

SECOND REGULAR SESSION

HOUSE BILL NO. 2465

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MERIDETH.

4385H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.133, 115.135, 115.277, 115.279, 115.283, 115.293, and 115.302, RSMo, and to enact in lieu thereof eight new sections relating to the 21st Century Voting Act.

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

Section A. Sections 115.133, 115.135, 115.277, 115.279, 115.283, 115.293, and
2 115.302, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as
3 sections 115.133, 115.135, 115.277, 115.279, 115.283, 115.293, 115.298, and 115.970, to read
4 as follows:

115.133. 1. Except as provided in subsection 2 of this section, any citizen of the
2 United States who is a resident of the state of Missouri and seventeen years and six months of
3 age or older shall be entitled to register and to vote in any election which is held on or after
4 his eighteenth birthday.

5 2. No person who is adjudged incapacitated shall be entitled to register or vote. No
6 person shall be entitled to vote:

7 (1) While confined under a sentence of imprisonment;

8 (2) While on probation or parole after conviction of a felony, until finally discharged
9 from such probation or parole; or

10 (3) After conviction of a felony or misdemeanor connected with the right of suffrage.

11 3. Except as provided in federal law or federal elections and in **[section] sections**
12 **115.135 and 115.277**, no person shall be entitled to vote if the person has not registered to
13 vote in the jurisdiction of his or her residence prior to ~~the deadline to register to vote~~ **voting**.

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.

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 no later than 5:00~~
5 ~~p.m., or the normal closing time of any public building where the registration is being held if~~
6 ~~such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the~~
7 ~~voter is an interstate former resident, an intrastate new resident, a new resident, or a covered~~
8 ~~voter, as defined in section 115.275. Except as provided in subsection 4 of this section, in no~~
9 ~~case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday~~
10 ~~prior to the election]~~ **on or before the day of the election. The person registering to vote**
11 **may register to vote via any state-approved online voter registration system, at any**
12 **location for voter registration established by the secretary of state, or at any election**
13 **authority or polling place in the state of Missouri on or before the day of the election.**
14 Any person registering after such date shall be eligible to vote in subsequent elections.

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

19 3. Except as provided in federal law or federal elections and in section 115.277, no
20 person shall be entitled to vote ~~[if the person has not registered to vote in the jurisdiction of~~
21 ~~his or her residence prior to the deadline to register to vote]~~ **in an election unless such**
22 **person is eligible and properly registered to vote prior to casting his or her ballot in such**
23 **election.**

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

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

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

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

11 ~~(3) Religious belief or practice;~~

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

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

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

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

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

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

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

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

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

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

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

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

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

- 45 ~~(5) Are immunocompromised;~~
46 ~~(6) Have diabetes;~~
47 ~~(7) Have chronic kidney disease and are undergoing dialysis; or~~
48 ~~(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 **also** accept
4 applications by facsimile transmission [~~and~~] , by electronic mail [~~within the limits of its~~
5 ~~telecommunications capacity~~] , **and through the website of the secretary of state or the**
6 **election authority, if available.**

7 2. Each application shall be made to the election authority of the jurisdiction in which
8 the person is or would be registered. Each application shall be in writing and shall state the
9 applicant's name, address at which he or she is or would be registered, [~~his or her reason for~~
10 ~~voting an absentee ballot,~~] the address to which the ballot is to be mailed, if mailing is
11 requested, and [~~for absent uniformed services and overseas applicants,~~] the applicant's email
12 address if electronic transmission is requested. If the [~~reason for the applicant voting~~
13 ~~absentee is due to the reasons established under subdivision (6) of subsection 1 of section~~
14 ~~115.277~~] **applicant is a certified participant in the address confidentiality program**
15 **established under sections 589.660 to 589.681**, the applicant shall state the voter's
16 identification information provided by the address confidentiality program in lieu of the
17 applicant's name, address at which he or she is or would be registered, and address to which
18 the ballot is to be mailed, if mailing is requested. Each application to vote in a primary
19 election shall also state which ballot the applicant wishes to receive. If any application fails
20 to designate a ballot **or fails to provide any other necessary information**, the election
21 authority shall, within three working days after receiving the application, notify the applicant
22 by mail **and email, if an email address was provided**, that it will be unable to deliver an
23 absentee ballot until the applicant designates which political party ballot he or she wishes to
24 receive **or provides the necessary information that was missing on the initial application.**
25 If the applicant does not respond to the request for political party designation, the election
26 authority is authorized to provide the voter with that part of the ballot for which no political
27 party designation is required.

28 3. [~~Except as provided in subsection 3 of section 115.281,~~] 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, **or** by electronic mail [~~, or by a guardian~~
33 ~~or relative~~] after 5:00 p.m. on the second Wednesday immediately prior to the election shall

34 be accepted by any election authority. No application for an absentee ballot submitted by the
35 applicant, **or by the applicant's guardian or relative**, in person after 5:00 p.m. on the day
36 before the election shall be accepted by any election authority, except as provided in
37 subsections 6, 8 and 9 of this section.

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

46 **5. The secretary of state shall establish a system for electronic signatures on**
47 **applications submitted electronically and shall maintain IP address records and any**
48 **other security protocols necessary for identity verification.**

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

54 (2) The election authority shall provide each ~~[absent uniformed services voter and~~
55 ~~each overseas]~~ voter who submits a voter registration application or an absentee ballot
56 request, if the election authority rejects the application or request, with the reasons for the
57 rejection.

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

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

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

73 ~~[6.—An application for an absentee ballot by a new resident shall be submitted in
74 person by the applicant in the office of the election authority in the election jurisdiction in
75 which such applicant resides. The application shall be received by the election authority no
76 later than 7:00 p.m. on the day of the election. Such application shall be in the form of an
77 affidavit, executed in duplicate in the presence of the election authority or any authorized
78 officer of the election authority, and in substantially the following form:]~~

79 [“STATE OF _____]

80 [COUNTY OF _____, ss.]

81 [I, _____, do solemnly swear that:]

82 [← ~~[Before becoming a resident of this state, I resided at _____~~

83 1)] ~~(residence address) in _____ (town, township, village or city) of
84 _____ County in the state of _____;~~

85 [← ~~[I moved to this state after the last day to register to vote in such~~

86 2)] ~~general presidential election and I am now residing in the county
87 of _____, state of Missouri;~~

88 [← ~~[I believe I am entitled pursuant to the laws of this state to vote in~~

89 3)] ~~the presidential election to be held November _____, _____
90 (year);]~~

91 [← ~~[I hereby make application for a presidential and vice presidential~~

92 4)] ~~ballot. I have not voted and shall not vote other than by this ballot
93 at such election.]~~

94 [Signed _____]

95 [(Applicant)]

96 [_____]

97 [(Residence Address)]

98 [Subscribed and sworn to before me this _____ day of _____, _____

99 =]

100 [Signed _____]

101 [←(Title and name of officer authorized to administer oaths)"]

102 ~~[7.—The election authority in whose office an application is filed pursuant to
103 subsection 6 of this section shall immediately send a duplicate of such application to the
104 appropriate official of the state in which the new resident applicant last resided and shall file
105 the original of such application in its office.~~

106 ~~8.—An application for an absentee ballot by an intrastate new resident shall be made in
107 person by the applicant in the office of the election authority in the election jurisdiction in~~

108 ~~which such applicant resides. The application shall be received by the election authority no~~
 109 ~~later than 7:00 p.m. on the day of the election. Such application shall be in the form of an~~
 110 ~~affidavit, executed in duplicate in the presence of the election authority or an authorized~~
 111 ~~officer of the election authority, and in substantially the following form:]~~

112 ["STATE OF _____]
 113 [COUNTY OF _____, ss.]
 114 [I, _____, do solemnly swear that:]
 115 [(- [Before becoming a resident of this election jurisdiction, I resided
 116 1)] at _____ (residence address) in _____ (town, township, village
 117 or city) of _____ county in the state of _____;]
 118 [(- [I moved to this election jurisdiction after the last day to register to
 119 2)] ~~vote in such election;~~]
 120 [(- [I believe I am entitled pursuant to the laws of this state to vote in
 121 3)] the election to be held _____ (date);]
 122 [(- [I hereby make application for an absentee ballot for candidates
 123 4)] and issues on which I am entitled to vote pursuant to the laws of
 124 this state. I have not voted and shall not vote other than by this
 125 ballot at such election.]
 126 [Signed _____]
 127 [(Applicant)]
 128 _____
 129 -]
 130 [(Residence Address)]
 131 [Subscribed and sworn to before me this _____ day of _____,
 132 _____
 133 [Signed _____]
 134 [(Title and name of officer authorized to administer oaths)"]

135 ~~[9. An application for an absentee ballot by an interstate former resident shall be~~
 136 ~~received in the office of the election authority where the applicant was formerly registered by~~
 137 ~~5:00 p.m. on the second Wednesday immediately prior to the election, unless the application~~
 138 ~~is made in person by the applicant in the office of the election authority, in which case such~~
 139 ~~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[5] ; the voter's voting address[5] ; the voter's mailing address, **if different**
 3 **than the voter's voting address; and the voter's email address if the voter wishes to be**
 4 **contacted by email regarding any deficiencies in his or her ballot under section 115.298**
 5 [and the voter's reason for voting an absentee ballot]. If the [reason for the voter voting

6 ~~absentee is due to the reasons established under subdivision (6) of subsection 1 of section~~
 7 ~~415.277,]~~ **applicant is a certified participant in the address confidentiality program**
 8 **established under sections 589.660 to 589.681,** the voter shall state the voter's identification
 9 information provided by the address confidentiality program in lieu of the applicant's name,
 10 voting address, and mailing address. On the form, the voter shall also state under penalties of
 11 perjury that the voter is qualified to vote in the election, that the voter has not previously
 12 voted and will not vote again in the election, that the voter has personally marked the voter's
 13 ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it,
 14 that the ballot has been placed in the ballot envelope and sealed by the voter or under the
 15 voter's supervision if the voter is unable to seal it, and that all information contained in the
 16 statement is true. In addition, any person providing assistance to the absentee voter shall
 17 include a statement on the envelope identifying the person providing assistance under
 18 penalties of perjury. Persons authorized to vote only for federal and statewide officers shall
 19 also state their former Missouri residence.

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

22	State of Missouri
23	County (City) of _____
24	I, _____ (print name), a registered voter of _____ County (City of
25	St. Louis, Kansas City), declare under the penalties of perjury that I
26	[expect to] believe I may be prevented from going to the polls on
27	election day [-due to (check one):]
28	[_____] [absence on election day from the jurisdiction of the
29	election authority in which I am registered;]
30	[_____] [incapacity or confinement due to illness or physical
31	disability, including caring for a person who is
32	incapacitated or confined due to illness or disability;]
33	[_____] [religious belief or practice;]
34	[_____] [employment as an election authority or by an election
35	authority at a location other than my polling place;]
36	[_____] [incarceration, although I have retained all the necessary
37	qualifications for voting;]
38	[_____] [certified participation in the address confidentiality
39	program established under sections 589.660 to 589.681
40	because of safety concerns.]
41	[I hereby state under penalties of perjury] ; that I am qualified to vote
42	at this election; and that I have not voted and will not vote other than

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by this ballot at this election. I further state that I marked the enclosed	
ballot in secret or that I am blind, unable to read or write English, or	
physically incapable of marking the ballot, and the person of my	
choosing indicated below marked the ballot at my direction; all of the	
information on this statement is, to the best of my knowledge and	
belief, true.	
_____	_____
Signature of Voter	Signature of Person
	Assisting Voter
	(if applicable)
Signed _____	[Subscribed and sworn]
[Signed _____]	[to before me this]
	[_____ day of _____, _____]
Address of Voter	_____]
_____	[_____]
_____	[_____]
Mailing addresses	[Signature of notary or]
(if different)	[other officer]
	[authorized to]
	[administer oaths]

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

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State of Missouri
County (City) of _____
I, _____ (print name), declare under the penalties of perjury that I am
a citizen of the United States and eighteen years of age or older. I am
not adjudged incapacitated by any court of law, and 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 hereby state under penalties of
perjury that I am qualified to vote at this election.
I am (check one):
_____ a resident of the state of Missouri and a registered voter in _
_____ County and moved from that county to _____

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County, Missouri], after the last day to register to vote in this election].
_____	an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors.
I further state under penalties of perjury that I have not voted and will not vote other than by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.	
_____	[Subscribed to and-]
Signature of Voter	[sworn before me this-]
	[_____ day of]
	[_____, _____]
_____	[_____]
Address of Voter	[Signature of notary or]
	[other officer]
	[authorized to]
	[administer oaths]
_____	[_____]
Mailing Address (if different)	_____

Signature of Person	Address of Last
Assisting Voter	Missouri Residence
	(if applicable)

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

State of Missouri
County (City) of _____
I, _____ (print name), declare under the penalties of perjury that I
[expect to] believe I may be prevented from going to the polls on
election day [- due to - (check one):-]

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<input type="checkbox"/>	[absence on election day from the jurisdiction of the election authority in which I am directed to vote;]
<input type="checkbox"/>	[incapacity or confinement due to illness or physical disability, including caring for a person who is incapacitated or confined due to illness or disability;]
<input type="checkbox"/>	[religious belief or practice;]
<input type="checkbox"/>	[employment as an election authority or by an election authority at a location other than my polling place;]
<input type="checkbox"/>	[incarceration, although I have retained all the necessary qualifications of voting;]
<input type="checkbox"/>	[certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.]
[I hereby state under penalties of perjury] that I own property in the ___ ___ district and am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.	
_____	[Subscribed and sworn]
Signature of Voter	[to before me this]
	[_____ day of]
	[_____, _____]
_____	[_____]
_____	[_____]
Address	[Signature of notary or]
	[other officer]
	[authorized to]
	[administer oaths]

Signature of Person	

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Assisting Voter
(if applicable)

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

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she was to vote. The voter swore or affirmed the voter affidavit above and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.
Reason why voter needed assistance: _____
ASSISTING PERSON SIGN HERE
1. _____ (signature of assisting person)
2. _____ (assisting person's name printed)
3. _____ (assisting person's residence)
4. _____ (assisting person's home city or town).

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

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

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

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

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

115.293. 1. All proper votes on each absentee ballot received by an election authority
2 ~~[at or before the time fixed by law for the closing of the polls on election day]~~ **within seven**
3 **days after an election and postmarked by the day of the election** shall be counted. Except
4 as provided in section 115.920, no votes on any absentee ballot received by an election
5 authority ~~[after the time fixed by law for the closing of the polls on election day]~~ **more than**
6 **seven days after the election shall be counted, even if the absentee ballot was postmarked**
7 **by the day of the election.**

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

115.298. 1. The secretary of state shall provide, subject to appropriation, an
2 **online absentee ballot tracking system. Any person eligible to vote an absentee ballot by**
3 **mail shall be entitled to register for the absentee ballot tracking system to receive**
4 **information on the current status of his or her absentee ballot.**

5 2. The absentee ballot tracking system shall, at a minimum:

6 (1) **Be easily accessible from the main page of the secretary of state's website**
7 **from the time that absentee ballots are available until results are certified for each**
8 **election;**

9 (2) **Indicate to a voter if his or her ballot has been received, if his or her ballot**
10 **has been counted, and, if the ballot has not been counted, the reason it has not been**
11 **counted; and**

12 (3) **If the ballot has not been counted, provide instructions to the voter on how**
13 **and where to correct his or her ballot so it may be counted within seven days after the**
14 **election.**

15 3. The secretary of state may require any personal information necessary for
16 verification and tracking in order to register for the absentee ballot tracking system,
17 such as an electronic mail address or telephone number where the voter may be
18 contacted and notified of the status of his or her ballot via electronic mail, text message,
19 or phone call. The secretary of state shall coordinate with local election authorities to
20 track absentee ballots in the most efficient manner.

115.970. 1. Notwithstanding any other provision of law, the secretary of state
2 shall establish a process to conduct automatic voter registration based on driver's

3 license information, nondriver's license information, tax records, or other records that
4 are practicable for determining voter eligibility and shall provide recommendations to
5 local election authorities for the automatic registration of eligible voters. The secretary
6 of state shall also consult available government records including, but not limited to,
7 school enrollment records, to automatically register voters upon reaching eighteen years
8 of age.

9 2. The department of revenue and the motor vehicle and driver licensing division
10 shall, periodically as required by rule or policy, provide the secretary of state with such
11 information as the secretary of state specifies is necessary to conduct recommendations
12 for automatic voter registration.

13 3. The secretary of state shall provide lists of nonbinding recommendations for
14 inclusion on voter registration lists to local election authorities and such authorities shall
15 include such recommendations on voter registration lists subject to existing verification
16 procedures for determining whether an individual is eligible to register to vote and
17 eligible to vote. Local election authorities shall retain full jurisdiction and power to
18 decline to register individuals not verified to be eligible to vote and to remove the names
19 of individuals who are no longer eligible to vote from voter registration lists.

20 4. Within two months of receipt of a proposed voter registration list, but prior to
21 including a recommended individual on a voter registration list, the local election
22 authority shall send notice of potential automatic registration that shall include a
23 postage-paid postcard for purposes of declining registration. If, after a period of one
24 month, the postcard is not returned to the local election authority, the individual's name
25 shall be added to the voter registration list; except that, any time a postcard is received,
26 the individual's name shall be removed from the voter registration list. This subsection
27 shall not be construed to prevent removal from voter registration lists by any other
28 method allowed under this chapter.

29 5. The provisions of this section allow for automatic voter registration in
30 addition to any other method of registration allowed under this chapter and shall not be
31 interpreted to invalidate any other method for voter registration.

32 6. The provisions of this section with regard to the secretary of state, the
33 department of revenue, and local election authorities shall be subject to the
34 appropriation and payment of funds necessary to conduct automatic voter
35 registration and verification procedures.

36 7. The secretary of state may promulgate all necessary rules for the
37 administration of this section. Any rule or portion of a rule, as that term is defined
38 in section 536.010, that is created under the authority delegated in this section shall
39 become effective only if it complies with and is subject to all of the provisions of chapter

40 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable,**
41 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
42 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
43 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
44 **adopted after August 28, 2022, shall be invalid and void.**

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

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

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

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

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

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

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

42 State of Missouri
43 County (City) of _____

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

53 _____
54 Signature of Voter Signature of Person
55 _____
56 Assisting Voter
57 (if applicable)

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

58 _____
59 Signature of notary or other officer authorized to administer oaths.

60 _____
61 _____

62 Mailing addresses
63 (if different)

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

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

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

81 11. Upon receiving a mail-in ballot by mail, the voter shall mark the
82 ballot in secret, place the ballot in the ballot envelope, seal the envelope and
83 fill out the statement on the ballot envelope. The statement required under
84 subsection 7 of this section shall be subscribed and sworn to before a notary

85 ~~public or other officer authorized by law to administer oaths. If the voter is~~
86 ~~blind, unable to read or write the English language, or physically incapable of~~
87 ~~voting the ballot, the voter may be assisted by a person of the voter's own~~
88 ~~choosing. Any person who assists a voter and in any manner coerces or~~
89 ~~initiates a request or suggestion that the voter vote for or against, or refrain~~
90 ~~from voting on, any question or candidate, shall be guilty of a class one~~
91 ~~election offense. If, upon counting, challenge, or election contest, it is~~
92 ~~ascertained that any mail in ballot was voted with unlawful assistance, the~~
93 ~~ballot shall be rejected.~~

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

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

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

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

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

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

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

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

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

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

✓