

HOUSE BILL NO. 1878

101ST GENERAL ASSEMBLY

4557S.02C

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, and to enact in lieu thereof thirty-nine new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.013, 115.031, 115.045, 115.051,
2 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.157,
3 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275,
4 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302,
5 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.652,
6 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773,
7 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, are
8 repealed and thirty-nine new sections enacted in lieu thereof,
9 to be known as sections 28.960, 115.004, 115.013, 115.022,
10 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123,
11 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225,
12 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285,
13 115.286, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417,
14 115.427, 115.435, 115.447, 115.652, 115.902, 115.904, and
15 115.960, to read as follows:

28.960. 1. The secretary of state shall have the
2 **authority to, at his or her discretion, audit the list of**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

3 registered voters for any local election authority to ensure
4 accuracy.

5 2. Any audit conducted by the secretary of state
6 shall, at least quarterly, determine whether the local
7 election authority has performed the following voter
8 registration list maintenance activities, as required by law:

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

11 (2) Registering voters and removing names from the
12 voter registration system in accordance with section
13 115.158.

14 3. After completing the audit, the secretary of state
15 shall notify the local election authority in writing of any
16 maintenance updates that are required and shall advise the
17 local election authority they have ninety days to make
18 required updates. If, after ninety days, the secretary of
19 state determines that the local election authority has not
20 performed the required maintenance of voter registration
21 lists as required by law, the secretary of state's office
22 may withhold funds from the local election authority.

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

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

3 (1) "Air-gap" or "air-gapped", a security measure in
4 which equipment is physically and technically isolated from
5 any network and is not directly connected to the internet
6 nor is it connected to any other system that is connected to
7 the internet. Data can only be passed to an air-gapped
8 device physically via a USB or other removable media;

9 (2) "Automatic tabulating equipment", the apparatus
10 necessary to examine and automatically count votes, and the
11 data processing machines which are used for counting votes
12 and tabulating results **and which are air-gapped and not**
13 **physically able to be connected to a network;**

14 [(2)] (3) "Ballot", the [ballot card,] paper ballot,
15 or ballot designed for use with an electronic voting system
16 on which each voter may cast all votes to which he or she is
17 entitled at an election;

18 [(3) "Ballot card", a ballot which is voted by making a
19 mark which can be tabulated by automatic tabulating
20 equipment;]

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

24 (5) "Counting location", a location selected by the
25 election authority for the automatic processing or counting,
26 or both, of ballots;

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

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

34 (8) "District", an area within the state or within a
35 political subdivision of the state from which a person is
36 elected to represent the area on a policy-making body with
37 representatives of other areas in the state or political
38 subdivision;

39 (9) "Electronic voting machine", any part of an **air-**
40 **gapped** electronic voting system on which a voter is able to
41 cast a ballot under this chapter;

42 (10) "Electronic voting system", a system of casting
43 votes by use of marking devices, and counting votes by use
44 of automatic **air-gapped** tabulating or **air-gapped** data
45 processing equipment, including computerized voting systems
46 **that mark or tabulate ballots;**

47 (11) "Established political party" for the state, a
48 political party which, at either of the last two general
49 elections, polled for its candidate for any statewide office
50 more than two percent of the entire vote cast for the
51 office. "Established political party" for any district or
52 political subdivision shall mean a political party which
53 polled more than two percent of the entire vote cast at
54 either of the last two elections in which the district or
55 political subdivision voted as a unit for the election of
56 officers or representatives to serve its area;

57 (12) "Federal office", the office of presidential
58 elector, United States senator, or representative in
59 Congress;

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

63 (14) "Major political party", the political party
64 whose candidates received the highest or second highest
65 number of votes at the last general election;

66 (15) "Marking device", any [approved] device **approved**
67 **by the secretary of state under section 115.225** which will
68 enable the votes to be counted by automatic tabulating
69 equipment;

70 (16) "Municipal" or "municipality", a city, village,
71 or incorporated town of this state;

72 (17) "New party", any political group which has filed
73 a valid petition and is entitled to place its list of
74 candidates on the ballot at the next general or special
75 election;

76 (18) "Nonpartisan", a candidate who is not a candidate
77 of any political party and who is running for an office for
78 which party candidates may not run;

79 (19) "Political party", any established political
80 party and any new party;

81 (20) "Political subdivision", a county, city, town,
82 village, or township of a township organization county;

83 (21) "Polling place", the voting place designated for
84 all voters residing in one or more precincts for any
85 election;

86 (22) "Precincts", the geographical areas into which
87 the election authority divides its jurisdiction for the
88 purpose of conducting elections;

89 (23) "Public office", any office established by
90 constitution, statute or charter and any employment under
91 the United States, the state of Missouri, or any political
92 subdivision or special district thereof, but does not
93 include any office in the Missouri state defense force or
94 the National Guard or the office of notary public or city
95 attorney in cities of the third classification or cities of
96 the fourth classification;

97 (24) "Question", any measure on the ballot which can
98 be voted "YES" or "NO";

99 (25) "Relative within the second degree by
100 consanguinity or affinity", a spouse, parent, child,

101 grandparent, brother, sister, grandchild, mother-in-law,
102 father-in-law, daughter-in-law, or son-in-law;

103 (26) "Special district", any school district, water
104 district, fire protection district, hospital district,
105 health center, nursing district, or other districts with
106 taxing authority, or other district formed pursuant to the
107 laws of Missouri to provide limited, specific services;

108 (27) "Special election", elections called by any
109 school district, water district, fire protection district,
110 or other district formed pursuant to the laws of Missouri to
111 provide limited, specific services; and

112 (28) "Voting district", the one or more precincts
113 within which all voters vote at a single polling place for
114 any election.

**115.022. 1. Notwithstanding any other law to the
2 contrary, neither the state of Missouri nor any political
3 subdivision thereof that conducts elections shall receive or
4 expend private moneys, excluding in-kind donations, for
5 preparing, administering, or conducting an election,
6 including registering voters. If there is not sufficient
7 appropriation of state funds to proportionally compensate
8 counties pursuant to section 115.063 and 115.065, this
9 section shall not be enforced.**

**10 2. Notwithstanding subsection 1 of this section to the
11 contrary, in-kind donations shall not be received from any
12 candidate, candidate committee, campaign committee, or
13 continuing committee, as such terms are defined in chapter
14 130.**

115.031. Each election commissioner shall be a
2 registered voter and a resident of the jurisdiction for
3 which he **or she** is appointed [for at least one year
4 preceding his appointment]. During his term of office, no

5 commissioner shall hold any statutory position within a
6 political party or on a political committee, be a candidate
7 for political office or hold any other public office.

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

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

14 bonds shall be filed and preserved in the office of the
15 county clerk.

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

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

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

28 3. In any election that is not a primary or general
29 election, the election authority shall appoint at least one
30 judge from each major political party to serve at each
31 polling place. No major political party shall have a
32 majority of the judges at any polling place. No established
33 party shall have a greater number of judges at any polling
34 place than any major political party.

35 4. The election authority shall designate two of the
36 judges appointed for each polling place, one from each major
37 political party, as supervisory judges. Supervisory judges
38 shall be responsible for the return of election supplies
39 from the polling place to the election authority and shall
40 have any additional duties prescribed by the election
41 authority.

42 5. Election judges may be employed to serve for the
43 first half or last half of any election day. Such judges
44 shall be paid one-half the regular rate of pay. If part-
45 time judges are employed, the election authority shall
46 employ such judges and shall see that a sufficient number
47 for each period are present at all times so as to have the
48 proper total number of judges present at each polling place
49 throughout each election day. The election authority shall
50 require that at each polling place at least one election
51 judge from each political party serve a full day and that at
52 all times during the day there be an equal number of
53 election judges from each political party.

54 6. An election authority may appoint additional
55 election judges representing other established political
56 parties and additional election judges who do not claim a
57 political affiliation. Any question which requires a
58 decision by the majority of judges shall only be made by the
59 judges from the major political parties.

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

115.105. 1. The chair of the county committee of each
2 political party named on the ballot shall have the right to
3 designate a challenger for each polling place, who may be
4 present until all ballots are cast on the day of election,

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

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

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

36 4. [In a presidential primary election, challengers
37 may collect information about the party ballot selected by
38 the voter and may disclose party affiliation information
39 after the polls close.

40 5.] All persons selected as challengers shall have the
41 same qualifications required by section 115.085 for election
42 judges, except that such challenger shall be a registered
43 voter in the jurisdiction of the election authority for
44 which the challenger is designated as a challenger.

45 [6.] 5. Any challenge by a challenger to a voter's
46 identification for validity shall be made only to the
47 election judges or other election authority. If the poll
48 challenger is not satisfied with the decision of the
49 election judges, then he or she may report his or her belief
50 that the election laws of this state have been or will be
51 violated to the election authority as allowed under this
52 section.

 115.123. 1. All public elections shall be held on
2 Tuesday. Except as provided in subsections 2 and 3 of this
3 section, and section 247.180, all public elections shall be
4 held on the general election day, the primary election day,
5 the general municipal election day, the first Tuesday after
6 the first Monday in November, or on another day expressly
7 provided by city or county charter, and in nonprimary years
8 on the first Tuesday after the first Monday in August. Bond
9 elections may be held on the first Tuesday after the first
10 Monday in February but no other issue shall be included on
11 the ballot for such election.

12 2. [Notwithstanding the provisions of subsection 1 of
13 this section, an election for a presidential primary held
14 pursuant to sections 115.755 to 115.785 shall be held on the

15 second Tuesday after the first Monday in March of each
16 presidential election year.

17 [3.] The following elections shall be exempt from the
18 provisions of subsection 1 of this section:

19 (1) Bond elections necessitated by fire, vandalism or
20 natural disaster;

21 (2) Elections for which ownership of real property is
22 required by law for voting;

23 (3) Special elections to fill vacancies and to decide
24 tie votes or election contests; and

25 (4) Tax elections necessitated by a financial hardship
26 due to a five percent or greater decline in per-pupil state
27 revenue to a school district from the previous year.

28 [4.] 3. Nothing in this section prohibits a charter
29 city or county from having its primary election in March if
30 the charter provided for a March primary before August 28,
31 1999.

32 [5.] 4. Nothing in this section shall prohibit
33 elections held pursuant to section 65.600, but no other
34 issues shall be on the March ballot except pursuant to this
35 chapter.

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

12 new resident,] a new resident, or a covered voter, as
13 defined in section 115.275. [Except as provided in
14 subsection 4 of this section, in no case shall registration
15 for an election extend beyond 10:00 p.m. on the fourth
16 Wednesday prior to the election.] Any person registering
17 after such date shall be eligible to vote in subsequent
18 elections.

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

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

31 4. A covered voter as defined in section 115.275 who
32 has been discharged from military service, has returned from
33 a military deployment or activation, or has separated from
34 employment outside the territorial limits of the United
35 States after the deadline to register to vote, and who is
36 otherwise qualified to register to vote, may register to
37 vote in an election in person before the election authority
38 until 5:00 p.m. on the Friday before such election. Such
39 persons shall produce sufficient documentation showing
40 evidence of qualifying for late registration pursuant to
41 this section.

115.151. 1. Each qualified applicant who appears
2 before the election authority shall be deemed registered as

3 of the time the applicant's completed, signed and sworn
4 registration application is witnessed by the election
5 authority or deputy registration official.

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

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

115.157. 1. The election authority may place all
2 information on any registration cards in computerized form
3 in accordance with section 115.158. No election authority
4 or secretary of state shall furnish to any member of the
5 public electronic media or printout showing any registration
6 information, except as provided in this section. Except as
7 provided in subsection 2 of this section, the election
8 authority or secretary of state shall make available
9 electronic media or printouts showing **only** unique voter
10 identification numbers, voters' names, [dates] **year** of

11 birth, addresses, townships or wards, and precincts.

12 Electronic data shall be maintained in at least the

13 following separate fields:

14 (1) Voter identification number;

15 (2) First name;

16 (3) Middle initial;

17 (4) Last name;

18 (5) Suffix;

19 (6) Street number;

20 (7) Street direction;

21 (8) Street name;

22 (9) Street suffix;

23 (10) Apartment number;

24 (11) City;

25 (12) State;

26 (13) Zip code;

27 (14) Township;

28 (15) Ward;

29 (16) Precinct;

30 (17) Senatorial district;

31 (18) Representative district;

32 (19) Congressional district.

33 2. All election authorities shall enter voter history

34 in their computerized registration systems and shall, not

35 more than ~~[six]~~ **three** months after the election, forward

36 such data to the Missouri voter registration system

37 established in section 115.158. In addition, election

38 authorities shall forward registration and other data in a

39 manner prescribed by the secretary of state to comply with

40 the Help America Vote Act of 2002.

41 3. Except as provided in subsection 6 of this section,

42 the election authority shall furnish, for a fee, electronic

43 media or a printout showing **only** the names, [dates] **year** of
44 birth and addresses of voters, or any part thereof, within
45 the jurisdiction of the election authority who voted in any
46 specific election, including primary elections, by township,
47 ward or precinct, provided that nothing in this chapter
48 shall require such voter information to be released to the
49 public over the internet **and shall not be used for**
50 **commercial purposes.**

51 4. [Except as provided in subsection 6 of this
52 section, upon a request by a candidate, a duly authorized
53 representative of a campaign committee, or a political party
54 committee, the secretary of state shall furnish, for a fee
55 determined by the secretary of state and in compliance with
56 section 610.026, media in an electronic format or, if so
57 requested, in a printed format, showing the names,
58 addresses, and voter identification numbers of voters within
59 the jurisdiction of a specific election authority who
60 applied for an absentee ballot under section 115.279 for any
61 specific election involving a ballot measure or an office
62 for which the declaration of candidacy is required to be
63 filed with the secretary of state pursuant to section
64 115.353, including primary elections, by township, ward, or
65 precinct. Nothing in this section shall require such voter
66 information to be released to the public over the internet.
67 For purposes of this section, the terms "candidate",
68 "campaign committee", and "political party committee" shall
69 have the same meaning given to such terms in section 130.011.

70 5.] The amount of fees charged for information
71 provided in this section shall be established pursuant to
72 chapter 610. All revenues collected by the secretary of
73 state pursuant to this section shall be deposited in the
74 state treasury and credited to the secretary of state's

75 technology trust fund account established pursuant to
76 section 28.160. [In even-numbered years, each election
77 authority shall, upon request, supply the voter registration
78 list for its jurisdiction to all candidates and party
79 committees for a charge established pursuant to chapter
80 610. Except as provided in subsection 6 of this section,
81 all election authorities shall make the information
82 described in this section available pursuant to chapter
83 610. Any election authority who fails to comply with the
84 requirements of this section shall be subject to the
85 provisions of chapter 610.

86 **6.] 5.** Any person working as an undercover officer of
87 a local, state or federal law enforcement agency, persons in
88 witness protection programs, and victims of domestic
89 violence and abuse who have received orders of protection
90 pursuant to chapter 455 shall be entitled to apply to the
91 circuit court having jurisdiction in his or her county of
92 residence to have the residential address on his or her
93 voter registration records closed to the public if the
94 release of such information could endanger the safety of the
95 person. Any person working as an undercover agent or in a
96 witness protection program shall also submit a statement
97 from the chief executive officer of the agency under whose
98 direction he or she is serving. The petition to close the
99 residential address shall be incorporated into any petition
100 for protective order provided by circuit clerks pursuant to
101 chapter 455. If satisfied that the person filing the
102 petition meets the qualifications of this subsection, the
103 circuit court shall issue an order to the election authority
104 to keep the residential address of the voter a closed record
105 and the address may be used only for the purposes of
106 administering elections pursuant to this chapter. The

107 election authority may require the voter who has a closed
108 residential address record to verify that his or her
109 residential address has not changed or to file a change of
110 address and to affirm that the reasons contained in the
111 original petition are still accurate prior to receiving a
112 ballot. A change of address within an election authority's
113 jurisdiction shall not require that the voter file a new
114 petition. Any voter who no longer qualifies pursuant to
115 this subsection to have his or her residential address as a
116 closed record shall notify the circuit court. Upon such
117 notification, the circuit court shall void the order closing
118 the residential address and so notify the election authority.

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

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

12 3. After conferring with the secretary of state as the
13 chief state election official responsible for overseeing of
14 the voter registration process, the director of revenue
15 shall adopt rules and regulations pertaining to the format
16 of the voter registration application used by the
17 department. **The director of revenue shall utilize**
18 **electronic voter registration application forms and provide**
19 **for secure electronic transfer of voter registration**
20 **information to election authorities. The secretary of state**

21 **and the director of revenue shall ensure the confidentiality**
22 **and integrity of the voter registration data collected,**
23 **maintained, received, or transmitted under this section.**

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

28 5. Any voter registration application received
29 pursuant to the provisions of this section shall be
30 forwarded, **in a secure and electronic manner,** to the
31 election authority located within that county or any city
32 not within a county, or if there is more than one election
33 authority within the county, then to the election authority
34 located nearest to the location where the driver's license
35 application was received. **Voter registration information,**
36 **including an electronic image of the signature of the**
37 **applicant, shall be transmitted in a format compatible with**
38 **the Missouri voter registration system established in**
39 **section 115.158 that allows for review by the election**
40 **authority and does not require the election authority to**
41 **manually reenter the information, provided that the election**
42 **authority shall print out a paper copy of the information**
43 **and retain such information in the manner required by**
44 **section 115.145.** The election authority receiving the
45 application forms shall review the applications and forward,
46 **in a secure and electronic manner,** any applications
47 pertaining to a different election authority to that
48 election authority.

49 6. A completed voter registration application accepted
50 in the driver's licensing process shall be transmitted to
51 the election authority described in subsection 5 of this

52 section not later than [five] **three** business days after the
53 form is completed by the applicant.

54 7. Any person registering to vote when applying for or
55 renewing a Missouri driver's license shall submit with the
56 application form a copy of a birth certificate, a Native
57 American tribal document, or other proof of United States
58 citizenship, a valid Missouri driver's license, or other
59 form of personal identification. **Any person who, at the**
60 **time of a transaction with the division of motor vehicle and**
61 **driver licensing of the department of revenue, provides a**
62 **document that establishes noncitizenship shall not be**
63 **offered the opportunity to register to vote as part of the**
64 **transaction.**

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

13 2. A registered voter who has changed his or her
14 residence within an election authority's jurisdiction and
15 has not been removed from the list of registered voters
16 pursuant to this chapter shall be permitted to file a change
17 of address with the election authority or before an election
18 judge at a polling place and vote at a central polling place
19 or at the polling place that serves his or her new address

20 upon written or oral affirmation by the voter of the new
21 address.

22 **3. A registered voter who has changed his or her**
23 **residence within the state and has not been removed from the**
24 **list of registered voters under this chapter shall be**
25 **permitted to file a change of address in person at the**
26 **office of the election authority on election day. In order**
27 **to change an address in person on election day under this**
28 **subsection, a registered voter shall provide a form of**
29 **personal photo identification required under subsection 1 of**
30 **section 115.427.**

31 **4.** If the applicant for registration was last
32 registered in another jurisdiction within this state or
33 another state, the election authority shall send notice of
34 the registration to the election authority where the
35 applicant was previously registered. The election authority
36 sending the notice shall provide identifying information to
37 assist the election authority receiving the notice to
38 determine whether the person named was previously registered
39 in such jurisdiction and whether, based on the identifying
40 information provided, the application can be removed from
41 the voting record in the former jurisdiction.

42 **[4.] 5.** Upon receipt of a notice from another election
43 authority that a voter has registered in another
44 jurisdiction in this state or another state, the election
45 authority shall determine whether sufficient information is
46 provided in the notice to identify the person named in such
47 notice as previously registered in the election authority's
48 jurisdiction and presently removable from the voting records
49 in the election authority's jurisdiction. Every election
50 authority is authorized to examine the information provided
51 in a notice of duplicate registration provided by the

52 Missouri voter registration system authorized pursuant to
53 section 115.158 to determine if a voter in one election
54 authority's voter registration records has subsequently
55 registered in another jurisdiction. If, after reviewing the
56 information provided, the election authority is satisfied
57 that the person identified in the notice is listed as a
58 registered voter in the election authority's jurisdiction
59 but has subsequently registered in another jurisdiction, the
60 election authority may remove the person's registration from
61 the list of registered voters.

115.205. 1. [Any] No person [who is] **shall be** paid or
2 otherwise compensated for soliciting [more than ten] voter
3 registration applications, other than a governmental entity
4 or a person who is paid or compensated by a governmental
5 entity for such solicitation[, shall be registered with the
6 secretary of state as a voter registration solicitor]. A
7 voter registration solicitor **who solicits more than ten**
8 **voter registration applications** shall register for every
9 election cycle that begins on the day after the general
10 election and ends on the day of the general election two
11 years later. A voter registration solicitor shall be at
12 least eighteen years of age and shall be a registered voter
13 in the state of Missouri.

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

- 17 (1) The name of the voter registration solicitor;
- 18 (2) The residential address, including street number,
19 city, state, and zip code;
- 20 (3) The mailing address, if different from the
21 residential address; **and**

22 (4) [Whether the voter registration solicitor expects
23 to be paid for soliciting voter registrations;

24 (5) If the voter registration solicitor expects to be
25 paid, the identity of the payor; or

26 (6)] The signature of the voter registration solicitor.

27 3. The solicitor information required in subsection 2
28 of this section shall be submitted to the secretary of
29 state's office with the following oath and affirmation:

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

32 4. Any voter registration solicitor who knowingly
33 fails to register with the secretary of state is guilty of a
34 class three election offense. Voter registration
35 applications shall be accepted by the election authority if
36 such applications are otherwise valid, even if the voter
37 registration solicitor who procured the applications fails
38 to register with or submits false information to the
39 secretary of state.

115.225. 1. Before use by election authorities in
2 this state, the secretary of state shall approve the marking
3 devices and the automatic tabulating equipment used in
4 electronic voting systems and may promulgate rules and
5 regulations to implement the intent of sections 115.225 to
6 115.235.

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

9 (1) Permits voting in absolute secrecy;

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

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

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

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

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

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

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

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

32 (10) Has been tested and is certified by an
33 independent authority that meets the voting system standards
34 developed by the Federal Election Commission or its
35 successor agency. The provisions of this subdivision shall
36 not be required for any system purchased prior to August 28,
37 2002.

38 3. The secretary of state shall promulgate rules and
39 regulations to allow the use of a computerized voting
40 system. The procedures shall provide for the use of a
41 computerized voting system with the ability to provide a
42 paper audit trail. Notwithstanding any provisions of this
43 chapter to the contrary, such a system may allow for the
44 storage of processed ballot materials in an electronic form.

45 4. Any rule or portion of a rule, as that term is
46 defined in section 536.010, that is created under the

47 authority delegated in this section shall become effective
48 only if it complies with and is subject to all of the
49 provisions of chapter 536 and, if applicable, section
50 536.028. This section and chapter 536 are nonseverable and
51 if any of the powers vested with the general assembly
52 pursuant to chapter 536 to review, to delay the effective
53 date or to disapprove and annul a rule are subsequently held
54 unconstitutional, then the grant of rulemaking authority and
55 any rule proposed or adopted after August 28, 2002, shall be
56 invalid and void.

57 **5. If any election authority uses any touchscreen**
58 **direct-recording electronic vote-counting machine, the**
59 **election authority may continue to use such machine. Upon**
60 **the removal of such voting machine from the election**
61 **authority's inventory because of mechanical malfunction,**
62 **wear and tear, or any other reason, the machine shall not be**
63 **replaced and no additional direct-recording electronic**
64 **voting machine shall be added to the election authority's**
65 **inventory. Such machines shall not be used beginning**
66 **January 1, 2024.**

67 **6. The secretary of state shall have authority to**
68 **require cyber security testing, including penetration**
69 **testing, of vendor machines, programs, and systems. Failure**
70 **to participate in such testing shall result in a revocation**
71 **of vendor certification. Upon notice from another**
72 **jurisdiction of cyber security failures or certification**
73 **withholds or revocation, the secretary of state shall have**
74 **authority to revoke or withhold certification for vendors.**
75 **The requirements of this section shall be subject to**
76 **appropriation for the purpose of cyber security testing.**

77 **7. All election authorities and the secretary of state**
78 **shall be members of the Elections Infrastructure Information**

79 **Sharing and Analysis Center (EI-ISAC). If the EI-ISAC**
80 **ceases to exist, the secretary of state may designate a new**
81 **organization of which each election authority shall be a**
82 **member, provided such organization shall have substantially**
83 **the same purpose and mission as the EI-ISAC.**

115.237. 1. Each ballot printed or designed for use
2 with an electronic voting system for any election pursuant
3 to this chapter shall contain all questions and the names of
4 all offices and candidates certified or filed pursuant to
5 this chapter and no other. **Beginning January 1, 2024, the**
6 **official ballot shall be a paper ballot that is hand marked**
7 **by the voter or by a paper ballot marking device as**
8 **authorized under section 115.225.** As far as practicable,
9 all questions and the names of all offices and candidates
10 for which each voter is entitled to vote shall be printed on
11 one page except for the ballot for political party committee
12 persons in polling places not utilizing an electronic voting
13 system which may be printed separately and in conformity
14 with the requirements contained in this section. As far as
15 practicable, ballots containing only questions and the names
16 of nonpartisan offices and candidates shall be printed in
17 accordance with the provisions of this section, except that
18 the ballot information may be listed in vertical or
19 horizontal rows. The names of candidates for each office
20 shall be listed in the order in which they are filed.

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

28 3. Nothing in this subchapter shall be construed as
29 prohibiting the use of a separate paper ballot for questions
30 [or for the presidential preference primary] in any polling
31 place using an electronic voting system.

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

38 5. No ballot printed or designed for use with an
39 electronic voting system for any partisan election held
40 under this chapter shall allow a person to vote a straight
41 political party ticket. For purposes of this subsection, a
42 "straight political party ticket" means voting for all of
43 the candidates for elective office who are on the ballot
44 representing a single political party by a single selection
45 on the ballot.

46 6. The secretary of state shall promulgate rules that
47 specify uniform standards for ballot layout for each
48 electronic or computerized ballot counting system approved
49 under the provisions of section 115.225 so that the ballot
50 used with any counting system is, where possible, consistent
51 with the intent of this section. Nothing in this section
52 shall be construed to require the format specified in this
53 section if it does not meet the requirements of the ballot
54 counting system used by the election authority.

55 7. Any rule or portion of a rule, as that term is
56 defined in section 536.010, that is created under the
57 authority delegated in this section shall become effective
58 only if it complies with and is subject to all of the
59 provisions of chapter 536 and, if applicable, section

60 536.028. This section and chapter 536 are nonseverable and
61 if any of the powers vested with the general assembly
62 pursuant to chapter 536 to review, to delay the effective
63 date or to disapprove and annul a rule are subsequently held
64 unconstitutional, then the grant of rulemaking authority and
65 any rule proposed or adopted after August 28, 2002, shall be
66 invalid and void.

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

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

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

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

22 5. For the purpose of processing absentee ballots,
23 cast by voters in person in the office of the election
24 authority **that is deemed designated as a polling place**, the
25 election authority may cause voting machines, **if used**, to be

26 put in order, set, adjusted, tested, and made ready for
27 voting within one business day of the printing of absentee
28 ballots as provided in section 115.281. The election
29 authority shall have the recording counter except for the
30 protective counter on the voting machine set to zero (000).
31 After the voting machines have been made ready for voting,
32 the election authority shall not permit any person to handle
33 any voting machine, except voters while they are voting and
34 others expressly authorized by the election authority. The
35 election authority shall neither be nor permit any other
36 person to be in any position or near any position that
37 enables the authority or person to see how any absentee
38 voter votes or has voted.

39 6. Nothing in this section shall prohibit the on-site
40 storage of electronic voting machines and the preparation of
41 the electronic machines for voting, provided the electronic
42 voting machines are put in order, set, adjusted and made
43 ready for voting as provided in subsections 1, 2, 3, 4, and
44 5 of this section.

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

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

9 (2) "Covered voter":

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

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

15 (c) An overseas voter;

16 (d) Civilian employees of the United States government
17 working outside the boundaries of the United States, and
18 their spouses and dependents;

19 (e) Active members of religious or welfare
20 organizations assisting servicemen, and their spouses and
21 dependents; or

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

27 (3) "Interstate former resident", a former resident
28 and registered voter in this state who moves from Missouri
29 to another state after the deadline to register to vote in
30 any presidential election in the new state and who otherwise
31 possesses the qualifications to register and vote in such
32 state;

33 (4) ["Intrastate new resident", a registered voter of
34 this state who moves from one election authority's
35 jurisdiction in the state to another election authority's
36 jurisdiction in the state after the last day authorized in
37 this chapter to register to vote in an election and
38 otherwise possesses the qualifications to vote;

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

42 [(6)] (5) "Overseas voter":

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

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

50 [(7)] (6) "Uniformed services":

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

54 (b) The Merchant Marine, the commissioned corps of the
55 Public Health Service, or the commissioned corps of the
56 National Oceanic and Atmospheric Administration of the
57 United States; or

58 (c) The Missouri National Guard;

59 [(8)] (7) "Uniformed services voter", an individual
60 who is qualified to vote and is:

61 (a) A member of the active or reserve components of
62 the Army, Navy, Air Force, Marine Corps, **Space Force**, or
63 Coast Guard of the United States who is on active duty;

64 (b) A member of the Merchant Marine, the commissioned
65 corps of the Public Health Service, or the commissioned
66 corps of the National Oceanic and Atmospheric Administration
67 of the United States;

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

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

72 [(9)] (8) "United States", used in the territorial
73 sense, the several states, the District of Columbia, Puerto
74 Rico, the United States Virgin Islands, and any territory or

75 insular possession subject to the jurisdiction of the United
76 States.

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

9 2. Except as provided in subsections [2, 3,] 4, [and]
10 5, **and 6** of this section, any registered voter of this state
11 may [vote by] **cast an** absentee ballot for all candidates and
12 issues for which such voter would be eligible to vote at the
13 polling place if such voter expects to be prevented from
14 going to the polls to vote on election day [due to:]. **Any
15 absentee ballot that is not requested and completed in
16 person at the office of the election authority with a form
17 of personal photo identification that is consistent with
18 subsection 1 of section 115.427 shall have the statement on
19 the ballot envelope notarized as required under section
20 115.283, except that absentee ballots requested under
21 subdivisions (2) and (5) of subsection 3 of this section
22 shall not require notarization. This subsection shall apply
23 only in the case of absentee ballots that are not cast in
24 person.**

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

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

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

35 (3) Religious belief or practice;

36 (4) Employment as:

37 (a) An election authority, as a member of an election
38 authority, or by an election authority at a location other
39 than such voter's polling place;

40 (b) **A first responder;**

41 (c) **A health care worker; or**

42 (d) **A member of law enforcement;**

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

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

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

53 [2.] 4. Any covered voter who is eligible to register
54 and vote in this state may vote in any election for federal
55 office, statewide office, state legislative office, or
56 statewide ballot initiatives by submitting a federal
57 postcard application to apply to vote by absentee ballot or
58 by submitting a federal postcard application at the polling
59 place even though the person is not registered. A federal
60 postcard application submitted by a covered voter pursuant
61 to this subsection shall also serve as a voter registration

62 application under section 115.908 and the election authority
63 shall, if satisfied that the applicant is entitled to
64 register, place the voter's name on the voter registration
65 file. Each covered voter may vote by absentee ballot or,
66 upon submitting an affidavit that the person is qualified to
67 vote in the election, may vote at the person's polling place.

68 [3.] 5. Any interstate former resident may vote by
69 absentee ballot for presidential and vice presidential
70 electors.

71 [4. Any intrastate new resident may vote by absentee
72 ballot at the election for presidential and vice
73 presidential electors, United States senator, representative
74 in Congress, statewide elected officials and statewide
75 questions, propositions and amendments from such resident's
76 new jurisdiction of residence after registering to vote in
77 such resident's new jurisdiction of residence.

78 [5.] 6. Any new resident may vote by absentee ballot
79 for presidential and vice presidential electors after
80 registering to vote in such resident's new jurisdiction of
81 residence.

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

- 86 (1) Are sixty-five years of age or older;
- 87 (2) Live in a long-term care facility licensed under
88 chapter 198;
- 89 (3) Have chronic lung disease or moderate to severe
90 asthma;
- 91 (4) Have serious heart conditions;
- 92 (5) Are immunocompromised;
- 93 (6) Have diabetes;

- 94 (7) Have chronic kidney disease and are undergoing
95 dialysis; or
96 (8) Have liver disease.]

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

8 2. **Notwithstanding section 115.284, no individual,**
9 **group, or party shall solicit a voter into obtaining an**
10 **absentee ballot application. Absentee ballot applications**
11 **shall not have the information pre-filled prior to it being**
12 **provided to a voter. Nothing in this section shall be**
13 **interpreted to prohibit a state or local election authority**
14 **from assisting voters.**

15 3. Each application shall be made to the election
16 authority of the jurisdiction in which the person is or
17 would be registered. Each application shall be in writing
18 and shall state the applicant's name, address at which he or
19 she is or would be registered, his or her reason for voting
20 an absentee ballot, the address to which the ballot is to be
21 mailed, if mailing is requested, and for absent uniformed
22 services and overseas applicants, the applicant's email
23 address if electronic transmission is requested. If the
24 reason for the applicant voting absentee is due to the
25 reasons established under subdivision (6) of subsection 1 of
26 section 115.277, the applicant shall state the voter's
27 identification information provided by the address
28 confidentiality program in lieu of the applicant's name,
29 address at which he or she is or would be registered, and

30 address to which the ballot is to be mailed, if mailing is
31 requested. Each application to vote in a primary election
32 shall also state which ballot the applicant wishes to
33 receive. If any application fails to designate a ballot,
34 the election authority shall, within three working days
35 after receiving the application, notify the applicant by
36 mail that it will be unable to deliver an absentee ballot
37 until the applicant designates which political party ballot
38 he or she wishes to receive. If the applicant does not
39 respond to the request for political party designation, the
40 election authority is authorized to provide the voter with
41 that part of the ballot for which no political party
42 designation is required.

43 [3. Except as provided in subsection 3 of section
44 115.281,] 4. All applications for absentee ballots received
45 prior to the sixth Tuesday before an election shall be
46 stored at the office of the election authority until such
47 time as the applications are processed in accordance with
48 section 115.281. No application for an absentee ballot
49 received in the office of the election authority by mail, by
50 facsimile transmission, by electronic mail, or by a guardian
51 or relative after 5:00 p.m. on the second Wednesday
52 immediately prior to the election shall be accepted by any
53 election authority. No application for an absentee ballot
54 submitted by the applicant in person after 5:00 p.m. on the
55 day before the election shall be accepted by any election
56 authority, except as provided in subsections [6, 8] 7, 8,
57 and 9 of this section.

58 [4.] 5. Each application for an absentee ballot shall
59 be signed by the applicant or, if the application is made by
60 a guardian or relative pursuant to this section, the
61 application shall be signed by the guardian or relative, who

62 shall note on the application his or her relationship to the
63 applicant. If an applicant, guardian or relative is blind,
64 unable to read or write the English language or physically
65 incapable of signing the application, he or she shall sign
66 by mark, witnessed by the signature of an election official
67 or person of his or her own choosing. Any person who
68 knowingly makes, delivers or mails a fraudulent absentee
69 ballot application shall be guilty of a class one election
70 offense.

71 [5.] 6. (1) Notwithstanding any law to the contrary,
72 any resident of the state of Missouri who resides outside
73 the boundaries of the United States or who is on active duty
74 with the Armed Forces of the United States or members of
75 their immediate family living with them may request an
76 absentee ballot for both the primary and subsequent general
77 election with one application.

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

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

89 (4) Not later than sixty days after the date of each
90 regularly scheduled general election for federal office,
91 each election authority which administered the election
92 shall submit to the secretary of state in a format
93 prescribed by the secretary a report on the combined number

94 of absentee ballots transmitted to, and returned by, absent
 95 uniformed services voters and overseas voters for the
 96 election. The secretary shall submit to the Election
 97 Assistance Commission a combined report of such information
 98 not later than ninety days after the date of each regularly
 99 scheduled general election for federal office and in a
 100 standardized format developed by the commission pursuant to
 101 the Help America Vote Act of 2002. The secretary shall make
 102 the report available to the general public.

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

106 [6.] 7. An application for an absentee ballot by a new
 107 resident shall be submitted in person by the applicant in
 108 the office of the election authority in the election
 109 jurisdiction in which such applicant resides. The
 110 application shall be received by the election authority no
 111 later than 7:00 p.m. on the day of the election. Such
 112 application shall be in the form of an affidavit, executed
 113 in duplicate in the presence of the election authority or
 114 any authorized officer of the election authority, and in
 115 substantially the following form:

116 "STATE OF _____

117 COUNTY OF _____, ss.

118 I, _____, do solemnly swear that:

119 (1) Before becoming a resident of this state, I
 120 resided at _____ (residence address) in _____
 121 (town, township, village or city) of _____
 122 County in the state of _____;

123 (2) I moved to this state after the last day to
 124 register to vote in such general presidential

125 election and I am now residing in the county of
126 _____, state of Missouri;

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

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

134 Signed _____

135 (Applicant)

136 _____

137 (Residence
138 Address)

139 Subscribed and sworn to before me this _____ day
140 of _____, _____

141 Signed _____

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

144 [7.] 8. The election authority in whose office an
145 application is filed pursuant to subsection [6] 7 of this
146 section shall immediately send a duplicate of such
147 application to the appropriate official of the state in
148 which the new resident applicant last resided and shall file
149 the original of such application in its office.

150 [8. An application for an absentee ballot by an
151 intrastate new resident shall be made in person by the
152 applicant in the office of the election authority in the
153 election jurisdiction in which such applicant resides. The
154 application shall be received by the election authority no
155 later than 7:00 p.m. on the day of the election. Such
156 application shall be in the form of an affidavit, executed

157 in duplicate in the presence of the election authority or an
 158 authorized officer of the election authority, and in
 159 substantially the following form:

160 "STATE OF _____

161 COUNTY OF _____, ss.

162 I, _____, do solemnly swear that:

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

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

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

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

177 Signed _____

178 (Applicant)

179 _____

180 (Residence Address)

181 Subscribed and sworn to before me this _____ day
 182 of _____, _____

183 Signed _____

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

]

186 9. An application for an absentee ballot by an
 187 interstate former resident shall be received in the office
 188 of the election authority where the applicant was formerly

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

115.283. 1. Each ballot envelope shall bear a
2 statement on which the voter shall state the voter's name,
3 the voter's voting address, the voter's mailing address and
4 the voter's reason for voting an absentee ballot. If the
5 reason for the voter voting absentee is due to the reasons
6 established under subdivision (6) of subsection [1] 2 of
7 section 115.277, the voter shall state the voter's
8 identification information provided by the address
9 confidentiality program in lieu of the applicant's name,
10 voting address, and mailing address. On the form, the voter
11 shall also state under penalties of perjury that the voter
12 is qualified to vote in the election, that the voter has not
13 previously voted and will not vote again in the election,
14 that the voter has personally marked the voter's ballot in
15 secret or supervised the marking of the voter's ballot if
16 the voter is unable to mark it, that the ballot has been
17 placed in the ballot envelope and sealed by the voter or
18 under the voter's supervision if the voter is unable to seal
19 it, and that all information contained in the statement is
20 true. In addition, any person providing assistance to the
21 absentee voter shall include a statement on the envelope
22 identifying the person providing assistance under penalties
23 of perjury. Persons authorized to vote only for federal and
24 statewide officers shall also state their former Missouri
25 residence.

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

29 State of Missouri

30 County (City) of _____

31 I, _____ (print name), a registered voter of
 32 _____ County (City of St. Louis, Kansas City),
 33 declare under the penalties of perjury that I **am**
 34 **voting in person at a location designated by the**
 35 **local election authority or I** expect to be
 36 prevented from going to the polls on election day
 37 due to (check one):

38 _____ absence on election day from the
 39 jurisdiction of the election authority in
 40 which I am registered;

41 _____ incapacity or confinement due to illness or
 42 physical disability **on election day,**
 43 including caring for a person who is
 44 incapacitated or confined due to illness or
 45 disability **and resides at the same address;**

46 _____ religious belief or practice;

47 _____ employment as an election authority [], by
 48 an election authority at a location other
 49 than my polling place, **as a first responder,**
 50 **as a health care worker, or as a member of**
 51 **law enforcement;**

52 _____ incarceration, although I have retained all
 53 the necessary qualifications for voting;

54 _____ certified participation in the address
 55 confidentiality program established under
 56 sections 589.660 to 589.681 because of
 57 safety concerns.

58 I hereby state under penalties of perjury that I
 59 am qualified to vote at this election; I have not
 60 voted and will not vote other than by this ballot
 61 at this election. I further state that I marked
 62 the enclosed ballot in secret or that I am blind,

63 unable to read or write English, or physically
 64 incapable of marking the ballot, and the person of
 65 my choosing indicated below marked the ballot at
 66 my direction; all of the information on this
 67 statement is, to the best of my knowledge and
 68 belief, true.

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

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

91 State of Missouri

92 County (City) of _____

93 I, _____ (print name), declare under the
 94 penalties of perjury that I am a citizen of the

95 United States and eighteen years of age or older.
 96 I am not adjudged incapacitated by any court of
 97 law, and if I have been convicted of a felony or
 98 of a misdemeanor connected with the right of
 99 suffrage, I have had the voting disabilities
 100 resulting from such conviction removed pursuant to
 101 law. I hereby state under penalties of perjury
 102 that I am qualified to vote at this election.

103 I am [(check one):

104 _____ a resident of the state of Missouri and a
 105 registered voter in _____ County and moved
 106 from that county to _____ County, Missouri,
 107 after the last day to register to vote in
 108 this election.

109 _____] an interstate former resident of Missouri
 110 and authorized to vote for presidential and
 111 vice presidential electors.

112 I further state under penalties of perjury that I
 113 have not voted and will not vote other than by
 114 this ballot at this election; I marked the
 115 enclosed ballot in secret or am blind, unable to
 116 read or write English, or physically incapable of
 117 marking the ballot, and the person of my choosing
 118 indicated below marked the ballot at my direction;
 119 all of the information on this statement is, to
 120 the best of my knowledge and belief, true.

121	_____	Subscribed to
122		and
123	Signature of	sworn before me
124	Voter	this
125		_____ day of
126		_____, _____
127	_____	
128	_____	_____
129	Address of Voter	Signature of
130		notary or
131		other officer

132 _____ authorized to
 133 _____ administer oaths
 134 _____
 135 Mailing Address (if different) _____
 136 _____
 137 _____
 138 Signature of _____ Address of Last
 139 Person _____
 140 Assisting Voter _____ Missouri
 141 _____ Residence
 142 _____ (if applicable)

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

147 State of Missouri
 148 County (City) of _____
 149 I, _____ (print name), declare under the
 150 penalties of perjury that I expect to be prevented
 151 from going to the polls on election day due to
 152 (check one):
 153 _____ absence on election day from the
 154 jurisdiction of the election authority in
 155 which I am directed to vote;
 156 _____ incapacity or confinement due to illness or
 157 physical disability **on election day**,
 158 including caring for a person who is
 159 incapacitated or confined due to illness or
 160 disability **and resides at the same address**;
 161 _____ religious belief or practice;
 162 _____ employment as an election authority [or], by
 163 an election authority at a location other

164 than my polling place, **as a first responder,**
165 **as a health care worker, or as a member of**
166 **law enforcement;**

167 _____incarceration, although I have retained all
168 the necessary qualifications of voting;

169 _____certified participation in the address
170 confidentiality program established under
171 sections 589.660 to 589.681 because of
172 safety concerns.

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

185 _____ Subscribed and
186 sworn

187 Signature of to before me
188 Voter this

189 _____ day of

190 _____, _____

191 _____

192 _____

193 Address Signature of

194 notary or

195 other officer

196 authorized to

197 administer oaths

198 _____

199 Signature of Person
200 Assisting Voter
201 (if applicable)

202 5. The statement for persons providing assistance to
203 absentee voters shall be in substantially the following form:

204 The voter needed assistance in marking the ballot
205 and signing above, because of blindness, other
206 physical disability, or inability to read or to
207 read English. I marked the ballot enclosed in this
208 envelope at the voter's direction, when I was
209 alone with the voter, and I had no other
210 communication with the voter as to how he or she
211 was to vote. The voter swore or affirmed the voter
212 affidavit above and I then signed the voter's name
213 and completed the other voter information above.
214 Signed under the penalties of perjury.

215 Reason why voter needed assistance: _____

216 ASSISTING PERSON SIGN HERE

- 217 1. _____ (signature of assisting person)
218 2. _____ (assisting person's name printed)
219 3. _____ (assisting person's residence)
220 4. _____ (assisting person's home city or town).

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

226 7.] 6. Notwithstanding any other provision of this
227 section, any covered voter as defined in section 115.902 or
228 persons who have declared themselves to be permanently
229 disabled pursuant to section 115.284, otherwise entitled to

230 vote, shall not be required to obtain a notary seal or
231 signature on his or her absentee ballot.

232 [8.] 7. Notwithstanding any other provision of this
233 section or section 115.291 to the contrary, the
234 subscription, signature and seal of a notary or other
235 officer authorized to administer oaths shall not be required
236 on any ballot, ballot envelope, or statement required by
237 this section if the reason for the voter voting absentee is
238 due to the reasons established pursuant to subdivision (2)
239 [or (7)] of subsection [1] 3 of section 115.277.

240 [9.] 8. No notary shall charge or collect a fee for
241 notarizing the signature on any absentee ballot or absentee
242 voter registration.

243 [10.] 9. A notary public who charges more than the
244 maximum fee specified or who charges or collects a fee for
245 notarizing the signature on any absentee ballot or absentee
246 voter registration is guilty of official misconduct.

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

11 [Notwithstanding any provision of law to the contrary, a
12 ballot envelope used under section 115.302 shall be the same
13 ballot envelope used for absentee ballots, provided an
14 option shall be listed on the envelope to clearly indicate

15 whether the voter is casting an absentee ballot or a mail-in
16 ballot.]

115.286. Absentee ballots under sections 115.275 to
2 115.304 received by the election authority in person or
3 other authorized location designated by the election
4 authority are deemed cast when received prior to election
5 day. Absentee ballots received by the election authority
6 through a common carrier such as the United States Postal
7 Service are deemed cast when received prior to the time
8 fixed by law for the closing of the polls on election day.
9 Absentee ballots received by the election authority through
10 a common carrier such as the United States Postal Service
11 shall be received prior to the time fixed by law for the
12 closing of polls on election day. The election authority
13 shall hand mark or stamp each absentee ballot envelope as it
14 is received, indicating the date and time the absentee
15 ballot was received.

115.287. 1. Upon receipt of a signed application for
2 an absentee ballot and if satisfied the applicant is
3 entitled to vote by absentee ballot, the election authority
4 shall, within three working days after receiving the
5 application, or if absentee ballots are not available at the
6 time the application is received, within five working days
7 after they become available, deliver to the voter an
8 absentee ballot, ballot envelope and such instructions as
9 are necessary for the applicant to vote. Delivery shall be
10 made to the voter personally in the office of the election
11 authority or by bipartisan teams appointed by the election
12 authority, or by first class, registered, or certified mail
13 at the discretion of the election authority, or in the case
14 of a covered voter as defined in section 115.902, the method
15 of transmission prescribed in section 115.914. Where the

16 election authority is a county clerk, the members of
17 bipartisan teams representing the political party other than
18 that of county clerk shall be selected from a list of
19 persons submitted to the county clerk by the county chairman
20 of that party. If no list is provided by the time that
21 absentee ballots are to be made available, the county clerk
22 may select a person or persons from lists provided in
23 accordance with section 115.087. If the election authority
24 is not satisfied that any applicant is entitled to vote by
25 absentee ballot, it shall not deliver an absentee ballot to
26 the applicant. Within three working days of receiving such
27 an application, the election authority shall notify the
28 applicant and state the reason he or she is not entitled to
29 vote by absentee ballot. The applicant may file a complaint
30 with the elections division of the secretary of state's
31 office under and pursuant to section 115.219.

32 2. If, after 5:00 p.m. on the second Wednesday before
33 an election, any voter from the jurisdiction has become
34 hospitalized, becomes confined due to illness or injury, or
35 is confined in an intermediate care facility, residential
36 care facility, or skilled nursing facility **on election day,**
37 as such terms are defined in section 198.006, in the county
38 in which the jurisdiction is located or in the jurisdiction
39 of an adjacent election authority within the same county,
40 the election authority shall appoint a team to deliver,
41 witness the signing of and return the voter's application
42 and deliver, witness the voting of and return the voter's
43 absentee ballot. [In counties with a charter form of
44 government and in cities not within a county, and in each
45 city which has over three hundred thousand inhabitants, and
46 is situated in more than one county,] If the election
47 authority receives ten or more applications for absentee

48 ballots from the same address it **[may] shall** appoint a team
49 to deliver and witness the voting and return of absentee
50 ballots by voters residing at that address, except when such
51 addresses are for an apartment building or other structure
52 wherein individual living units are located, each of which
53 has its own separate cooking facilities. Each team
54 appointed pursuant to this subsection shall consist of two
55 registered voters, one from each major political party.
56 Both members of any team appointed pursuant to this
57 subsection shall be present during the delivery, signing or
58 voting and return of any application or absentee ballot
59 signed or voted pursuant to this subsection.

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

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

115.291. 1. Upon receiving an absentee ballot by
2 mail, the voter shall mark the ballot in secret, place the
3 ballot in the ballot envelope, seal the envelope and fill
4 out the statement on the ballot envelope. The affidavit of
5 each person voting an absentee ballot shall be subscribed
6 and sworn to before the election official receiving the
7 ballot, a notary public or other officer authorized by law
8 to administer oaths, unless the voter is voting absentee due
9 to incapacity or confinement due to the provisions of
10 section 115.284, illness or physical disability **on election**
11 **day, [for an election that occurs during the year 2020, the**
12 **voter has contracted or is in an at-risk category for**
13 **contracting or transmitting severe acute respiratory**

14 syndrome coronavirus 2, as defined in section 115.277,] or
15 the voter is a covered voter as defined in section 115.902.
16 If the voter is blind, unable to read or write the English
17 language, or physically incapable of voting the ballot, the
18 voter may be assisted by a person of the voter's own
19 choosing. Any person assisting a voter who is not entitled
20 to such assistance, and any person who assists a voter and
21 in any manner coerces or initiates a request or a suggestion
22 that the voter vote for or against or refrain from voting on
23 any question, ticket or candidate, shall be guilty of a
24 class one election offense. If, upon counting, challenge or
25 election contest, it is ascertained that any absentee ballot
26 was voted with unlawful assistance, the ballot shall be
27 rejected. [For purposes of this subsection, the voters who
28 are in an at-risk category for contracting or transmitting
29 severe acute respiratory syndrome coronavirus 2 are voters

30 who:

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

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

46 be returned by the voter in person, or in person by a
47 relative of the voter who is within the second degree of
48 consanguinity or affinity, by mail or registered carrier or
49 by a team of deputy election authorities; except that
50 covered voters, when sent from a location determined by the
51 secretary of state to be inaccessible on election day, shall
52 be allowed to return their absentee ballots cast by use of
53 facsimile transmission or under a program approved by the
54 Department of Defense for electronic transmission of
55 election materials.

56 3. In cases of an emergency declared by the President
57 of the United States or the governor of this state where the
58 conduct of an election may be affected, the secretary of
59 state may provide for the delivery and return of absentee
60 ballots by use of a facsimile transmission device or
61 system. Any rule promulgated pursuant to this subsection
62 shall apply to a class or classes of voters as provided for
63 by the secretary of state.

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

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

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

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

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

36 5. Not later than the sixth Tuesday prior to each
37 election, or within fourteen days after candidate names or
38 questions are certified under section 115.125, the election
39 authority shall cause to have printed and made available a
40 sufficient quantity of ballots, ballot envelopes, and
41 mailing envelopes. As soon as possible after a proper

42 official calls a special state or county election, the
43 election authority shall cause to have printed and made
44 available a sufficient quantity of mail-in ballots, ballot
45 envelopes, and mailing envelopes.

46 6. Each ballot envelope shall bear a statement in
47 substantially the same form described in subsection 9 of
48 this section. In addition, any person providing assistance
49 to the mail-in voter shall include a signature on the
50 envelope identifying the person providing such assistance
51 under penalties of perjury. Persons authorized to vote only
52 for federal and statewide offices shall also state their
53 former Missouri residence.

54 7. The statement for persons voting mail-in ballots
55 who are registered voters shall be in substantially the
56 following form:

57 State of Missouri

58 County (City) of _____

59 I, _____ (print name), a registered voter of
60 _____ County (City of St. Louis, Kansas
61 City), declare under the penalties of perjury
62 that: I am qualified to vote at this election; I
63 have not voted and will not vote other than by
64 this ballot at this election. I further state
65 that I marked the enclosed ballot in secret or
66 that I am blind, unable to read or write English,
67 or physically incapable of marking the ballot, and
68 the person of my choosing indicated below marked
69 the ballot at my direction; all of the information
70 on this statement is, to the best of my knowledge
71 and belief, true.

72 _____

73 Signature of Voter

72 _____

73 Signature of
74 Person

75 Assisting Voter

76 (if applicable)

77 Subscribed and sworn to before me this _____
78 day of _____, _____.

79 _____

80 Signature of notary or other officer authorized to
81 administer oaths.

82 _____

83 _____

84 Mailing addresses

85 (if different)

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

103 9. On the mailing and ballot envelopes for each
104 covered voter, the election authority shall stamp the words

105 "ELECTION BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid,
106 39 U.S.C. Section 3406".

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

110 11. Upon receiving a mail-in ballot by mail, the voter
111 shall mark the ballot in secret, place the ballot in the
112 ballot envelope, seal the envelope and fill out the
113 statement on the ballot envelope. The statement required
114 under subsection 7 of this section shall be subscribed and
115 sworn to before a notary public or other officer authorized
116 by law to administer oaths. If the voter is blind, unable
117 to read or write the English language, or physically
118 incapable of voting the ballot, the voter may be assisted by
119 a person of the voter's own choosing. Any person who
120 assists a voter and in any manner coerces or initiates a
121 request or suggestion that the voter vote for or against, or
122 refrain from voting on, any question or candidate, shall be
123 guilty of a class one election offense. If, upon counting,
124 challenge, or election contest, it is ascertained that any
125 mail-in ballot was voted with unlawful assistance, the
126 ballot shall be rejected.

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

130 13. The secretary of state may prescribe uniform
131 regulations with respect to the printing of ballot envelopes
132 and mailing envelopes, which shall comply with standards
133 established by federal law or postal regulations. Mailing
134 envelopes for use in returning ballots shall be printed with
135 business reply permits so that any ballot returned by mail
136 does not require postage. All fees and costs for

137 establishing and maintaining the business reply and postage-
138 free mail for all ballots cast shall be paid by the
139 secretary of state through state appropriations.

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

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

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

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

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

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

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

177 21. The provisions of this section terminate and shall
178 be repealed on December 31, 2020, and shall not apply to any
179 election conducted after that date.] **Mail-in ballots shall
180 not be authorized by any executive or administrative order
181 and no authorization for the use of mail-in ballots shall be
182 inferred from any general law. This section shall not
183 preclude the use of absentee ballots authorized under this
184 chapter. Any expansion of the use of mail-in ballots
185 subsequent to the effective date of this act shall require
186 the repeal of this section by explicit reference thereto.**

115.349. 1. Except as otherwise provided in sections
2 115.361 to 115.383 [or sections 115.755 to 115.785], no
3 candidate's name shall be printed on any official primary
4 ballot unless the candidate has filed a written declaration
5 of candidacy in the office of the appropriate election
6 official by 5:00 p.m. on the last Tuesday in March
7 immediately preceding the primary election.

8 2. No declaration of candidacy for nomination in a
9 primary election shall be accepted for filing prior to 8:00
10 a.m. on the last Tuesday in February immediately preceding
11 the primary election.

12 3. Each declaration of candidacy for nomination in a
13 primary election shall state the candidate's full name,

14 residence address, office for which such candidate proposes
 15 to be a candidate, the party ticket on which he or she
 16 wishes to be a candidate and that if nominated and elected
 17 he or she will qualify. The declaration shall be in
 18 substantially the following form:

19 I, _____, a resident and registered voter of the
 20 county of _____ and the state of Missouri,
 21 residing at _____, do announce myself a candidate
 22 for the office of _____ on the _____ party
 23 ticket, to be voted for at the primary election to
 24 be held on the _____ day of _____, _____, and I
 25 further declare that if nominated and elected to
 26 such office I will qualify.

27	_____	Subscribed and
28		sworn
29	Signature of	to before me
30	candidate	this
31		_____ day of
32		_____, _____
33	_____	_____
34	Residence	Signature of
35	address	election
36		official or
37		other officer
38		authorized to
39		administer oaths
40	_____	
41	Mailing address (if different)	
42	_____	
43	Telephone Number (Optional)	

44 If the declaration is to be filed in person, it shall
 45 be subscribed and sworn to by the candidate before an

46 official authorized to accept his or her declaration of
47 candidacy. If the declaration is to be filed by certified
48 mail pursuant to the provisions of subsection 2 of section
49 115.355, it shall be subscribed and sworn to by the
50 candidate before a notary public or other officer authorized
51 by law to administer oaths.

115.351. No person who files as a party candidate for
2 nomination or election to an office shall, without
3 withdrawing, file as another party's candidate or an
4 independent candidate for nomination or election to the
5 office for the same term. No person who files as an
6 independent candidate for election to an office shall,
7 without withdrawing, file as a party candidate for
8 nomination or election to the office for the same term. No
9 person shall file for one office and, without withdrawing,
10 file for another office to be filled at the same election.
11 [A person who files a request to be included on the
12 presidential primary ballot is not prohibited by this
13 section from filing or appearing on any ballot as a party
14 candidate for nomination to another office.] Receipt by the
15 secretary of state of proper certification of nomination
16 pursuant to subsection 1 of section 115.399 constitutes
17 withdrawal by operation of law pursuant to subsection 1 of
18 section 115.359 of any presidential or vice presidential
19 nominee from any other office for which such nominee is a
20 candidate at the same election. Any person violating any
21 provision of this section shall be disqualified from running
22 for nomination or election to any office at the primary and
23 general election next succeeding the violation.

115.417. 1. Before the time fixed by law for the
2 opening of the polls, the election authority shall deliver
3 to each polling place a sufficient number of voter

4 instruction cards which include the following information:
5 [if paper ballots or an electronic voting system is used,
6 the instructions shall inform the voter on] how to obtain a
7 ballot for voting, how to vote and prepare the ballot for
8 deposit in the ballot box, and how to obtain a new ballot to
9 replace one accidentally spoiled.

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

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

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

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

33 member or former member of the Missouri National Guard or
34 the United States Armed Forces, **including the Space Force**,
35 and that is not expired or does not have an expiration date.

36 2. (1) An individual who appears at a polling place
37 without a form of personal identification described in
38 subsection 1 of this section and who is otherwise qualified
39 to vote at that polling place [may execute a statement,
40 under penalty of perjury, averring that the individual is
41 the person listed in the precinct register; averring that
42 the individual does not possess a form of personal
43 identification described in subsection 1 of this section;
44 acknowledging that the individual is eligible to receive a
45 Missouri nondriver's license free of charge if desiring it
46 in order to vote; and acknowledging that the individual is
47 required to present a form of personal identification, as
48 described in subsection 1 of this section, in order to
49 vote. Such statement shall be executed and sworn to before
50 the election official receiving the statement. Upon
51 executing such statement, the individual may cast a regular
52 ballot, provided such individual presents one of the
53 following forms of identification:

54 (a) Identification issued by the state of Missouri, an
55 agency of the state, or a local election authority of the
56 state;

57 (b) Identification issued by the United States
58 government or agency thereof;

59 (c) Identification issued by an institution of higher
60 education, including a university, college, vocational and
61 technical school, located within the state of Missouri;

62 (d) A copy of a current utility bill, bank statement,
63 government check, paycheck, or other government document
64 that contains the name and address of the individual;

65 (e) Other identification approved by the secretary of
66 state under rules promulgated pursuant to this section.

67 (2) For any individual who appears at a polling place
68 without a form of personal identification described in
69 subsection 1 of this section and who is otherwise qualified
70 to vote at that polling place, the election authority may
71 take a picture of such individual and keep it as part of
72 that individual's voter registration file at the election
73 authority.

74 (3) Any individual who chooses not to execute the
75 statement described in subdivision (1) of this subsection
76 may cast a provisional ballot. Such provisional ballot
77 shall be counted, provided that it meets the requirements of
78 subsection 4 of this section.

79 (4) For the purposes of this section, the term
80 "election official" shall include any person working under
81 the authority of the election authority.

82 3. The statement to be used for voting under
83 subdivision (1) of subsection 2 of this section shall be
84 substantially in the following form:

85 "State of _____

86 County of _____

87 I do solemnly swear (or affirm) that my name is
88 _____; that I reside at _____; that I am the
89 person listed in the precinct register under this
90 name and at this address; and that, under penalty
91 of perjury, I do not possess a form of personal
92 identification approved for voting. As a person
93 who does not possess a form of personal
94 identification approved for voting, I acknowledge
95 that I am eligible to receive free of charge a
96 Missouri nondriver's license at any fee office if
97 desiring it in order to vote. I furthermore
98 acknowledge that I am required to present a form

99 of personal identification, as prescribed by law,
100 in order to vote.

101 I understand that knowingly providing false
102 information is a violation of law and subjects me
103 to possible criminal prosecution.

104 _____

105 Signature of voter

106 Subscribed and affirmed before me this _____ day
107 of _____, 20_____

108 _____

109 Signature of election official"

110 4. A voter] shall be allowed to cast a provisional
111 ballot [under section 115.430 even if the election judges
112 cannot establish the voter's identity under this section].

113 The election judges shall make a notation on the provisional
114 ballot envelope to indicate that the voter's identity was
115 not verified.

116 (2) No person shall be entitled to receive a
117 provisional ballot until such person has completed a
118 provisional ballot affidavit on the provisional ballot
119 envelope. All provisional ballots shall be marked with a
120 conspicuous stamp or mark that makes them distinguishable
121 from other ballots.

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

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

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

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

136 a. Nonexpired Missouri driver's license;

137 b. Nonexpired or nonexpiring Missouri nondriver's
138 license;

139 c. A document that satisfies all of the following
140 requirements:

141 (i) The document contains my name, in
142 substantially the same form as the most recent
143 signature on my voter registration record;

144 (ii) The document contains my photograph;

145 (iii) The document contains an expiration date
146 and is not expired, or if expired, the document
147 expired after the date of the most recent general
148 election; and

149 (iv) The document was issued by the United States
150 or the state of Missouri; or

151 d. Identification containing my photograph issued
152 to me by the Missouri National Guard, the United
153 States Armed Forces, including Space Force, or the
154 United States Department of Veteran Affairs as a
155 member or former member of the Missouri National
156 Guard or the United States Armed Forces that is
157 not expired or does not have an expiration date;
158 or

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

164 (2) This provisional ballot otherwise qualifies to
 165 be counted under the laws of the state of
 166 Missouri.

167 _____ _____

168 Signature of Voter Date

169 _____ _____

170 Signatures of Election
 171 Officials

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

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

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

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

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

189 5. [The secretary of state shall provide advance
 190 notice of the personal identification requirements of
 191 subsection 1 of this section in a manner calculated to
 192 inform the public generally of the requirement for forms of
 193 personal identification as provided in this section. Such

194 advance notice shall include, at a minimum, the use of
195 advertisements and public service announcements in print,
196 broadcast television, radio, and cable television media, as
197 well as the posting of information on the opening pages of
198 the official state internet websites of the secretary of
199 state and governor.

200 **6.]** (1) Notwithstanding the provisions of section
201 136.055 and section 302.181 to the contrary, the state and
202 all fee offices shall provide one nondriver's license at no
203 cost to any otherwise qualified voter who does not already
204 possess such identification and who desires the
205 identification [**in order to vote**] **for voting**.

206 (2) This state and its agencies shall provide one copy
207 of each of the following, free of charge, if needed by an
208 individual seeking to obtain a form of personal **photo**
209 identification described in subsection 1 of this section in
210 order to vote:

- 211 (a) A birth certificate;
- 212 (b) A marriage license or certificate;
- 213 (c) A divorce decree;
- 214 (d) A certificate of decree of adoption;
- 215 (e) A court order changing the person's name;
- 216 (f) A Social Security card reflecting an updated name;

217 and

- 218 (g) Naturalization papers or other documents from the
219 United States Department of State proving citizenship.

220 Any individual seeking one of the above documents in order
221 to obtain a form of personal **photo** identification described
222 in subsection 1 of this section [**in order to vote**] **for**
223 **voting** may request the secretary of state to facilitate the
224 acquisition of such documents. The secretary of state shall

225 pay any fee or fees charged by another state or its
226 agencies, or any court of competent jurisdiction in this
227 state or any other state, or the federal government or its
228 agencies, in order to obtain any of the above documents from
229 such state or the federal government.

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

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

252 [7.] 6. The director of the department of revenue
253 shall, by January first of each year, prepare and deliver to
254 each member of the general assembly a report documenting the
255 number of individuals who have requested and received a
256 nondriver's license photo identification for the purposes of

257 voting under this section. The report shall also include
 258 the number of persons requesting a nondriver's license for
 259 purposes of voting under this section, but not receiving
 260 such license, and the reason for the denial of the
 261 nondriver's license.

262 [8.] 7. The precinct register shall serve as the voter
 263 identification certificate. The following form shall be
 264 printed at the top of each page of the precinct register:

265 VOTER'S IDENTIFICATION CERTIFICATE

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

269 PRECINCT

270 WARD OR TOWNSHIP _____

271 GENERAL (SPECIAL, PRIMARY) ELECTION

272 Held _____, 20_____

273 Date

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

277 [9.] 8. The secretary of state shall promulgate rules
 278 to effectuate the provisions of this section.

279 [10.] 9. Any rule or portion of a rule, as that term
 280 is defined in section 536.010, that is created under the
 281 authority delegated in this section shall become effective
 282 only if it complies with and is subject to all of the
 283 provisions of chapter 536 and, if applicable, section
 284 536.028. This section and chapter 536 are nonseverable and
 285 if any of the powers vested with the general assembly
 286 pursuant to chapter 536 to review, to delay the effective
 287 date or to disapprove and annul a rule are subsequently held

288 unconstitutional, then the grant of rulemaking authority and
289 any rule proposed or adopted after August 28, 2002, shall be
290 invalid and void.

291 [11.] 10. If any voter is unable to sign his name at
292 the appropriate place on the certificate or computer
293 printout, an election judge shall print the name and address
294 of the voter in the appropriate place on the precinct
295 register, the voter shall make his mark in lieu of
296 signature, and the voter's mark shall be witnessed by the
297 signature of an election judge.

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

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

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

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

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

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

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

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

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

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

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

3 (1) The officer or agency calling the election submits
4 a written request that the election be conducted by mail.
5 Such request shall be submitted not later than the date

6 specified in section 115.125 for submission of the notice of
7 election and sample ballot;

8 (2) The election authority responsible for conducting
9 the election authorizes the use of mailed ballots for the
10 election;

11 (3) The election is nonpartisan;

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

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

17 [2. Notwithstanding the provisions of subsection 1 of
18 this section or any other provision of law to the contrary,
19 an election may be conducted by mail as authorized under
20 section 115.302, during the year 2020, to avoid the risk
21 of contracting or transmitting severe acute respiratory
22 syndrome coronavirus 2. This subsection shall expire
23 December 31, 2020.]

115.902. As used in sections 115.900 to 115.936, the
2 following terms shall mean:

3 (1) "Covered voter":

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

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

9 (c) An overseas voter;

10 (2) "Dependent", an individual recognized as a
11 dependent by a uniformed service;

12 (3) "Federal postcard application", the application
13 prescribed under Section 101(b)(2) of the Uniformed and

14 Overseas Citizens Absentee Voting Act, 42 U.S.C. Section
15 1973ff(b) (2);

16 (4) "Federal write-in absentee ballot", the ballot
17 described in Section 103 of the Uniformed and Overseas
18 Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

19 (5) "Military-overseas ballot":

20 (a) A federal write-in absentee ballot;

21 (b) A ballot specifically prepared or distributed for
22 use by a covered voter in accordance with sections 115.900
23 to 115.936; and

24 (c) A ballot cast by a covered voter in accordance
25 with sections 115.900 to 115.936;

26 (6) "Overseas voter":

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

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

34 (7) "State", a state of the United States, the
35 District of Columbia, Puerto Rico, the United States Virgin
36 Islands, or any territory or insular possession subject to
37 the jurisdiction of the United States;

38 (8) "Uniformed services":

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

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

- 46 (c) The Missouri National Guard;
- 47 (9) "Uniformed services voter", an individual who is
48 qualified to vote and is:
- 49 (a) A member of the active or reserve components of
50 the Army, Navy, Air Force, Marine Corps, **Space Force**, or
51 Coast Guard of the United States who is on active duty;
- 52 (b) A member of the Merchant Marine, the commissioned
53 corps of the Public Health Service, or the commissioned
54 corps of the National Oceanic and Atmospheric Administration
55 of the United States;
- 56 (c) A member on activated status of the National
57 Guard; or
- 58 (d) A spouse or dependent of a member referred to in
59 this subdivision;
- 60 (10) "United States", used in the territorial sense,
61 the several states, the District of Columbia, Puerto Rico,
62 the United States Virgin Islands, and any territory or
63 insular possession subject to the jurisdiction of the United
64 States.

115.904. The voting procedures in sections 115.900 to
2 115.936 shall apply to:

- 3 (1) A general, special, [presidential preference,] or
4 primary election for federal office;
- 5 (2) A general, special, or primary election for
6 statewide or state legislative office or state ballot
7 measure; or
- 8 (3) Any election in which absentee voting is conducted
9 pursuant to sections 115.275 to 115.304.

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

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

8 (2) Except as provided in subsection 2 of this
9 section, as used in this section and sections 432.200 to
10 432.295, the parties who agree to conduct voter registration
11 transactions by electronic means shall be the local election
12 authority who is required to accept or reject a voter
13 registration application and the prospective voter
14 submitting the application;

15 (3) A local election authority is authorized to
16 develop, maintain, and approve systems that transmit voter
17 registration applications electronically under sections
18 432.200 to 432.295;

19 (4) Except as provided in subsection 2 of this section
20 **and section 115.160**, no officer, agency, or organization
21 shall collect or submit a voter registration application
22 with an electronic signature to an election authority
23 without first obtaining approval of the data and signature
24 format from the local election authority and the approval of
25 the voter to collect and store the signature and data; and

26 (5) Local election authorities who maintain a voter
27 registration application system shall direct voter
28 registration applicants from other jurisdictions to the
29 system used by the local election authority for that
30 jurisdiction to accept voter registration applications
31 electronically.

32 2. **(1)** A system maintained by the secretary of
33 state's office **[shall]** **may** be used to accept voter
34 registration applications electronically **[subsequent to**
35 **approval from the committee formed as set forth in this**
36 **subsection:**

37 (1) Within thirty days of, but in no event prior to
38 January 1, 2017, the president of the Missouri Association
39 of County Clerks and Election Authorities shall appoint
40 fourteen of its members to serve on a committee to approve
41 and develop uniform standards, systems, and modifications
42 that shall be used by the secretary of state in any
43 electronic voter registration application system offered by
44 that office. The committee may also make recommendations
45 regarding the purchase, maintenance, integration, and
46 operation of electronic databases, software, and hardware
47 used by local election authorities and the secretary of
48 state's office including, but not limited to, systems used
49 for military and overseas voting and for building and
50 conducting election operations. The committee shall have
51 fourteen local election authorities, including
52 representatives of each classification of counties, a
53 representative from an election board, and at least one
54 member who has experience processing online voter
55 registration transactions. In addition, one representative
56 appointed by the secretary of state's office shall serve on
57 the committee;

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

62 (3) Once the format and data collection standards are
63 approved by the committee and implemented for the system
64 maintained by the secretary of state,] .

65 (2) Local election authorities shall accept the
66 transmission of voter registration applications submitted to
67 the approved system under the provisions of sections 432.200
68 to 432.295[;

69 (4) The secretary of state's office shall direct
70 eligible voters to a local election authority's system to
71 accept voter registration applications electronically if the
72 local election authority has a system in place as of August
73 28, 2016, or implements a system that meets the same
74 standards and format that has been approved by the committee
75 for the secretary of state's system;

76 (5) The committee shall meet not less than
77 semiannually through June 30, 2019, to recommend and approve
78 changes and enhancements proposed by the secretary of state
79 or election authorities to the electronic voter registration
80 application system. Vacancies that occur on the committee
81 shall be filled by the president of the Missouri Association
82 of County Clerks and Election Authorities at the time of the
83 vacancy;].

84 [(6)] (3) To improve the accuracy of voter
85 registration application data and reduce costs for local
86 election authorities, the system maintained by the secretary
87 of state shall[, as soon as is practical,] provide a method
88 where the data entered by the voter registration applicant
89 does not have to be re-entered by the election authority to
90 the state voter registration database.

91 3. Each applicant who registers using an approved
92 electronic voter registration application system shall be
93 deemed to be registered as of the date the signed
94 application is submitted to the system, if such application
95 is accepted and not rejected by the election authority and
96 the verification notice required under section 115.155 is
97 not returned as undeliverable by the postal service.

98 4. This section shall not apply to voter registration
99 and absentee records submitted by voters authorized under

100 federal law, section 115.291, or sections 115.900 to 115.936
101 to submit electronic records and signatures.

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

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

108 7. [Notwithstanding the provisions of section 432.230]
109 **Except as provided under sections 115.160 and 432.230,**
110 nothing in this section shall require the election authority
111 to accept voter registration records or signatures created,
112 generated, sent, communicated, received, stored, or
113 otherwise processed, or used by electronic means or in
114 electronic form from any officer, agency, or organization
115 not authorized under subsection 2 of this section without
116 prior approval from the election authority. **Election**
117 **authorities shall accept and process voter registration**
118 **records, including electronic images of applicant**
119 **signatures, transmitted electronically by the division of**
120 **motor vehicle and driver licensing of the department of**
121 **revenue under section 115.160.** Except as provided in
122 subsection 2 of this section **and section 115.160,** no
123 officer, agency, or organization shall give the voter the
124 opportunity to submit a voter registration application with
125 an electronic signature without first obtaining the approval
126 of the local election authority.

127 8. An election authority that agrees to conduct a
128 transaction by electronic means may refuse to conduct other
129 transactions by electronic means.

130 9. No election authority or the secretary of state
131 shall furnish to any member of the public any data collected

132 under a voter registration application system except as
 133 authorized in subsections 1 to 5 of section 115.157.

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

2 [115.755. A statewide presidential
 3 preference primary shall be held on the second
 4 Tuesday after the first Monday in March of each
 presidential election year.]

2 [115.758. On or before the tenth Tuesday
 3 prior to the date of the presidential preference
 4 primary, the secretary of state shall announce
 5 the official list of presidential candidates for
 6 each established political party as provided in
 section 115.761.]

2 [115.761. 1. The official list of
 3 presidential candidates for each established
 4 political party shall include the names of all
 5 constitutionally qualified candidates for whom,
 6 on or after 8:00 a.m. on the fifteenth Tuesday
 7 prior to the presidential primary, and on or
 8 before 5:00 p.m., on the eleventh Tuesday prior
 9 to the presidential primary, a written request
 10 to be included on the presidential primary
 11 ballot is filed with the secretary of state
 along with:

12 (1) Receipt of payment to the state
 13 committee of the established political party on
 14 whose ballot the candidate wishes to appear of a
 15 filing fee of five thousand dollars; or

16 (2) A written statement, sworn to before
 17 an officer authorized by law to administer
 18 oaths, that the candidate is unable to pay the
 19 filing fee and does not have funds in a campaign
 20 fund or committee to pay the filing fee and a
 21 petition signed by not less than five thousand
 22 registered Missouri voters, as determined by the
 23 secretary of state, that the candidate's name be
 24 placed on the ballot of the specified
 25 established political party for the presidential
 26 preference primary. The request to be included
 27 on the presidential primary ballot shall include
 28 each signer's printed name, registered address
 29 and signature and shall be in substantially the
 30 following form:

31 I (We) the undersigned, do hereby request that the
 32 name of _____ be placed upon the February
 33 _____, presidential primary ballot as candidate
 34 for nomination as the nominee for President of the
 35 United States on the _____ party ticket.

36 2. The state or national party
37 organization of an established political party
38 that adopts rules imposing signature
39 requirements to be met before a candidate can be
40 listed as an official candidate shall notify the
41 secretary of state by October first of the year
42 preceding the presidential primary.

43 3. Any candidate or such candidate's
44 authorized representative may have such
45 candidate's name stricken from the presidential
46 primary ballot by filing with the secretary of
47 state on or before 5:00 p.m. on the eleventh
48 Tuesday prior to the presidential primary
49 election a written statement, sworn to before an
50 officer authorized by law to administer oaths,
51 requesting that such candidate's name not be
52 printed on the official primary ballot.
53 Thereafter, the secretary of state shall not
54 include the name of that candidate in the
55 official list announced pursuant to section
56 115.758 or in the certified list of candidates
57 transmitted pursuant to section 115.765.

58 4. The filing times set out in this
59 section shall only apply to presidential
60 preference primaries, and are in lieu of those
61 established in section 115.349.]

 [115.765. On or before the tenth Tuesday
2 prior to a presidential preference primary, the
3 secretary of state shall transmit to each
4 election authority a certified list containing
5 the names of all candidates whose names shall
6 appear on the presidential preference primary
7 ballot of each party. The names of the
8 candidates shall appear in the order in which
9 their request to be included on the presidential
10 primary ballot was received in the office of the
11 secretary of state, except that, in the case of
12 candidates who file a request to be included on
13 the presidential primary ballot with the
14 secretary of state prior to 5:00 p.m. on the
15 first day for filing, the secretary of state
16 shall determine by random drawing the order in
17 which such candidates' names shall appear on the
18 ballot. The drawing shall be conducted so that
19 each candidate, or candidate's representative,
20 may draw a number at random at the time of
21 filing. The secretary of state shall record the
22 number drawn with the candidate's request to be
23 included on the presidential primary ballot.
24 The names of candidates filing on the first day
25 for filing on each party ballot shall be listed
26 in ascending order of the numbers so drawn.]

 [115.767. Each election authority shall
2 cause the name of candidates certified by the
3 secretary of state to appear on the presidential

4 preference primary ballot of each party,
5 followed by a listing for an uncommitted vote.]

2 [115.770. The conduct of the presidential
3 preference primary election and the count and
4 canvass of the votes cast therein shall conform
5 as nearly as is practicable to that prescribed
6 for the conduct of the primary election for
7 state officers. All primary election laws not
8 inconsistent with the provisions of sections
9 115.750 to 115.785 shall be applicable to the
10 conduct of this election, and the form of the
11 ballot insofar as is practicable shall be
12 substantially as that prescribed by section
13 115.395. In a presidential preference primary,
14 each voter shall be entitled to receive the
15 ballot of one and only one established political
16 party, designated by the voter before receiving
17 such voter's ballot. Each voter who
18 participates in a presidential preference
19 primary shall be entitled to vote on all
20 questions and for any candidates submitted by
21 political subdivisions and special districts at
22 the general municipal election. Each voter who
23 does not wish to participate in a presidential
24 preference primary may vote on all questions and
25 for any candidates submitted by a political
26 subdivision or special district at the general
municipal election.]

2 [115.773. After the count and canvass of
3 the votes cast, the secretary of state shall
4 notify the state chair of each of the
5 established political parties for whom a
6 candidate was listed, of the number of votes
7 recorded in that established political party's
8 primary that each candidate and uncommitted
listing received.]

2 [115.776. The state party organization
3 which is the state organization recognized by
4 the national organization of that established
5 political party shall, after the primary and
6 before the national convention, conduct a series
7 of caucuses culminating in congressional and
8 state conventions. Delegates to the national
9 conventions shall be chosen at the congressional
10 district and state conventions pursuant to rules
established by the political parties.]

2 [115.785. All costs of a presidential
3 preference primary shall be paid by the state,
4 except that, pursuant to section 115.065, costs
5 shall be shared proportionately by the state and
6 any political subdivisions and special districts
7 holding an election on the same day as any such
primary. For any county with more than five

8 hundred polling places, the state shall assist
9 in assuring adequate poll workers and equipment.]

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