

FIRST REGULAR SESSION

HOUSE BILL NO. 624

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SAIN.

1439H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 115.175, RSMo, and to enact in lieu thereof two new sections relating to automatic voter registration.

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

Section A. Section 115.175, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 115.175 and 115.975, to read as follows:

115.175. Any person who knowingly or willfully gives any false information for the purpose of establishing his eligibility to register to vote or who conspires with another person for the purpose of encouraging his false registration or illegal vote, or who pays or offers to pay, accepts or offers to accept payment for registering to vote or for voting, or who otherwise willfully and fraudulently furnishes false information to a registration official for the purpose of causing a false or fictitious registration, or who registers to vote with the intention of voting more than once in the same election shall be guilty of a class one election offense. **Errors in the statewide voter registration system shall not amount to a class one election offense unless the individual knowingly or willfully provided false information that led to the error.**

115.975. 1. **Notwithstanding any other manner of voter registration under this chapter, every eligible voter in the state shall be automatically registered to vote as provided in this section unless the voter indicates that they do not want to be registered to vote.**

2. (1) **As used in the this section, the term "source agency" shall mean the department of revenue, the department of social services, local housing authorities, the University of Missouri system, the department of corrections, the department of labor, and**

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.

8 any other agency designated by the secretary of state as provided in subdivision (2) of this
9 subsection.

10 (2) The secretary of state may designate additional state agencies to serve as sources
11 for voter registration information. In designating additional agencies, the secretary of state
12 shall consider:

13 (a) The likelihood that the agency's records contain information of a large number
14 of eligible citizens;

15 (b) The extent to which the agency's records reflect eligible citizens who would not
16 otherwise be registered to vote;

17 (c) The accuracy of personal identification information stored in the records; and

18 (d) Any additional factors the secretary of state determines are reasonably related
19 to achieving automatic voter registration.

20 3. (1) The following actions shall result in an individual's automatic voter
21 registration or an update to the information of an already registered voter, if the individual
22 otherwise meets the requirements to register to vote:

23 (a) Completing an application for a new or renewed driver's license, non-driver
24 identification card, driver's permit, or certification of supervised driving with the
25 department of revenue or notifies the department in writing of a change in his or her name
26 or mailing address;

27 (b) Completing an application for services or renewal of services or change of
28 address relating to such services from the department of social services;

29 (c) Completing an application for services or renewal of services or change of
30 address relating to services from a local housing authority;

31 (d) Registering for classes at an institution of the University of Missouri system;

32 (e) Completing an application for unemployment benefits; or

33 (f) Completing an application with a source agency, as that term is defined in
34 subdivision (2) of subsection 2 of this section.

35 (2) When a source agency assists an individual with any of the activities in
36 paragraphs (a) through (f) of subdivision 1 of this subsection, the source agency shall, at
37 least monthly, provide the following information for each individual to the secretary of
38 state:

39 (a) Full name;

40 (b) Mailing and residential addresses;

41 (c) Date of birth;

42 (d) Proof of citizenship or attestation of eligibility;

43 (e) Driver's license or non-driver identification card number or the last four
44 numbers of the individual's Social Security number; and

45 (f) An image of the person's signature.

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47 In the event that the source agency does not have or does not provide an image of the
48 individual's signature, the secretary of state shall develop a method for indicating that the
49 voter is required to provide his or her signature and an acceptable form of voter
50 identification when applying for an absentee ballot or before voting at a polling place on
51 election day.

52 (3) Upon receipt of the information in subdivision (2) of this section, the secretary
53 of state shall identify individuals who are eligible to register to vote but are not registered
54 and shall promptly send each individual a written notice with the following information:

55 (a) An explanation that voter registration is voluntary, but if the individual does
56 not expressly decline registration, he or she will be registered to vote;

57 (b) A statement offering the opportunity to decline to register vote, that registration
58 shall be declined within forty-five days, and that the decision to decline voter registration
59 shall remain confidential;

60 (c) The voter eligibility requirements and a statement that the individual shall
61 decline registration if he or she does not satisfy the requirements;

62 (d) Penalties for submission of false information; and

63 (e) Instructions for correcting incorrect information.

64

65 The written notice shall include a form that may be signed and returned in a prepaid
66 envelope to decline voter registration. If an individual fails to decline voter registration
67 within the forty-five day period, the individual shall be registered to vote.

68 4. The secretary of state shall develop a form that source agencies may utilize to
69 assist in collecting the information required under paragraphs (a) through (f) of
70 subdivision (2) of subsection 3 of this section. The form shall contain the following
71 information:

72 (1) An explanation that voter registration is voluntary, but if the individual does
73 not expressly decline registration, he or she will be registered to vote;

74 (2) A statement offering the opportunity to decline to register vote, the method by
75 which the individual may decline registration, and a statement that the decision to decline
76 voter registration shall remain confidential;

77 (3) The voter eligibility requirements and a statement that the individual shall
78 decline registration if he or she does not satisfy the requirements;

79 **(4) Penalties for submission of false information; and**

80 **(5) A statement that the benefits or services sought from the source agency shall not**
81 **be affected by the individual's decision to register or decline to register to vote.**

82 **5. The secretary of state and source agencies shall collaborate on the best methods**
83 **for complying with the requirements of this section. The secretary of state shall make rules**
84 **regarding the implementation of this section and shall be responsible for providing**
85 **training programs for source agencies. All source agencies in this section shall comply with**
86 **rules established by the secretary of state to assist with the implementation of automatic**
87 **voter registration.**

88 **6. The secretary of state may promulgate rules to assist in the implementation of**
89 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
90 **is created under the authority delegated in this section shall become effective only if it**
91 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
92 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
93 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
94 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
95 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,**
96 **shall be invalid and void.**

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