a local

173 election authority may enter into a contract that allows the local election authority to assist the

174 department in issuing nondriver's license photo identifications.

175 [7.] 6. The director of the department of revenue shall, by January first of each year,

176 prepare and deliver to each member of the general assembly a report documenting the number

177 of individuals who have requested and received a nondriver's license photo identification for

178 the purposes of voting under this section. The report shall also include the number of persons

179 requesting a nondriver's license for purposes of voting under this section, but not receiving

180 such license, and the reason for the denial of the nondriver's license.

181 [8.] 7. The precinct register shall serve as the voter identification certificate. The

182 following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

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<p>Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.</p> <p>PRECINCT _____</p> <p>WARD OR TOWNSHIP _____</p> <p>GENERAL (SPECIAL, PRIMARY) ELECTION</p> <p>Held _____, 20_____</p> <p>Date _____</p> <p>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.</p>

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~~[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-]~~ **11.** 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.

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

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

(2) "Receiving judges" are the two judges, one from each major political party, who 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.

115.449. 1. As soon as the polls close in each polling place using paper ballots, the
2 election judges shall begin to count the votes. If earlier counting is begun pursuant to section
3 115.451, the election judges shall complete the count in the manner provided by this section.
4 Once begun, no count shall be adjourned or postponed until all proper votes have been
5 counted.

6 2. One counting judge, closely observed by the other counting judge, shall take the
7 ballots out of the ballot box one at a time and, holding each ballot in such a way that the other
8 counting judge may read it, shall read the name of each candidate properly voted for and the
9 office sought by each. As each vote is called out, the recording judges shall each record the
10 vote on a tally sheet. The votes for and against all questions shall likewise be read and
11 recorded. If more than one political subdivision or special district is holding an election on
12 the same day at the same polling place and using separate ballots, the counting judges may
13 separate the ballots of each political subdivision and special district and first read one set,
14 then the next and so on until all proper votes have been counted.

15 3. After the recording of all proper votes, the recording judges shall compare their
16 tallies. When the recording judges agree on the count, they shall sign both of the tally sheets,
17 and one of the recording judges shall announce in a loud voice the total number of votes for
18 each candidate and for and against each question.

19 4. After the announcement of the vote, the election judges shall record the vote totals
20 in the appropriate places on each statement of returns. If any tally sheet or statement of
21 returns contains no heading for any question, the election judges shall write the necessary
22 headings on the tally sheet or statement of returns.

23 **5. Notwithstanding any other provision of law to the contrary, the official ballot**
24 **for any local, state, or federal election held in this state shall be retained by the requisite**
25 **election authority for a period of at least one year from the date of certification of the**
26 **results of such an election. Such ballots shall be retained in a secure location. The**
27 **intentional destruction of, or tampering with, such archival ballots shall be a class one**
28 **election offense.**

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

 115.637. The following offenses, and any others specifically so described by law,
2 shall be class four election offenses and are deemed misdemeanors not connected with the
3 exercise of the right of suffrage. Conviction for any of these offenses shall be punished by
4 imprisonment of not more than one year or by a fine of not more than two thousand five
5 hundred dollars or by both such imprisonment and fine:

6 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample
7 ballots that may be furnished by an organization or individual at or near any voting place on
8 election day, except that this subdivision shall not be construed so as to interfere with the right
9 of an individual voter to erase or cause to be erased on a sample ballot the name of any
10 candidate and substituting the name of the person for whom he or she intends to vote; or to
11 dispose of the received sample ballot;

12 (2) Printing, circulating, or causing to be printed or circulated, any false and
13 fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

14 (3) Purposefully giving a printed or written sample ballot to any qualified voter which
15 is intended to mislead the voter;

16 (4) On the part of any candidate for election to any office of honor, trust, or profit,
17 offering or promising to discharge the duties of such office for a less sum than the salary, fees,
18 or emoluments as fixed by law or promising to pay back or donate to any public or private
19 interest any portion of such salary, fees, or emolument as an inducement to voters;

20 (5) On the part of any canvasser appointed to canvass any registration list, willfully
21 failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to

22 perform his duties in making such canvass or willfully neglecting any duties lawfully
23 assigned to him or her;

24 (6) On the part of any employer, making, enforcing, or attempting to enforce any
25 order, rule, or regulation or adopting any other device or method to prevent an employee from
26 engaging in political activities, accepting candidacy for nomination to, election to, or the
27 holding of, political office, holding a position as a member of a political committee, soliciting
28 or receiving funds for political purpose, acting as chairman or participating in a political
29 convention, assuming the conduct of any political campaign, signing, or subscribing his or her
30 name to any initiative, referendum, or recall petition, or any other petition circulated pursuant
31 to law;

32 (7) On the part of any person authorized or employed to print official ballots, or any
33 person employed in printing ballots, giving, delivering, or knowingly permitting to be taken
34 any ballot to or by any person other than the official under whose direction the ballots are
35 being printed, any ballot in any form other than that prescribed by law, or with unauthorized
36 names, with names misspelled, or with the names of candidates arranged in any way other
37 than that authorized by law;

38 (8) On the part of any election authority or official charged by law with the duty of
39 distributing the printed ballots, or any person acting on his or her behalf, knowingly
40 distributing or causing to be distributed any ballot in any manner other than that prescribed by
41 law;

42 (9) Any person having in his or her possession any official ballot, except in the
43 performance of his or her duty as an election authority or official, or in the act of exercising
44 his or her individual voting privilege;

45 (10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a
46 voter;

47 (11) On the part of any election judge, being willfully absent from the polls on
48 election day without good cause or willfully detaining any election material or equipment and
49 not causing it to be produced at the voting place at the opening of the polls or within fifteen
50 minutes thereafter;

51 (12) On the part of any election authority or official, willfully neglecting, refusing, or
52 omitting to perform any duty required of him or her by law with respect to holding and
53 conducting an election, receiving and counting out the ballots, or making proper returns;

54 (13) On the part of any election judge, or party watcher or challenger, furnishing any
55 information tending in any way to show the state of the count to any other person prior to the
56 closing of the polls;

57 (14) On the part of any voter, except as otherwise provided by law, allowing his or her
58 ballot to be seen by any person with the intent of letting it be known how he or she is about to

59 vote or has voted, or knowingly making a false statement as to his or her inability to mark a
60 ballot;

61 (15) On the part of any election judge, disclosing to any person the name of any
62 candidate for whom a voter has voted;

63 (16) Interfering, or attempting to interfere, with any voter inside a polling place;

64 (17) On the part of any person at any registration site, polling place, counting location
65 or verification location, causing any breach of the peace or engaging in disorderly conduct,
66 violence, or threats of violence whereby such registration, election, count or verification is
67 impeded or interfered with;

68 (18) Exit polling, surveying, sampling, electioneering, distributing election literature,
69 posting signs or placing vehicles bearing signs with respect to any candidate or question to be
70 voted on at an election on election day inside the building in which a polling place is located
71 or within twenty-five feet of the building's outer door closest to the polling place, or, on the
72 part of any person, refusing to remove or permit removal from property owned or controlled
73 by such person, any such election sign or literature located within such distance on such day
74 after request for removal by any person;

75 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign
76 on private property, except that this subdivision shall not be construed to interfere with the
77 right of any private property owner to take any action with regard to campaign yard signs on
78 the owner's property and this subdivision shall not be construed to interfere with the right of
79 any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from
80 the owner's private property after the election day;

81 **(20) Distributing, by mail, email, or any other means, unsolicited absentee ballot**
82 **applications.**

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

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

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

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

12 (4) Except as provided in subsection 2 of this section **and section 115.160**, no officer,
13 agency, or organization shall collect or submit a voter registration application with an

14 electronic signature to an election authority without first obtaining approval of the data and
15 signature format from the local election authority and the approval of the voter to collect and
16 store the signature and data; and

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

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

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

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

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

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

49 (5) The committee shall meet not less than semiannually through June 30, 2019, to
50 recommend and approve changes and enhancements proposed by the secretary of state or

51 election authorities to the electronic voter registration application system. Vacancies that
52 occur on the committee shall be filled by the president of the Missouri Association of County
53 Clerks and Election Authorities at the time of the vacancy;

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

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

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

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

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

70 7. ~~[Notwithstanding the provisions of section 432.230]~~ **Except as provided under**
71 **sections 115.160 and 432.230**, nothing in this section shall require the election authority to
72 accept voter registration records or signatures created, generated, sent, communicated,
73 received, stored, or otherwise processed, or used by electronic means or in electronic form
74 from any officer, agency, or organization not authorized under subsection 2 of this section
75 without prior approval from the election authority. **Election authorities shall accept and**
76 **process voter registration records, including electronic images of applicant signatures,**
77 **transmitted electronically by the division of motor vehicle and driver licensing of the**
78 **department of revenue under section 115.160.** Except as provided in subsection 2 of this
79 section **and section 115.160**, no officer, agency, or organization shall give the voter the
80 opportunity to submit a voter registration application with an electronic signature without first
81 obtaining the approval of the local election authority.

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

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

87 10. Nothing in this section shall be construed to require the secretary of state to cease
88 operating a voter registration application in place as of the effective date of this ~~[aet]~~ section.

89 **11. Voter registration systems utilized under this section shall allow the election**
90 **authority to review the data entered.**

✓