

SECOND REGULAR SESSION

# HOUSE BILL NO. 2404

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MOSLEY.

5008H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 115.295, RSMo, and to enact in lieu thereof one new section relating to rejected absentee ballots.

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

Section A. Section 115.295, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.295, to read as follows:

115.295. 1. As each absentee ballot is received by the election authority, the election authority shall indicate its receipt on the list.

2. (1) If the statements on any ballot envelope have not been completed, **the voter has failed to sign the oath, the signature does not appear to be valid, the oath has not been verified as provided by law, the absentee ballot has been rejected for any other reason provided by law, or if the voter is otherwise found disqualified to vote, the absentee ballot in the envelope shall be rejected and the election authority shall write across the face of the envelope "Rejected", giving the reason therefor.**

(2) **The election authority shall promptly notify the voter of such rejection, the procedure for curing the ballot, and the deadline for curing the ballot. A copy of the notification shall be retained in the files of the election authority for at least two years.**

(3) **A voter notified that his or her ballot was rejected shall have until the end of the period for verifying provisional ballots as provided by law to cure the ballot.**

(4) **The voter may cure a failure to complete a statement on the ballot envelope, to sign the oath, an invalid signature, or to have the signature verified in the manner provided by law by submitting an affidavit to the election authority, along with a copy of one of the forms of identification required by law, before the deadline. The affidavit**

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.

18 **shall affirm that the ballot was submitted by the voter, is the voter's ballot, and that the**  
19 **voter is registered and qualified to vote in the election in question.**

20 **(5) Provided that the voter is qualified to vote or has cured any disqualification**  
21 **as provided by law for voters casting provisional ballots, if the election authority finds**  
22 **the affidavit and identification to be sufficient, the absentee ballot shall be counted.**

23 3. All ballot envelopes received by the election authority shall be kept together in a  
24 safe place and shall not be opened except as provided in this subchapter.

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