

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1878**  
**101ST GENERAL ASSEMBLY**

4557S.05T

2022

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**AN ACT**

To repeal sections 115.013, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.155, 115.157, 115.160, 115.163, 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 forty-six new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.013, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 2 115.135, 115.151, 115.155, 115.157, 115.160, 115.163, 115.165, 115.205, 115.225, 115.237, 3 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 4 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755, 115.758, 115.761, 115.765, 5 115.767, 115.770, 115.773, 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, are 6 repealed and forty-six new sections enacted in lieu thereof, to be known as sections 28.960, 7 115.004, 115.013, 115.022, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 8 115.151, 115.155, 115.157, 115.160, 115.163, 115.165, 115.168, 115.205, 115.225, 115.237, 9 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.302, 10 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.628, 115.652, 115.776, 115.902, 11 115.904, 115.960, 1, 2, and 3, to read as follows:

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

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

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

- (1) Sending verification notices in accordance with section 115.155; and
- (2) Registering voters and removing names from the voter registration system in accordance with section 115.158.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (12) "Federal office", the office of presidential elector, United States senator, or  
41 representative in Congress;

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

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

46 (15) "Marking device", any ~~approved~~ device **approved by the secretary of state**  
47 **under section 115.225** which will enable the votes to be counted by automatic tabulating  
48 equipment;

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

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

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

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

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

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

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

61 (23) "Public office", any office established by constitution, statute or charter and any  
62 employment under the United States, the state of Missouri, or any political subdivision or  
63 special district thereof, but does not include any office in the Missouri state defense force or  
64 the National Guard or the office of notary public or city attorney in cities of the third  
65 classification or cities of the fourth classification;

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

67 (25) "Relative within the second degree by consanguinity or affinity", a spouse,  
68 parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-  
69 in-law, or son-in-law;

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

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

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

**115.022. 1. Except as provided in subsection 5 of this section, neither the state of  
2 Missouri nor any political subdivision thereof that conducts elections shall receive or  
3 expend private moneys, excluding in-kind donations, for preparing, administering, or  
4 conducting an election, including registering voters.**

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

**8 3. For purposes of this section, "in-kind donations" shall only include:**

9 **(1) Personal protective equipment;**

10 **(2) Water;**

11 **(3) Locations at which an election may be conducted; and**

12 **(4) Food for an election authority, staff of an election authority, election judges,  
13 watchers, and challengers.**

14           **4. The secretary of state is authorized to withhold funds from an election**  
15 **authority in violation of this section unless such funding is a federal mandate or part of**  
16 **a federal and state agreement.**

17           **5. In any even-numbered year in which the amount of state funds appropriated**  
18 **to proportionally compensate counties pursuant to sections 115.063 and 115.065 is less**  
19 **than the amount of such funds that were appropriated in the previous even-numbered**  
20 **year, private moneys may be received by the secretary of state to disburse to counties**  
21 **based on the amount of registered voters in each county. The amount of private moneys**  
22 **that may be received by the secretary of state shall not exceed the difference between the**  
23 **amount of state funds appropriated in the previous even-numbered year and the**  
24 **amount appropriated in the pending even-numbered year, plus ten percent of the total**  
25 **amount that was appropriated in the previous even-numbered year.**

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

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

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

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

3           2. In all primary and general elections, the election authority shall appoint at least two  
4 judges from each major political party to serve at each polling place. **The committee of each**

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

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

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

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

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

115.085. No person shall be appointed to serve as an election judge who is not a  
2 registered voter in this state~~]; provided that, before any election authority may appoint judges~~  
3 ~~who are registered voters of another election authority's jurisdiction, the election authority~~  
4 ~~shall obtain the written consent of the election authority for the jurisdiction where the~~

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

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

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

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

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

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

30 ~~[6.]~~ 5. Any challenge by a challenger to a voter's identification for validity shall be  
31 made only to the election judges or other election authority. If the poll challenger is not  
32 satisfied with the decision of the election judges, then he or she may report his or her belief  
33 that the election laws of this state have been or will be violated to the election authority as  
34 allowed under this section.

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

8 2. ~~[Notwithstanding the provisions of subsection 1 of this section, an election for a~~  
9 ~~presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the second~~  
10 ~~Tuesday after the first Monday in March of each presidential election year.~~

11 3.] The following elections shall be exempt from the provisions of subsection 1 of  
12 this section:

- 13 (1) Bond elections necessitated by fire, vandalism or natural disaster;
- 14 (2) Elections for which ownership of real property is required by law for voting;
- 15 (3) Special elections to fill vacancies and to decide tie votes or election contests; and
- 16 (4) Tax elections necessitated by a financial hardship due to a five percent or greater  
17 decline in per-pupil state revenue to a school district from the previous year.

18 ~~[4.]~~ 3. Nothing in this section prohibits a charter city or county from having its  
19 primary election in March if the charter provided for a March primary before August 28,  
20 1999.

21 ~~[5.]~~ 4. Nothing in this section shall prohibit elections held pursuant to section 65.600,  
22 but no other issues shall be on the March ballot except pursuant to this chapter.

115.135. 1. Any person who is qualified to vote, or who shall become qualified to  
2 vote on or before the day of election, shall be entitled to register in the jurisdiction within  
3 which he or she resides. In order to vote in any election for which registration is required, a  
4 person must be registered to vote in the ~~[jurisdiction of his or her residence]~~ **state of Missouri**



5 no later than 5:00 p.m., or the normal closing time of any public building where the  
6 registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to  
7 the election, unless the voter is an interstate former resident, ~~[an intrastate new resident,]~~ a  
8 new resident, or a covered voter, as defined in section 115.275. ~~[Except as provided in~~  
9 ~~subsection 4 of this section, in no case shall registration for an election extend beyond 10:00~~  
10 ~~p.m. on the fourth Wednesday prior to the election.]~~ Any person registering after such date  
11 shall be eligible to vote in subsequent elections.

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

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

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

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

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

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

17 **registration application forms to the appropriate election authority not later than three**  
18 **business days after the form is completed by the applicant.**

115.155. 1. The election authority shall provide for the registration of each voter.

2 Each application shall be in substantially the following form:

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<b>APPLICATION FOR REGISTRATION</b>	
Are you a citizen of the United States?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will you be 18 years of age on or before election day?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.	
IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME SUCH AS A BIRTH CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT, OTHER PROOF OF UNITED STATES CITIZENSHIP, A VALID MISSOURI DRIVERS LICENSE OR OTHER FORM OF PERSONAL IDENTIFICATION.	
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	Township (or Ward)
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Name	_____
	Precinct
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Home Address	_____
	Required Personal
	Identification
	Information
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City ZIP	
_____	
Date of Birth	_____
	Place of Birth
	(Optional)
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Telephone Number	_____
(Optional)	Mother's Maiden
	Name (Optional)

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Occupation (Optional)	Last Place Previously Registered
Last four digits of Social Security Number (Required for registration unless no Social Security number exists for Applicant)	Under What Name
Remarks:	When
<p><b>Political Party Affiliation</b>  <b>(OPTIONAL: You shall be unaffiliated unless you designate an affiliation.)</b></p>	
<p>I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief.</p> <p>I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH SUCH IMPRISONMENT AND FINE.</p>	
Signature of Voter	Date

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Signature of Election Official
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74 **2. The options for political party affiliation required by the application**  
75 **described in subsection 1 of this section shall include all established political parties and**  
76 **an option to be unaffiliated. If an applicant does not designate an affiliation, the election**  
77 **authority shall mark the applicant's form as unaffiliated.**

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79 **3.** After supplying all information necessary for the registration records, each  
80 applicant who appears in person before the election authority shall swear or affirm the  
81 statements on the registration application by signing his or her full name, witnessed by the  
82 signature of the election authority or such authority's deputy registration official. Each  
83 applicant who applies to register by mail pursuant to section 115.159, or pursuant to section  
84 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

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86 ~~3-~~ **4.** Upon receipt by mail of a completed and signed voter registration application,  
87 a voter registration application forwarded by the division of motor vehicle and drivers  
88 licensing of the department of revenue pursuant to section 115.160, or a voter registration  
89 agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant  
90 is entitled to register, transfer all data necessary for the registration records from the  
91 application to its registration system. Within seven business days after receiving the  
92 application, the election authority shall send the applicant a verification notice. If such notice  
93 is returned as undeliverable by the postal service within the time established by the election  
94 authority, the election authority shall not place the applicant's name on the voter registration  
95 file.

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97 ~~4-~~ **5.** If, upon receipt by mail of a voter registration application or a voter  
98 registration application forwarded pursuant to section 115.160 or 115.162, the election  
99 authority determines that the applicant is not entitled to register, such authority shall, within  
100 seven business days after receiving the application, so notify the applicant by mail and state  
101 the reason such authority has determined the applicant is not qualified. The applicant may  
102 file a complaint with the elections division of the secretary of state's office under and pursuant  
103 to section 115.219. If an applicant for voter registration fails to answer the question on the  
104 application concerning United States citizenship, the election authority shall notify the  
105 applicant of the failure and provide the applicant with an opportunity to complete the form in  
106 a timely manner to allow for the completion of the registration form before the next election.

107

108 ~~5-~~ **6.** The secretary of state shall prescribe specifications for voter registration  
109 documents so that they are uniform throughout the state of Missouri and comply with the  
110 National Voter Registration Act of 1993, including the reporting requirements, and so that  
111 registrations, name changes and transfers of registrations within the state may take place as  
112 allowed by law.

108 [6-] 7. All voter registration applications shall be preserved in the office of the  
109 election authority.

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

- 9 (1) Voter identification number;
- 10 (2) First name;
- 11 (3) Middle initial;
- 12 (4) Last name;
- 13 (5) Suffix;
- 14 (6) Street number;
- 15 (7) Street direction;
- 16 (8) Street name;
- 17 (9) Street suffix;
- 18 (10) Apartment number;
- 19 (11) City;
- 20 (12) State;
- 21 (13) Zip code;
- 22 (14) Township;
- 23 (15) Ward;
- 24 (16) Precinct;
- 25 (17) Senatorial district;
- 26 (18) Representative district;
- 27 (19) Congressional district; **and**
- 28 **(20) Political party affiliation.**

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

34 3. Except as provided in subsection 6 of this section, the election authority shall  
35 furnish, for a fee, electronic media or a printout showing **only** the names, [~~dates~~] **year** of birth

36 ~~and~~, addresses, **and political party affiliations** of voters, or any part thereof, within the  
37 jurisdiction of the election authority who voted in any specific election, including primary  
38 elections, by township, ward or precinct, provided that nothing in this chapter shall require  
39 such voter information to be released to the public over the internet **and shall not be used for**  
40 **commercial purposes.**

41         4. Except as provided in subsection 6 of this section, upon a request by a candidate, a  
42 duly authorized representative of a campaign committee, or a political party committee, the  
43 secretary of state shall furnish, for a fee determined by the secretary of state and in  
44 compliance with section 610.026, media in an electronic format or, if so requested, in a  
45 printed format, showing the names, addresses, and voter identification numbers of voters  
46 within the jurisdiction of a specific election authority who applied for an absentee ballot  
47 under section 115.279 for any specific election involving a ballot measure or an office for  
48 which the declaration of candidacy is required to be filed with the secretary of state pursuant  
49 to section 115.353, including primary elections, by township, ward, or precinct. Nothing in  
50 this section shall require such voter information to be released to the public over the internet.  
51 For purposes of this section, the terms "candidate", "campaign committee", and "political  
52 party committee" shall have the same meaning given to such terms in section 130.011.

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

63         6. Any person working as an undercover officer of a local, state or federal law  
64 enforcement agency, persons in witness protection programs, and victims of domestic  
65 violence and abuse who have received orders of protection pursuant to chapter 455 shall be  
66 entitled to apply to the circuit court having jurisdiction in his or her county of residence to  
67 have the residential address on his or her voter registration records closed to the public if the  
68 release of such information could endanger the safety of the person. Any person working as  
69 an undercover agent or in a witness protection program shall also submit a statement from the  
70 chief executive officer of the agency under whose direction he or she is serving. The petition  
71 to close the residential address shall be incorporated into any petition for protective order  
72 provided by circuit clerks pursuant to chapter 455. If satisfied that the person filing the

73 petition meets the qualifications of this subsection, the circuit court shall issue an order to the  
74 election authority to keep the residential address of the voter a closed record and the address  
75 may be used only for the purposes of administering elections pursuant to this chapter. The  
76 election authority may require the voter who has a closed residential address record to verify  
77 that his or her residential address has not changed or to file a change of address and to affirm  
78 that the reasons contained in the original petition are still accurate prior to receiving a ballot.  
79 A change of address within an election authority's jurisdiction shall not require that the voter  
80 file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his  
81 or her residential address as a closed record shall notify the circuit court. Upon such  
82 notification, the circuit court shall void the order closing the residential address and so notify  
83 the election authority.

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

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

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

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

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

27 **authority to manually reenter the information, provided that the election authority shall**  
28 **print out a paper copy of the information and retain such information in the manner**  
29 **required by section 115.145.** The election authority receiving the application forms shall  
30 review the applications and forward, **in a secure and electronic manner**, any applications  
31 pertaining to a different election authority to that election authority.

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

35 7. Any person registering to vote when applying for or renewing a Missouri driver's  
36 license shall submit with the application form a copy of a birth certificate, a Native American  
37 tribal document, or other proof of United States citizenship, a valid Missouri driver's license,  
38 or other form of personal identification. **Any person who, at the time of a transaction with**  
39 **the division of motor vehicle and driver licensing of the department of revenue, provides**  
40 **a document that establishes noncitizenship shall not be offered the opportunity to**  
41 **register to vote as part of the transaction.**

115.163. 1. Each election authority shall use the Missouri voter registration system  
2 established by section 115.158 to prepare a list of legally registered voters for each precinct.  
3 The list shall be arranged alphabetically or by street address as the election authority  
4 determines and shall be known as the precinct register. The precinct registers shall be kept by  
5 the election authority in a secure place, except when given to election judges for use at an  
6 election. Except as provided in subsection 6 of section 115.157, all registration records shall  
7 be open to inspection by the public at all reasonable times.

8 2. A new precinct register shall be prepared by the election authority prior to each  
9 election.

10 3. (1) The election authority shall send to each voter, except those who registered by  
11 mail and have not voted, a voter identification card no later than ninety days prior to the date  
12 of a primary or general election for federal office, unless the voter has received such a card  
13 during the preceding six months. The election authority shall send to each voter who  
14 registered by mail and has not voted the verification notice required under section 115.155 no  
15 later than ninety days prior to the date of a primary or general election for federal office.

16 (2) The voter identification card shall contain the voter's name, address, **political**  
17 **party affiliation**, and precinct. The card also shall inform the voter of the personal  
18 identification requirement in section 115.427 and may also contain other voting information  
19 at the discretion of the election authority.

20 (3) The voter identification card shall be sent to a voter, except those who registered  
21 by mail and have not voted, after a new registration or a change of address. If any voter,  
22 except those who registered by mail and have not voted, shall lose his **or her** voter



23 identification card **or change political party affiliation**, he **or she** may request a new [~~one~~]  
24 **card** from the election authority.

25 (4) The voter identification card authorized pursuant to this section may be used as a  
26 canvass of voters in lieu of the provisions set out in sections 115.179 to 115.193.

27 (5) Except as provided in subsection 2 of section 115.157, anyone, upon request and  
28 payment of a reasonable fee, may obtain a printout, list and/or computer tape of those newly  
29 registered voters or voters deleted from the voting rolls, since the last canvass or updating of  
30 the rolls.

31 (6) The election authority may authorize the use of the postal service contractors  
32 under the federal National Change of Address program to identify those voters whose address  
33 is not correct on the voter registration records. The election authority shall not be required to  
34 mail a voter registration card to those voters whose addresses are incorrect. Confirmation  
35 notices to such voters required by section 115.193 shall be sent to the corrected address  
36 provided by the National Change of Address program.

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

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

15 3. **A registered voter who has changed his or her residence within the state and**  
16 **has not been removed from the list of registered voters under this chapter shall be**  
17 **permitted to file a change of address in person at the office of the election authority on**  
18 **election day. In order to change an address in person on election day under this**  
19 **subsection, a registered voter shall provide a form of personal photo identification**  
20 **required under subsection 1 of section 115.427.**

21 4. If the applicant for registration was last registered in another jurisdiction within  
22 this state or another state, the election authority shall send notice of the registration to the  
23 election authority where the applicant was previously registered. The election authority

24 sending the notice shall provide identifying information to assist the election authority  
25 receiving the notice to determine whether the person named was previously registered in such  
26 jurisdiction and whether, based on the identifying information provided, the application can  
27 be removed from the voting record in the former jurisdiction.

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

**115.168. 1. If a registered voter chooses to change his or her political party  
2 affiliation, the voter may notify the election authority of such change. Any change of  
3 political party affiliation shall be made by signed, written notice in substantially the  
4 same manner as a change of address application is filed under section 115.165.**

**5 2. For purposes of this section, the phrase "change his or her political party  
6 affiliation" shall mean changing affiliation from one established political party to  
7 another established political party, changing from affiliation with an established  
8 political party to unaffiliated, or changing from unaffiliated to affiliation with an  
9 established political party.**

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

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

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

- 12 (2) The residential address, including street number, city, state, and zip code;
- 13 (3) The mailing address, if different from the residential address; **and**
- 14 (4) ~~Whether the voter registration solicitor expects to be paid for soliciting voter~~
- 15 ~~registrations;~~
- 16 ~~(5) If the voter registration solicitor expects to be paid, the identity of the payor; or~~
- 17 ~~(6) The signature of the voter registration solicitor.~~

18 3. The solicitor information required in subsection 2 of this section shall be submitted

19 to the secretary of state's office with the following oath and affirmation:

20 "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL

21 STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

22 4. Any voter registration solicitor who knowingly fails to register with the secretary

23 of state is guilty of a class three election offense. Voter registration applications shall be

24 accepted by the election authority if such applications are otherwise valid, even if the voter

25 registration solicitor who procured the applications fails to register with or submits false

26 information to the secretary of state.

115.225. 1. Before use by election authorities in this state, the secretary of state shall

2 approve the marking devices and the automatic tabulating equipment used in electronic

3 voting systems and may promulgate rules and regulations to implement the intent of sections

4 115.225 to 115.235.

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

- 6 (1) Permits voting in absolute secrecy;
- 7 (2) Permits each voter to vote for as many candidates for each office as a voter is
- 8 lawfully entitled to vote for;
- 9 (3) Permits each voter to vote for or against as many questions as a voter is lawfully
- 10 entitled to vote on, and no more;
- 11 (4) Provides facilities for each voter to cast as many write-in votes for each office as a
- 12 voter is lawfully entitled to cast;
- 13 (5) Permits each voter in a primary election to vote for the candidates of only one
- 14 party announced by the voter in advance;
- 15 (6) Permits each voter at a presidential election to vote by use of a single mark for the
- 16 candidates of one party or group of petitioners for president, vice president and their
- 17 presidential electors;
- 18 (7) Accurately counts all proper votes cast for each candidate and for and against each
- 19 question;
- 20 (8) Is set to reject all votes, except write-in votes, for any office and on any question
- 21 when the number of votes exceeds the number a voter is lawfully entitled to cast;
- 22 (9) Permits each voter, while voting, to clearly see the ballot label;

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

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

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

40 **5. If any election authority uses any touchscreen direct-recording electronic**  
41 **vote-counting machine, the election authority may continue to use such machine. Upon**  
42 **the removal of such voting machine from the election authority's inventory because of**  
43 **mechanical malfunction, wear and tear, or any other reason, the machine shall not be**  
44 **replaced and no additional direct-recording electronic vote counting machine shall be**  
45 **added to the election authority's inventory. Such machines shall not be used beginning**  
46 **January 1, 2024. Equipment that is designed for accessibility shall provide a paper**  
47 **ballot audit trail.**

48 **6. (1) Each election authority that controls its own information technology**  
49 **department shall, once every two years, allow a cyber security review of their office by**  
50 **the secretary of state or alternatively by an entity that specializes in cyber security**  
51 **reviews. Each political subdivision that controls the information technology department**  
52 **for an election authority shall, once every two years, allow a cyber security review of the**  
53 **information technology department by the secretary of state or alternatively by an**  
54 **entity that specializes in cyber security reviews. The secretary of state shall, once every**  
55 **two years, allow a cyber security review of its office by an entity that specializes in cyber**  
56 **security reviews. For purposes of this section, an entity specializes in cyber security**  
57 **review if it employs one or more individuals who:**

58 **(a) Have at least five years management experience in information security or**  
59 **five years experience as an information security analyst;**

60 (b) Have worked in at least two of the domains listed in paragraph (c) of this  
61 subdivision that are covered in the exam required by such paragraph; and

62 (c) Have attained an information security certification by passing an exam that  
63 covers at least three of the following topics:

64 a. Information technology risk management, identification, mitigation, and  
65 compliance;

66 b. Information security incident management;

67 c. Information security program development and management;

68 d. Risk and control monitoring and reporting;

69 e. Access control systems and methodology;

70 f. Business continuity planning and disaster recovery planning;

71 g. Physical security of election authority property;

72 h. Networking security; or

73 i. Security architecture application and systems development.

74 (2) If an election authority or political subdivision fails to have a cyber security  
75 review as required by this subsection, the secretary of state may publish a notice of  
76 noncompliance in a newspaper within the jurisdiction of the election authority or in  
77 electronic format. The secretary of state is also authorized to withhold funds from an  
78 election authority in violation of this section unless such funding is a federal mandate or  
79 part of a federal and state agreement.

80 7. The secretary of state shall have authority to require cyber security testing,  
81 including penetration testing, of vendor machines, programs, and systems. Failure to  
82 participate in such testing shall result in a revocation of vendor certification. Upon  
83 notice from another jurisdiction of cyber security failures or certification withholds or  
84 revocation, the secretary of state shall have authority to revoke or withhold certification  
85 for vendors. The requirements of this section shall be subject to appropriation for the  
86 purpose of cyber security testing.

87 8. The secretary of state may designate an organization of which each election  
88 authority shall be a member, provided there is no membership fee and the organization  
89 provides information to increase cyber security and election integrity efforts.

115.237. 1. Each ballot printed or designed for use with an electronic voting system  
2 for any election pursuant to this chapter shall contain all questions and the names of all offices  
3 and candidates certified or filed pursuant to this chapter and no other. **Beginning January 1,**  
4 **2023, the official ballot shall be a paper ballot that is hand-marked by the voter or by**  
5 **the voter's designee as permitted in section 115.445, unless such voter chooses to use a**  
6 **ballot marking device as provided in section 115.225.** As far as practicable, all questions  
7 and the names of all offices and candidates for which each voter is entitled to vote shall be

8 printed on one page except for the ballot for political party committee persons in polling  
9 places not utilizing an electronic voting system which may be printed separately and in  
10 conformity with the requirements contained in this section. As far as practicable, ballots  
11 containing only questions and the names of nonpartisan offices and candidates shall be  
12 printed in accordance with the provisions of this section, except that the ballot information  
13 may be listed in vertical or horizontal rows. The names of candidates for each office shall be  
14 listed in the order in which they are filed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) "Covered voter":

- 8 (a) A uniformed services voter who is registered to vote in this state;
- 9 (b) A uniformed services voter defined in this section whose voting residence is in  
10 this state and who otherwise satisfies this state's voter eligibility requirements;
- 11 (c) An overseas voter;
- 12 (d) Civilian employees of the United States government working outside the  
13 boundaries of the United States, and their spouses and dependents;
- 14 (e) Active members of religious or welfare organizations assisting servicemen, and  
15 their spouses and dependents; or
- 16 (f) Persons who have been honorably discharged from the Armed Forces, **including**  
17 **the Space Force**, or who have terminated their service or employment in any group  
18 mentioned in this section within sixty days of an election, and their spouses and dependents;
- 19 (3) "Interstate former resident", a former resident and registered voter in this state  
20 who moves from Missouri to another state after the deadline to register to vote in any  
21 presidential election in the new state and who otherwise possesses the qualifications to  
22 register and vote in such state;
- 23 (4) [~~"Intrastate new resident", a registered voter of this state who moves from one~~  
24 ~~election authority's jurisdiction in the state to another election authority's jurisdiction in the~~  
25 ~~state after the last day authorized in this chapter to register to vote in an election and~~  
26 ~~otherwise possesses the qualifications to vote;~~
- 27 ~~(5)~~ (5) "New resident", a person who moves to this state after the last date authorized in  
28 this chapter to register to vote in any presidential election;
- 29 ~~[(6)]~~ (5) "Overseas voter":
- 30 (a) A person who resides outside the United States and is qualified to vote in the last  
31 place in which the person was domiciled before leaving the United States; or
- 32 (b) A person who resides outside the United States and, but for such residence, would  
33 be qualified to vote in the last place in which the person was domiciled before leaving the  
34 United States;
- 35 ~~[(7)]~~ (6) "Uniformed services":
- 36 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps,  
37 **Space Force**, or Coast Guard of the United States;
- 38 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or  
39 the commissioned corps of the National Oceanic and Atmospheric Administration of the  
40 United States; or
- 41 (c) The Missouri National Guard;
- 42 ~~[(8)]~~ (7) "Uniformed services voter", an individual who is qualified to vote and is:
- 43 (a) A member of the active or reserve components of the Army, Navy, Air Force,  
44 Marine Corps, **Space Force**, or Coast Guard of the United States who is on active duty;



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

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

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

50 ~~[(9)]~~ (8) "United States", used in the territorial sense, the several states, the District of  
51 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular  
52 possession subject to the jurisdiction of the United States.

115.277. 1. **A registered voter of this state may cast an absentee ballot in person  
2 at a location designated by the election authority for all candidates and issues for which  
3 such voter is eligible to vote at the polling place if such voter expects to be prevented  
4 from going to the polls to vote on election day due to one of the reasons listed in  
5 subsection 3 of this section. A registered voter casting a ballot under the provisions of  
6 this subsection shall provide a form of personal photo identification that is consistent  
7 with subsection 1 of section 115.427. Beginning on the second Tuesday prior to an  
8 election, a reason listed under subsection 3 of this section shall not be required, provided  
9 that the provisions of section 1.140 to the contrary notwithstanding, this sentence and  
10 section 115.427 shall be nonseverable, and if any provision of section 115.427 is for any  
11 reason held to be invalid, such decision shall invalidate this sentence.**

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

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

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

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

30 (3) Religious belief or practice;

31 (4) Employment as:

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

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

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

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

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

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

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

43 ~~[2-]~~ 4. Any covered voter who is eligible to register and vote in this state may vote in  
44 any election for federal office, statewide office, state legislative office, or statewide ballot  
45 initiatives by submitting a federal postcard application to apply to vote by absentee ballot or  
46 by submitting a federal postcard application at the polling place even though the person is not  
47 registered. A federal postcard application submitted by a covered voter pursuant to this  
48 subsection shall also serve as a voter registration application under section 115.908 and the  
49 election authority shall, if satisfied that the applicant is entitled to register, place the voter's  
50 name on the voter registration file. Each covered voter may vote by absentee ballot or, upon  
51 submitting an affidavit that the person is qualified to vote in the election, may vote at the  
52 person's polling place.

53 ~~[3-]~~ 5. Any interstate former resident may vote by absentee ballot for presidential and  
54 vice presidential electors.

55 ~~[4- Any intrastate new resident may vote by absentee ballot at the election for~~  
56 ~~presidential and vice presidential electors, United States senator, representative in Congress,~~  
57 ~~statewide elected officials and statewide questions, propositions and amendments from such~~  
58 ~~resident's new jurisdiction of residence after registering to vote in such resident's new~~  
59 ~~jurisdiction of residence.~~

60 ~~5-]~~ 6. Any new resident may vote by absentee ballot for presidential and vice  
61 presidential electors after registering to vote in such resident's new jurisdiction of residence.

62 ~~[6- For purposes of this section, the voters who are in an at-risk category for~~  
63 ~~contracting or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:~~

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

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

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

- 67           ~~(4) Have serious heart conditions;~~  
68           ~~(5) Are immunocompromised;~~  
69           ~~(6) Have diabetes;~~  
70           ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~  
71           ~~(8) Have liver disease.]~~

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

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

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

28           ~~[3. Except as provided in subsection 3 of section 115.281,]~~ 4. All applications for  
29 absentee ballots received prior to the sixth Tuesday before an election shall be stored at the  
30 office of the election authority until such time as the applications are processed in accordance  
31 with section 115.281. No application for an absentee ballot received in the office of the  
32 election authority by mail, by facsimile transmission, by electronic mail, or by a guardian or

33 relative after 5:00 p.m. on the second Wednesday immediately prior to the election shall be  
34 accepted by any election authority. No application for an absentee ballot submitted by the  
35 applicant in person after 5:00 p.m. on the day before the election shall be accepted by any  
36 election authority, except as provided in subsections ~~[6, 8]~~ 7, 8, and 9 of this section.

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

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

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

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

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

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

68 ~~[6-]~~ 7. An application for an absentee ballot by a new resident shall be submitted in  
69 person by the applicant in the office of the election authority in the election jurisdiction in

70 which such applicant resides. The application shall be received by the election authority no  
71 later than 7:00 p.m. on the day of the election. Such application shall be in the form of an  
72 affidavit, executed in duplicate in the presence of the election authority or any authorized  
73 officer of the election authority, and in substantially the following form:

74 "STATE OF \_\_\_\_\_  
75 COUNTY OF \_\_\_\_\_, ss.

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

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

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

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

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

88 Signed \_\_\_\_\_  
89 (Applicant)

90 \_\_\_\_\_  
91 (Residence Address)

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

93 Signed \_\_\_\_\_  
94 (Title and name of officer authorized to administer oaths)"

95 ~~[7-] 8.~~ The election authority in whose office an application is filed pursuant to  
96 subsection ~~[6] 7~~ of this section shall immediately send a duplicate of such application to the  
97 appropriate official of the state in which the new resident applicant last resided and shall file  
98 the original of such application in its office.

99 ~~[8- An application for an absentee ballot by an intrastate new resident shall be made~~  
100 ~~in person by the applicant in the office of the election authority in the election jurisdiction in~~  
101 ~~which such applicant resides. The application shall be received by the election authority no~~  
102 ~~later than 7:00 p.m. on the day of the election. Such application shall be in the form of an~~  
103 ~~affidavit, executed in duplicate in the presence of the election authority or an authorized~~  
104 ~~officer of the election authority, and in substantially the following form:]~~

105 ~~["STATE OF \_\_\_\_\_]~~  
106 ~~[COUNTY OF \_\_\_\_\_, ss.]~~

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

126            9. An application for an absentee ballot by an interstate former resident shall be  
 127 received in the office of the election authority where the applicant was formerly registered by  
 128 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application  
 129 is made in person by the applicant in the office of the election authority, in which case such  
 130 application shall be made no later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state  
 2 the voter's name, the voter's voting address, the voter's mailing address and the voter's reason  
 3 for voting an absentee ballot. If the reason for the voter voting absentee is due to the reasons  
 4 established under subdivision (6) of subsection ~~[4]~~ **3** of section 115.277, the voter shall state  
 5 the voter's identification information provided by the address confidentiality program in lieu  
 6 of the applicant's name, voting address, and mailing address. On the form, the voter shall also  
 7 state under penalties of perjury that the voter is qualified to vote in the election, that the voter  
 8 has not previously voted and will not vote again in the election, that the voter has personally  
 9 marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is  
 10 unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter  
 11 or under the voter's supervision if the voter is unable to seal it, and that all information  
 12 contained in the statement is true. In addition, any person providing assistance to the absentee

13 voter shall include a statement on the envelope identifying the person providing assistance  
14 under penalties of perjury. Persons authorized to vote only for federal and statewide officers  
15 shall also state their former Missouri residence.

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

18 State of Missouri

19 County (City) of \_\_\_\_\_

20 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of St.  
21 Louis, Kansas City), declare under the penalties of perjury that I **am voting**  
22 **in person at a location designated by the local election authority or I**  
23 expect to be prevented from going to the polls on election day due to (check  
24 one):

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

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

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

32 \_\_\_\_\_ employment as an election authority [or], by an election authority  
33 at a location other than my polling place, **as a first responder, as**  
34 **a health care worker, or as a member of law enforcement;**

35 \_\_\_\_\_ incarceration, although I have retained all the necessary  
36 qualifications for voting;

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

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

47 \_\_\_\_\_  
48 Signature of Voter

\_\_\_\_\_  
Signature of Person  
Assisting Voter

49

50		(if applicable)
51	Signed _____	Subscribed and sworn
52	Signed _____	to before me this
53	Address of Voter	_____ day of _____,
54		_____
55	_____	_____
56	_____	_____
57	Mailing addresses	Signature of notary or
58	(if different)	other officer
59		authorized to
60		administer oaths

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

64 State of Missouri  
 65 County (City) of \_\_\_\_\_

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

73 I am ~~[(check one):]~~  
 74 ~~[\_\_\_\_\_] [a resident of the state of Missouri and a registered voter in \_\_\_\_\_~~  
 75 ~~\_\_\_\_\_ County and moved from that county to \_\_\_\_\_ County,~~  
 76 ~~Missouri, after the last day to register to vote in this election.]~~  
 77 ~~[\_\_\_\_\_] an interstate former resident of Missouri and authorized to vote for~~  
 78 ~~presidential and vice presidential electors.~~

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

85 \_\_\_\_\_ Subscribed to and





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

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

132 \_\_\_\_\_ Subscribed and sworn  
133 Signature of Voter to before me this  
134 \_\_\_\_\_ day of  
135 \_\_\_\_\_, \_\_\_\_\_

136 \_\_\_\_\_  
137 \_\_\_\_\_  
138 Address Signature of notary or  
139 other officer  
140 authorized to  
141 administer oaths

142 \_\_\_\_\_  
143 Signature of Person  
144 Assisting Voter  
145 (if applicable)

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

148 The voter needed assistance in marking the ballot and signing above,  
149 because of blindness, other physical disability, or inability to read or to read  
150 English. I marked the ballot enclosed in this envelope at the voter's  
151 direction, when I was alone with the voter, and I had no other  
152 communication with the voter as to how he or she was to vote. The voter  
153 swore or affirmed the voter affidavit above and I then signed the voter's  
154 name and completed the other voter information above. Signed under the  
155 penalties of perjury.

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

157 ASSISTING PERSON SIGN HERE

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

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

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

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

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

165 ~~7.]~~ **6.** Notwithstanding any other provision of this section, any covered voter as  
 166 defined in section 115.902 or persons who have declared themselves to be permanently  
 167 disabled pursuant to section 115.284, otherwise entitled to vote, shall not be required to obtain  
 168 a notary seal or signature on his or her absentee ballot.

169 ~~[8.]~~ **7.** Notwithstanding any other provision of this section or section 115.291 to the  
 170 contrary, the subscription, signature and seal of a notary or other officer authorized to  
 171 administer oaths shall not be required on any ballot, ballot envelope, or statement required by  
 172 this section if the reason for the voter voting absentee is due to the reasons established  
 173 pursuant to subdivision (2) ~~[or (7)]~~ of subsection ~~[+]~~ **3** of section 115.277.

174 ~~[9.]~~ **8.** No notary shall charge or collect a fee for notarizing the signature on any  
 175 absentee ballot or absentee voter registration.

176 ~~[10.]~~ **9.** A notary public who charges more than the maximum fee specified or who  
 177 charges or collects a fee for notarizing the signature on any absentee ballot or absentee voter  
 178 registration is guilty of official misconduct.

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

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

5 **Postal Service are deemed cast when received prior to the time fixed by law for the**  
6 **closing of the polls on election day. Absentee ballots received by the election authority**  
7 **through a common carrier such as the United States Postal Service shall be received**  
8 **prior to the time fixed by law for the closing of polls on election day. The election**  
9 **authority shall hand mark or stamp each absentee ballot envelope as it is received,**  
10 **indicating the date and time the absentee ballot was received.**

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

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

32 building or other structure wherein individual living units are located, each of which has its  
33 own separate cooking facilities. Each team appointed pursuant to this subsection shall consist  
34 of two registered voters, one from each major political party. Both members of any team  
35 appointed pursuant to this subsection shall be present during the delivery, signing or voting  
36 and return of any application or absentee ballot signed or voted pursuant to this subsection.

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

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

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

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

27           2. Except as provided in subsection 4 of this section, each absentee ballot that is not  
28 cast by the voter in person in the office of the election authority shall be returned to the  
29 election authority in the ballot envelope and shall only be returned by the voter in person, or  
30 in person by a relative of the voter who is within the second degree of consanguinity or  
31 affinity, by mail or registered carrier or by a team of deputy election authorities; except that  
32 covered voters, when sent from a location determined by the secretary of state to be  
33 inaccessible on election day, shall be allowed to return their absentee ballots cast by use of  
34 facsimile transmission or under a program approved by the Department of Defense for  
35 electronic transmission of election materials.

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

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

44           **5. No absentee ballot shall be delivered through a drop box and no election**  
45 **authority shall establish or use a drop box for the purpose of collecting absentee ballots.**

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

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

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

~~16           4. Each application for a mail in ballot shall be signed by the applicant or, if the  
17 application is made by a guardian or relative under this section, the application shall be signed  
18 by the guardian or relative, who shall note on the application his or her relationship to the~~

19 applicant. If an applicant, guardian, or relative is blind, unable to read or write the English  
 20 language, or physically incapable of signing the application, he or she shall sign by mark that  
 21 is witnessed by the signature of an election official or person of his or her choice. Knowingly  
 22 making, delivering, or mailing a fraudulent mail in ballot application is a class one election  
 23 offense.

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

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

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

37 [State of Missouri]  
 38 [County (City) of \_\_\_\_\_]  
 39 [I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City  
 40 of St. Louis, Kansas City), declare under the penalties of perjury that: I am  
 41 qualified to vote at this election; I have not voted and will not vote other  
 42 than by this ballot at this election. I further state that I marked the enclosed  
 43 ballot in secret or that I am blind, unable to read or write English, or  
 44 physically incapable of marking the ballot, and the person of my choosing  
 45 indicated below marked the ballot at my direction; all of the information on  
 46 this statement is, to the best of my knowledge and belief, true.]  
 47 [\_\_\_\_\_] [\_\_\_\_\_]
   
48 [Signature of Voter] [Signature of Person]
   
49 [Assisting Voter]
   
50 [(if applicable)]
   
51 [Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,
   
52 \_\_\_\_\_.]
   
53 [\_\_\_\_\_]
   
54 [Signature of notary or other officer authorized to administer oaths.]
   
55 [\_\_\_\_\_]

56 [\_\_\_\_\_]

57 [Mailing addresses]

58 [(if different)]

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

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

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

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

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

88 ~~13. The secretary of state may prescribe uniform regulations with respect to the~~  
89 ~~printing of ballot envelopes and mailing envelopes, which shall comply with standards~~  
90 ~~established by federal law or postal regulations. Mailing envelopes for use in returning~~  
91 ~~ballots shall be printed with business reply permits so that any ballot returned by mail does~~



92 not require postage. All fees and costs for establishing and maintaining the business reply  
93 and postage free mail for all ballots cast shall be paid by the secretary of state through state  
94 appropriations.

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

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

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

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

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

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

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

120 21. The provisions of this section terminate and shall be repealed on December 31,  
121 2020, and shall not apply to any election conducted after that date.] **Mail-in ballots shall not**  
122 **be authorized by any executive or administrative order and no authorization for the use**  
123 **of mail-in ballots shall be inferred from any general law. This section shall not preclude**  
124 **the use of absentee ballots authorized under this chapter. Any expansion of the use of**  
125 **mail-in ballots subsequent to the effective date of this act shall require the repeal of this**  
126 **section by explicit reference thereto.**

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 [~~or sections~~  
2 115.755 to 115.785], no candidate's name shall be printed on any official primary ballot

3 unless the candidate has filed a written declaration of candidacy in the office of the  
4 appropriate election official by 5:00 p.m. on the last Tuesday in March immediately preceding  
5 the primary election.

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

9 3. Each declaration of candidacy for nomination in a primary election shall state the  
10 candidate's full name, residence address, office for which such candidate proposes to be a  
11 candidate, the party ticket on which he or she wishes to be a candidate and that if nominated  
12 and elected he or she will qualify. The declaration shall be in substantially the following  
13 form:

14 I, \_\_\_\_\_, a resident and registered voter of the county of \_\_\_\_\_ and the state of  
15 Missouri, residing at \_\_\_\_\_, do announce myself a candidate for the office of \_\_\_\_\_ on  
16 the \_\_\_\_\_ party ticket, to be voted for at the primary election to be held on the \_\_\_\_\_  
17 day of \_\_\_\_\_, \_\_\_\_\_, and I further declare that if nominated and elected to such office  
18 I will qualify.

19 \_\_\_\_\_  
20 Signature of candidate

21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 Residence address

25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_  
29 Mailing address (if different)  
30 \_\_\_\_\_  
31 Telephone Number (Optional)

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

\_\_\_\_\_  
Signature of election  
official or other officer  
authorized to  
administer oaths

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

115.351. No person who files as a party candidate for nomination or election to an  
2 office shall, without withdrawing, file as another party's candidate or an independent  
3 candidate for nomination or election to the office for the same term. No person who files as

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

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

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

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

115.427. 1. Persons seeking to vote in a public election shall establish their identity  
2 and eligibility to vote at the polling place **or, if voting absentee in person under section**

3 **115.277, at the office of the election authority or other authorized location designated by**  
4 **the election authority** by presenting a form of personal **photo** identification to election  
5 officials. No form of personal **photo** identification other than the forms listed in this section  
6 shall be accepted to establish a voter's qualifications to vote. Forms of personal **photo**  
7 identification that satisfy the requirements of this section are any one of the following:

8 (1) Nonexpired Missouri driver's license;

9 (2) Nonexpired or nonexpiring Missouri nondriver's license;

10 (3) A document that satisfies all of the following requirements:

11 (a) The document contains the name of the individual to whom the document was  
12 issued, and the name substantially conforms to the most recent signature in the individual's  
13 voter registration record;

14 (b) The document shows a photograph of the individual;

15 (c) The document includes an expiration date, and the document is not expired, or, if  
16 expired, the document expired after the date of the most recent general election; and

17 (d) The document was issued by the United States or the state of Missouri; or

18 (4) Any identification containing a photograph of the individual which is issued by  
19 the Missouri National Guard, the United States Armed Forces, **including the Space Force**, or  
20 the United States Department of Veteran Affairs to a member or former member of the  
21 Missouri National Guard or the United States Armed Forces, **including the Space Force**, and  
22 that is not expired or does not have an expiration date.

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

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

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

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

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

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

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

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

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

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

54 ~~["State of \_\_\_\_\_]~~

55 ~~[County of \_\_\_\_\_]~~

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

65 ~~[I understand that knowingly providing false information is a violation of~~  
 66 ~~law and subjects me to possible criminal prosecution.]~~

67 ~~[\_\_\_\_\_]~~

68 ~~[Signature of voter]~~

69 ~~[Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_]~~

70 ~~[\_\_\_\_\_]~~

71 ~~[Signature of election official"]~~

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

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

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

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

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

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

90           **a. Nonexpired Missouri driver's license;**

91           **b. Nonexpired or nonexpiring Missouri nondriver's license;**

92           **c. A document that satisfies all of the following requirements:**

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

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

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

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

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

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

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

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signatures of Election Officials**

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

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

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

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

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

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

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

~~of the secretary of state and governor]~~ **The secretary of state shall provide notice of the personal photo identification requirements described in subsection 1 of this section on the official state internet website of the secretary of state.**

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

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

- (a) A birth certificate;
- (b) A marriage license or certificate;
- (c) A divorce decree;
- (d) A certificate of decree of adoption;
- (e) A court order changing the person's name;

149 (f) A Social Security card reflecting an updated name; and  
150 (g) Naturalization papers or other documents from the United States Department of  
151 State proving citizenship.

152

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

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

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

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

180 8. The precinct register shall serve as the voter identification certificate. The  
181 following form shall be printed at the top of each page of the precinct register:

182

VOTER'S IDENTIFICATION CERTIFICATE

183

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

184

185

PRECINCT



186           WARD OR TOWNSHIP \_\_\_\_\_  
 187                           GENERAL (SPECIAL, PRIMARY) ELECTION  
 188   Held \_\_\_\_\_, 20\_\_\_\_\_  
 189   Date

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

192           9. The secretary of state shall promulgate rules to effectuate the provisions of this  
 193 section.

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

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

206           ~~[12. This section shall become effective only upon the passage and approval by the~~  
 207 ~~voters of a constitutional amendment submitted to them by the general assembly regarding~~  
 208 ~~the authorization of photo identification requirements for elections by general law. If such~~  
 209 ~~constitutional amendment is approved by the voters, this section shall become effective June~~  
 210 ~~1, 2017.]~~

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

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

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

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

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

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

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

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

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

**115.628. 1. The secretary of state shall maintain voter registration records in  
2 accordance with the Missouri voter registration system defined under section 115.158.**

**3 2. Local election authorities shall notify registered voters of the political party  
4 affiliation opportunities of this section using all current election mailings that would  
5 otherwise be mailed to registered voters prior to January 1, 2025.**

**6 3. Beginning January 1, 2023, the voter registration application form shall be  
7 amended to include a choice of political party affiliation.**

**8 4. Notwithstanding any other provision of law to the contrary, beginning  
9 January 1, 2023, voters may declare political party affiliation during the voter check-in  
10 process at any election. Appropriate software shall be provided at voter check-in for  
11 political party affiliation so as to minimize later data entry for election authorities. If  
12 the election authority does not use electronic poll books, then a signed, written notice in  
13 substantially the same manner as a change of address application is filed under section  
14 115.165 is adequate. The election authority shall process this initial political party  
15 registration through its normal means of administration.**

**16 5. Notwithstanding any other provision of law to the contrary, all current  
17 processes for registering voters in the various counties shall remain in place.**

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

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

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

8 (3) The election is nonpartisan;

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

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

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

115.776. The state party organization which is the state organization recognized by  
2 the national organization of that established political party shall, ~~[after the primary and]~~  
3 before the national convention, conduct a series of caucuses culminating in congressional and  
4 state conventions **for the purpose of nominating a candidate for the president of the**  
5 **United States**. Delegates to the national conventions shall be chosen at the congressional  
6 district and state conventions pursuant to rules established by the political parties.

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

2 (1) "Covered voter":

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

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

6 (c) An overseas voter;

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

8 (3) "Federal postcard application", the application prescribed under Section 101(b)(2)  
9 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)  
10 (2);

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

13 (5) "Military-overseas ballot":

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

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

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

18 (6) "Overseas voter":

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

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

24 (7) "State", a state of the United States, the District of Columbia, Puerto Rico, the  
25 United States Virgin Islands, or any territory or insular possession subject to the jurisdiction  
26 of the United States;

27 (8) "Uniformed services":

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

30 (b) The Merchant Marine, the commissioned corps of the Public Health Service, or  
31 the commissioned corps of the National Oceanic and Atmospheric Administration of the  
32 United States; or

33 (c) The Missouri National Guard;

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

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

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

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

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

42 (10) "United States", used in the territorial sense, the several states, the District of  
43 Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular  
44 possession subject to the jurisdiction of the United States.

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

2 (1) A general, special, [~~presidential preference,~~] or primary election for federal office;

3 (2) A general, special, or primary election for statewide or state legislative office or  
4 state ballot measure; or

5 (3) Any election in which absentee voting is conducted pursuant to sections 115.275  
6 to 115.304.

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

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

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

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

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

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

21 2. (1) A system maintained by the secretary of state's office [shall] **may** be used to  
22 accept voter registration applications electronically [subsequent to approval from the  
23 committee formed as set forth in this subsection];

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

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

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

42           (2) Local election authorities shall accept the transmission of voter registration  
43 applications submitted to the approved system under the provisions of sections 432.200 to  
44 432.295];

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

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

55           ~~[(6)]~~ (3) To improve the accuracy of voter registration application data and reduce  
56 costs for local election authorities, the system maintained by the secretary of state shall~~], as~~  
57 ~~soon as is practical,] provide a method where the data entered by the voter registration~~  
58 ~~applicant does not have to be re-entered by the election authority to the state voter registration~~  
59 ~~database.~~

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

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

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

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

72           7. ~~[Notwithstanding the provisions of section 432.230]~~ **Except as provided under**  
73 **sections 115.160 and 432.230**, nothing in this section shall require the election authority to  
74 accept voter registration records or signatures created, generated, sent, communicated,  
75 received, stored, or otherwise processed, or used by electronic means or in electronic form  
76 from any officer, agency, or organization not authorized under subsection 2 of this section  
77 without prior approval from the election authority. **Election authorities shall accept and**  
78 **process voter registration records, including electronic images of applicant signatures,**

79 **transmitted electronically by the division of motor vehicle and driver licensing of the**  
80 **department of revenue under section 115.160.** Except as provided in subsection 2 of this  
81 section **and section 115.160**, no officer, agency, or organization shall give the voter the  
82 opportunity to submit a voter registration application with an electronic signature without first  
83 obtaining the approval of the local election authority.

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

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

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

**Section 1. If any provision of section A of this act or the application thereof to**  
2 **anyone or to any circumstance is held invalid, the remainder of those sections and the**  
3 **application of such provisions to others or other circumstances shall not be affected**  
4 **thereby.**

**Section 2. 1. As used in this section, the term "public official" means any elected**  
2 **or appointed officer, employee, or agent of the state or any political subdivision, board,**  
3 **commission, bureau, or other public body established by law.**

4 **2. In any civil action in a state or federal court, no public official, including any**  
5 **attorney representing or acting on behalf of a public official, has any authority to**  
6 **compromise or settle an action, consent to any condition, or agree to any order in**  
7 **connection therewith if the compromise, settlement, condition, or order nullifies,**  
8 **suspends, enjoins, alters, or conflicts with any provision of chapters 115 to 128.**

9 **3. Any compromise, settlement, condition, or order to which a public official**  
10 **agrees that conflicts with subsection 2 of this section is void and has no legal effect.**

11 **4. Nothing in this section shall be construed to limit or otherwise restrict any**  
12 **powers granted by articles III or VIII of the Constitution of Missouri.**

13 **5. When a party to an action in state or federal court challenges the**  
14 **constitutionality of a statute facially or as applied, challenges a statute as violating or**  
15 **preempted by federal law, or otherwise challenges the construction or validity of a**  
16 **statute, as part of a claim or affirmative defense, that party shall provide a copy of the**  
17 **pleading to the speaker of the house of representatives and the president pro tempore of**  
18 **the senate within fourteen days of filing the pleading with the court. The speaker of the**  
19 **house of representatives and the president pro tempore of the senate may intervene to**  
20 **defend against the action at any time in the action as a matter of right by serving motion**  
21 **upon the parties as provided by applicable rules of civil procedure.**

22           **6. The speaker of the house of representatives may intervene at any time in an**  
23 **action on behalf of the house of representatives. The speaker may obtain legal counsel**  
24 **other than from the attorney general, with the cost of representation paid from funds**  
25 **appropriated for that purpose, to represent the house of representatives in any action in**  
26 **which the speaker intervenes.**

27           **7. The president pro tempore of the senate may intervene at any time in an**  
28 **action on behalf of the senate. The president pro tempore may obtain legal counsel other**  
29 **than from the attorney general, with the cost of representation paid from funds**  
30 **appropriated for that purpose, to represent the senate in any action in which the**  
31 **president pro tempore intervenes.**

32           **8. The president pro tempore of the senate and the speaker of the house of**  
33 **representatives, acting jointly, may intervene at any time in an action on behalf of the**  
34 **general assembly. The president pro tempore and the speaker, acting jointly, may**  
35 **obtain legal counsel other than from the attorney general, with the cost of**  
36 **representation paid from funds appropriated for that purpose, to represent the**  
37 **general assembly in any action in which the president pro tempore and speaker jointly**  
38 **intervene.**

39           **9. No individual member, or group of members, of the senate or of the house of**  
40 **representatives, except the president pro tempore and the speaker as provided under**  
41 **this section, shall intervene in an action described in this section or obtain legal counsel**  
42 **at public expense under this section in the member's or group's capacity as a member or**  
43 **members of the senate or the house of representatives.**

44           **10. Notwithstanding any contrary provision of law, the participation of the**  
45 **speaker of the house of representatives or the president pro tempore of the senate in any**  
46 **state or federal action, as a party or otherwise, does not constitute a waiver of the**  
47 **legislative immunity or legislative privilege of any member, officer, or staff of the**  
48 **general assembly.**

2           **Section 3. All audits required by subsection 6 of section 115.225 that are**  
3 **conducted by the secretary of state shall be solely paid for by state and federal funding.**

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

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



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

8 ~~(1) Receipt of payment to the state committee of the established~~  
 9 ~~political party on whose ballot the candidate wishes to appear of a filing fee of~~  
 10 ~~five thousand dollars; or~~

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

20 ~~I (We) the undersigned, do hereby request that the name of \_\_\_\_\_ be~~  
 21 ~~placed upon the February \_\_\_\_\_, \_\_\_\_\_, presidential primary ballot~~  
 22 ~~as candidate for nomination as the nominee for President of the United~~  
 23 ~~States on the \_\_\_\_\_ party ticket.~~

24 ~~2.— The state or national party organization of an established political~~  
 25 ~~party that adopts rules imposing signature requirements to be met before a~~  
 26 ~~candidate can be listed as an official candidate shall notify the secretary of~~  
 27 ~~state by October first of the year preceding the presidential primary.~~

28 ~~3.— Any candidate or such candidate's authorized representative may~~  
 29 ~~have such candidate's name stricken from the presidential primary ballot by~~  
 30 ~~filing with the secretary of state on or before 5:00 p.m. on the eleventh~~  
 31 ~~Tuesday prior to the presidential primary election a written statement, sworn to~~  
 32 ~~before an officer authorized by law to administer oaths, requesting that such~~  
 33 ~~candidate's name not be printed on the official primary ballot. Thereafter, the~~  
 34 ~~secretary of state shall not include the name of that candidate in the official list~~  
 35 ~~announced pursuant to section 115.758 or in the certified list of candidates~~  
 36 ~~transmitted pursuant to section 115.765.~~

37 ~~4.— The filing times set out in this section shall only apply to~~  
 38 ~~presidential preference primaries, and are in lieu of those established in section~~  
 39 ~~115.349.]~~

2 ~~[115.765.— On or before the tenth Tuesday prior to a presidential~~  
 3 ~~preference primary, the secretary of state shall transmit to each election~~  
 4 ~~authority a certified list containing the names of all candidates whose names~~  
 5 ~~shall appear on the presidential preference primary ballot of each party. The~~  
 6 ~~names of the candidates shall appear in the order in which their request to be~~  
 7 ~~included on the presidential primary ballot was received in the office of the~~  
 8 ~~secretary of state, except that, in the case of candidates who file a request to be~~  
 9 ~~included on the presidential primary ballot with the secretary of state prior to~~

9           5:00 p.m. on the first day for filing, the secretary of state shall determine by  
10 ~~random drawing the order in which such candidates' names shall appear on the~~  
11 ~~ballot. The drawing shall be conducted so that each candidate, or candidate's~~  
12 ~~representative, may draw a number at random at the time of filing. The~~  
13 ~~secretary of state shall record the number drawn with the candidate's request to~~  
14 ~~be included on the presidential primary ballot. The names of candidates filing~~  
15 ~~on the first day for filing on each party ballot shall be listed in ascending order~~  
16 ~~of the numbers so drawn.]~~

2           ~~[115.767. Each election authority shall cause the name of candidates~~  
3 ~~certified by the secretary of state to appear on the presidential preference~~  
4 ~~primary ballot of each party, followed by a listing for an uncommitted vote.]~~

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

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

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

✓