

FIRST REGULAR SESSION
[PERFECTED WITH PERFECTING AMENDMENT]
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 738

101ST GENERAL ASSEMBLY

1239H.05D

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.107, 115.151, 115.157, 115.160, 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, 115.417, 115.427, 115.435, 115.447, 115.652, 115.960, and 116.220, RSMo, and to enact in lieu thereof thirty-five new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.107, 115.151, 115.157, 115.160, 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115.287, 115.291, 115.302, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.960, and 116.220, RSMo, are repealed and thirty-five new sections enacted in lieu thereof, to be known as sections 28.960, 115.004, 115.013, 115.031, 115.045, 115.051, 115.081, 115.085, 115.105, 115.107, 115.151, 115.157, 115.160, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291, 115.349, 115.417, 115.427, 115.435, 115.447, 115.652, 115.960, 116.225, 1, and 2, to read as follows:

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 election authority to ensure accuracy.

3 2. The secretary of state shall provide at least five business days' notice to the election authority that he or she intends to inspect the list of voter registration records. 5 Such notice may be sent electronically.

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.

6 **3. The audits conducted by the secretary of state shall, at a minimum, verify the**
7 **following:**

8 **(1) That a registered voter is alive;**

9 **(2) That a registered voter currently resides within the jurisdiction of election**
10 **authority; and**

11 **(3) That a registered voter is entitled to vote.**

12 **4. If names are found that do not meet the criteria in subsection 3 of this section,**
13 **the secretary of state shall instruct the election authority to remove the names from the list**
14 **of registered voters. The secretary of state may conduct a second audit to ensure the names**
15 **were removed.**

16 **5. The election authority shall comply with the secretary of state's office in**
17 **conducting the audit and shall remove the names identified by the secretary of state. If an**
18 **election authority does not cooperate with the audit, the secretary of state's office may**
19 **withhold funds from the election authority.**

1 **115.004. The sections of this chapter and all related rules and regulations shall not**
2 **be amended or modified in any manner in the twenty-six weeks preceding a presidential**
3 **election.**

1 115.013. As used in this chapter, unless the context clearly implies otherwise, the
2 following terms mean:

3 **(1) "Automatic tabulating equipment", the apparatus necessary to examine and**
4 **automatically count votes, and the data processing machines which are used for counting votes**
5 **and tabulating results **and is air gapped and not connected to a network**;**

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

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

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

12 **[(5)] (4) "Counting location", a location selected by the election authority for the**
13 **automatic processing or counting, or both, of ballots;**

14 **[(6)] (5) "County", any county in this state or any city not within a county;**

15 **[(7)] (6) "Disqualified", a determination made by a court of competent jurisdiction, the**
16 **Missouri ethics commission, an election authority or any other body authorized by law to make**
17 **such a determination that a candidate is ineligible to hold office or not entitled to be voted on for**
18 **office;**

19 **[(8)] (7)** "District", an area within the state or within a political subdivision of the state
20 from which a person is elected to represent the area on a policy-making body with
21 representatives of other areas in the state or political subdivision;

22 **[(9)] (8)** "Electronic voting machine", any part of an electronic voting system on which
23 a voter is able to cast a ballot under this chapter;

24 **[(10)] (9)** "Electronic voting system", a system of casting votes by use of marking
25 devices, and counting votes by use of automatic tabulating or data processing equipment,
26 including computerized voting systems;

27 **[(11)] (10)** "Established political party" for the state, a political party which, at either of
28 the last two general elections, polled for its candidate for any statewide office more than two
29 percent of the entire vote cast for the office. "Established political party" for any district or
30 political subdivision shall mean a political party which polled more than two percent of the entire
31 vote cast at either of the last two elections in which the district or political subdivision voted as
32 a unit for the election of officers or representatives to serve its area;

33 **[(12)] (11)** "Federal office", the office of presidential elector, United States senator, or
34 representative in Congress;

35 **[(13)] (12)** "Independent", a candidate who is not a candidate of any political party and
36 who is running for an office for which political party candidates may run;

37 **[(14)] (13)** "Major political party", the political party whose candidates received the
38 highest or second highest number of votes at the last general election;

39 **[(15)] (14)** "Marking device", any approved device which will enable the votes to be
40 counted by automatic tabulating equipment;

41 **[(16)] (15)** "Municipal" or "municipality", a city, village, or incorporated town of this
42 state;

43 **[(17)] (16)** "New party", any political group which has filed a valid petition and is
44 entitled to place its list of candidates on the ballot at the next general or special election;

45 **[(18)] (17)** "Nonpartisan", a candidate who is not a candidate of any political party and
46 who is running for an office for which party candidates may not run;

47 **[(19)] (18)** "Political party", any established political party and any new party;

48 **[(20)] (19)** "Political subdivision", a county, city, town, village, or township of a
49 township organization county;

50 **[(21)] (20)** "Polling place", the voting place designated for all voters residing in one or
51 more precincts for any election;

52 **[(22)] (21)** "Precincts", the geographical areas into which the election authority divides
53 its jurisdiction for the purpose of conducting elections;

54 [(23)] (22) "Public office", any office established by constitution, statute or charter and
55 any employment under the United States, the state of Missouri, or any political subdivision or
56 special district thereof, but does not include any office in the Missouri state defense force or the
57 National Guard or the office of notary public or city attorney in cities of the third classification
58 or cities of the fourth classification;

59 [(24)] (23) "Question", any measure on the ballot which can be voted "YES" or "NO";

60 [(25)] (24) "Relative within the second degree by consanguinity or affinity", a spouse,
61 parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-in-
62 law, or son-in-law;

63 [(26)] (25) "Special district", any school district, water district, fire protection district,
64 hospital district, health center, nursing district, or other districts with taxing authority, or other
65 district formed pursuant to the laws of Missouri to provide limited, specific services;

66 [(27)] (26) "Special election", elections called by any school district, water district, fire
67 protection district, or other district formed pursuant to the laws of Missouri to provide limited,
68 specific services; and

69 [(28)] (27) "Voting district", the one or more precincts within which all voters vote at
70 a single polling place for any election.

115.031. Each election commissioner shall be a registered voter and a resident of the
2 jurisdiction for which he is appointed ~~[for at least one year preceding his appointment]~~. During
3 his term of office, no commissioner shall hold any statutory position within a political party or
4 on a political committee, be a candidate for political office or hold any other public office.

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

115.051. 1. In each county which does not have a board of election commissioners, the
2 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 system
4 or voting machines are used, the county clerk shall designate competent employees to have
5 custody of and supervise maintenance of the voting equipment. Each deputy shall be subject to

6 the same restrictions and subscribe the same oath as the county clerk, except that no employee
7 shall be required to post bond **or reside and be a registered voter within the jurisdiction of**
8 **the election authority** unless directed to do so by the clerk. Employee oaths and any bonds shall
9 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 place
2 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 within**
8 **the jurisdiction of the election authority, as authorized under section 115.085. If a**
9 **committee of a major political party within the jurisdiction of an election authority fails**
10 **to provide the prescribed number of qualified names to fill all election judge positions**
11 **before the date established by the election authority, the election authority may select**
12 **judges to fill the positions as provided by law. If the election authority determines that a**
13 **name submitted by a committee of a major political party is not qualified to serve as an**
14 **election judge, the election authority shall allow the party to submit another name before**
15 **filling the position as provided by law.** No major political party shall have a majority of the
16 judges at any polling place. No established party shall have a greater number of judges at any
17 polling place than any major political party.

18 3. In any 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 and
25 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 election
27 day. Such judges shall be paid one-half the regular rate of pay. If part-time judges are employed,
28 the election authority shall employ such judges and shall see that a sufficient number for each
29 period are present at all times so as to have the proper total number of judges present at each
30 polling place throughout each election day. The election authority shall require that at each

31 polling place at least one election judge from each political party serve a full day and that at all
32 times during the day there be an equal number of election judges from each political party.

33 6. An election authority may appoint additional election judges representing other
34 established political parties and additional election judges who do not claim a political affiliation.
35 Any question which requires a decision by the majority of judges shall only be made by the
36 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 shall
4 obtain the written consent of the election authority for the jurisdiction where the prospective
5 judges are registered to vote]. Each election judge shall be a person of good repute and character
6 who can speak, read, and write the English language. No person shall serve as an election judge
7 at any polling place in which his or her name or the name of a relative within the second degree,
8 by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed
9 candidate shall be disqualified from serving as an election judge in any election jurisdiction of
10 the state. No election judge shall, during his or her term of office, hold any other elective public
11 office, other than as a member of a political party committee or township office, except any
12 person who is elected to a board or commission of a political subdivision or special district may
13 serve as an election judge except at a polling place where such political subdivision or special
14 district has an issue or candidate on the ballot. In any county having a population of less than
15 two hundred fifty thousand inhabitants, any candidate for the county committee of a political
16 party who is not a candidate for any other office and who is unopposed for election as a member
17 of the committee shall not 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 present
3 until all ballots are cast on the day of election, and a challenger for each location at which
4 absentee ballots are counted, who may be present while the ballots are being prepared for
5 counting and counted. No later than four business days before the election, the chair of each
6 county committee of each political party named on the ballot shall provide signed official
7 designation forms with the names of the designated challengers and substitutes to the local
8 election authority for confirmation of eligibility to serve as a challenger. The local election
9 authority, after verifying the eligibility of each designated and substitute challenger, shall sign
10 off on the official designation forms, unless the challenger is found not to have the qualifications
11 established by subsection 5 of this section. If the election authority determines that a challenger
12 does not meet the qualifications of subsection 5 of this section, the designating party chair may
13 designate a replacement challenger and provide the local election authority with the name of the

14 replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating
15 chair may substitute challengers at his or her discretion during such hours.

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

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

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

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

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

115.107. 1. At every election, the chairman of the county committee of each political
2 party named on the ballot shall have the right to designate a watcher for each place votes are
3 counted. **The candidates shall not be required to reside within the jurisdiction of the**
4 **election authority. If the election authority determines that a name submitted by a**
5 **committee of a major political party is not qualified to serve as poll watcher, the election**
6 **authority shall allow the party to submit another name.**

7 2. Watchers are to observe the counting of the votes and present any complaint of
8 irregularity or law violation to the election judges, or to the election authority if not satisfied with
9 the decision of the election judges. No watcher may be substituted for another on election day.

10 3. No watcher shall report to anyone the name of any person who has or has not voted.

11 4. A watcher may remain present until all closing certification forms are completed, all
12 equipment is closed and taken down, the transportation case for the ballots is sealed, election
13 materials are returned to the election authority or to the designated collection place for a polling
14 place, and any other duties or procedures required under sections 115.447 to 115.491 are
15 completed. A watcher may also remain present at each location at which absentee ballots are
16 counted and may remain present while such ballots are being prepared for counting and counted.

17 5. All persons selected as watchers shall have the same qualifications required by section
18 115.085 for election judges[, ~~except that such watcher shall be a registered voter in the~~
19 ~~jurisdiction of the election authority for which the watcher is designated as a watcher~~].

20 **6. A candidate may select his or her own watchers at his or her own expense, provided that the watchers meet the other requirements of this section.**

21 115.151. 1. Each qualified applicant who appears before the election authority shall be
2 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 115.155
12 is not returned as undeliverable by the postal service. Voter registration agencies ~~[and the~~
13 ~~division of motor vehicle and drivers licensing of the department of revenue]~~ shall transmit voter
14 registration application forms to the appropriate election authority not later than five business
15 days after the form is completed by the applicant. **The division of motor vehicle and drivers**
16 **licensing of the department of revenue shall transmit voter registration application forms**
17 **to the appropriate election authority not later than three business days after the form is**
18 **completed by the applicant.**

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 of
3 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 2
5 of this section, the election authority or secretary of state shall make available electronic media
6 or printouts showing **only** unique voter identification numbers, voters' names, ~~[dates of birth,]~~
7 addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the
8 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;

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

33 3. Except as provided in subsection [6] **5** of this section, the election authority shall
34 furnish, for a fee, electronic media or a printout showing **only** the names[~~, dates of birth~~] and
35 addresses of voters, or any part thereof, within the jurisdiction of the election authority who
36 voted in any specific election, including primary elections, by township, ward or precinct,
37 provided that nothing in this chapter shall require such voter information to be released to the
38 public over the internet **and shall not be used for commercial purposes.**

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

49 "candidate", "campaign committee", and "political party committee" shall have the same
50 meaning given to such terms in section 130.011.

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

60 [6.] 5. Any person working as an undercover officer of a local, state or federal law
61 enforcement agency, persons in witness protection programs, and victims of domestic violence
62 and abuse who have received orders of protection pursuant to chapter 455 shall be entitled to
63 apply to the circuit court having jurisdiction in his or her county of residence to have the
64 residential address on his or her voter registration records closed to the public if the release of
65 such information could endanger the safety of the person. Any person working as an undercover
66 agent or in a witness protection program shall also submit a statement from the chief executive
67 officer of the agency under whose direction he or she is serving. The petition to close the
68 residential address shall be incorporated into any petition for protective order provided by circuit
69 clerks pursuant to chapter 455. If satisfied that the person filing the petition meets the
70 qualifications of this subsection, the circuit court shall issue an order to the election authority to
71 keep the residential address of the voter a closed record and the address may be used only for the
72 purposes of administering elections pursuant to this chapter. The election authority may require
73 the voter who has a closed residential address record to verify that his or her residential address
74 has not changed or to file a change of address and to affirm that the reasons contained in the
75 original petition are still accurate prior to receiving a ballot. A change of address within an
76 election authority's jurisdiction shall not require that the voter file a new petition. Any voter who
77 no longer qualifies pursuant to this subsection to have his or her residential address as a closed
78 record shall notify the circuit court. Upon such notification, the circuit court shall void the order
79 closing the residential address and so notify 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, received,
15 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 than
18 voter registration.

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

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

33 7. Any person registering to vote when applying for or renewing a Missouri driver's
34 license shall submit with the application form a copy of a birth certificate, a Native American
35 tribal document, or other proof of United States citizenship, a valid Missouri driver's license, or
36 other form of personal identification.

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 general
7 election two years later. A voter registration solicitor shall be at least eighteen years of age and
8 shall be a registered voter in the state of Missouri.

9 2. Each voter registration solicitor shall provide the following information in writing to
10 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: "I HEREBY SWEAR
20 OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME
21 ARE TRUE AND CORRECT."

22 4. Any voter registration solicitor who knowingly fails to register with the secretary of
23 state is guilty of a class three election offense. Voter registration applications shall be accepted
24 by the election authority if such applications are otherwise valid, even if the voter registration
25 solicitor who procured the applications fails to register with or submits false information to the
26 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 voting
3 systems and may promulgate rules and regulations to implement the intent of sections 115.225
4 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 party
14 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 presidential
17 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 28,
26 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 voting
29 system with the ability to provide a paper audit trail. Notwithstanding any provisions of this
30 chapter to the contrary, such a system may allow for the storage of processed ballot materials in
31 an electronic form.

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

39 5. If any election authority uses any touchscreen, direct-recording, electronic
40 vote-counting machine, the election authority may continue to use such machine. Upon the
41 removal of such voting machine from the election authority's inventory because of
42 mechanical malfunction, wear and tear, or any other reason, the machine shall not be
43 replaced and no additional direct-recording electronic voting machine shall be added to
44 the election authority's inventory. Such machines shall not be used beginning January 1,
45 2022, except that election authorities may allow the machines to be used by voters who are
46 disabled as long as the machines are functional. Replacement of equipment for use by
47 voters who are disabled shall be with paper ballot marking devices designed to assist
48 voters.

49 6. Election authorities shall be members of the Center for Internet Security (CIS)
50 and shall allow cyber security review of their office by the secretary of state. If an election

51 **authority denies access for cyber security review, the secretary of state may publicize a**
52 **notice of noncompliance in a newspaper within the jurisdiction of the election authority or**
53 **in electronic format. The secretary of state is also authorized to withhold funds from an**
54 **election authority in violation of this section unless such funding is a federal mandate or**
55 **part of a federal and state agreement.**

56 7. The secretary of state shall have authority to require cyber security testing,
57 including penetration testing, of vendor machines, programs, and systems. Failure to
58 participate in such testing shall result in a revocation of vendor certification. Upon notice
59 from another jurisdiction of cyber security failures or certification withhold or revocation,
60 the secretary of state shall have authority to revoke or withhold certification for vendors.
61 The requirements of this section shall be subject to appropriation for the purpose of cyber
62 security testing.

115.237. 1. Each ballot printed or designed for use with an electronic voting system for
2 any election pursuant to this chapter shall contain all questions and the names of all offices and
3 candidates certified or filed pursuant to this chapter and no other. **Beginning January 1, 2022,**
4 **the official ballot shall be a paper ballot that is hand-marked by the voter, or in the case**
5 **of voters with disabilities who need assistance, by a paper ballot marking device designed**
6 **to assist voters, except as provided in subsection 5 of section 115.225.** As far as practicable,
7 all questions and the names of all offices and candidates for which each voter is entitled to vote
8 shall be 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 printed
12 in accordance with the provisions of this section, except that the ballot information may be listed
13 in vertical or horizontal rows. The names of candidates for each office shall be listed in the order
14 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 event,
17 the name of each candidate, the candidate's party, the office for which he or she is a candidate,
18 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 paper
20 ballot for questions or for the presidential preference primary in any polling place using an
21 electronic voting system.

22 4. Where electronic voting systems are used and when write-in votes are authorized by
23 law, a write-in ballot, which may be in the form of a separate paper ballot, card, or envelope, may

24 be provided by the election authority to permit each voter to write in the names of persons whose
25 names do not appear on the ballot.

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

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

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

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

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

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

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

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

26 6. Nothing in this section shall prohibit the on-site storage of electronic voting machines
27 and the preparation of the electronic machines for voting, provided the electronic voting
28 machines are put in order, set, adjusted and made ready for voting as provided in subsections 1,
29 2, 3, 4, and 5 of this section.

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

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

6 (2) "Covered voter":

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

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

10 (c) An overseas voter;

11 (d) Civilian employees of the United States government working outside the boundaries
12 of the United States, and their spouses and dependents;

13 (e) Active members of religious or welfare organizations assisting servicemen, and their
14 spouses and dependents; or

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

18 (3) "Interstate former resident", a former resident and registered voter in this state who
19 moves from Missouri to another state after the deadline to register to vote in any presidential
20 election in the new state and who otherwise possesses the qualifications to register and vote in
21 such state;

22 (4) "Intrastate new resident", a registered voter of this state who moves from one election
23 authority's jurisdiction in the state to another election authority's jurisdiction in the state after the
24 last day authorized in this chapter to register to vote in an election and otherwise possesses the
25 qualifications to vote;

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

28 (6) "Overseas voter":

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

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

34 (7) "Uniformed services":

35 (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, or
36 Coast Guard of the United States;

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

40 (c) The Missouri National Guard;

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

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

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

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

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

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

115.277. 1. Beginning on the third Tuesday before the date of the election, except
2 as provided in subsections 2, 3, 4, and 5 of this section, any registered voter of this state
3 may cast an absentee ballot in person at a location designated by the election authority for
4 all candidates and issues for which such voter is eligible to vote at the polling place without
5 providing a reason for the need to vote absentee. Any registered voter casting a ballot
6 under the provisions of this subdivision shall provide photo identification.

7 2. Except as provided in subsections [2,] 3, 4, [and] 5, **and 6** of this section, any
8 registered voter of this state may ~~vote by~~ **cast an** absentee ballot for all candidates and issues
9 for which such voter would be eligible to vote at the polling place if such voter expects to be
10 prevented from going to the polls to vote on election day ~~due to:~~ . **Any absentee ballot that**
11 **is not requested and completed in person with photo identification at the office of the**
12 **election authority shall be notarized, except that absentee ballots requested under**
13 **subdivisions (2) and (5) of this subsection shall not require notarization.** This subsection
14 **shall apply only in the case of absentee ballots that are not cast in person, but that are**
15 **returned to the election authority by the voter in person, or returned in person by a**
16 **relative of the voter who is within the second degree of consanguinity or affinity, or by mail**
17 **or registered carrier, or by a team of deputy election authorities.** A voter may request an
18 **absentee ballot for any of the following reasons:**

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

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

24 (3) Religious belief or practice;

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

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

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

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

33 [2,] 3. Any covered voter who is eligible to register and vote in this state may vote in any
34 election for federal office, statewide office, state legislative office, or statewide ballot initiatives
35 by submitting a federal postcard application to apply to vote by absentee ballot or by submitting
36 a federal postcard application at the polling place even though the person is not registered. A
37 federal postcard application submitted by a covered voter pursuant to this subsection shall also
38 serve as a voter registration application under section 115.908 and the election authority shall,
39 if satisfied that the applicant is entitled to register, place the voter's name on the voter registration
40 file. Each covered voter may vote by absentee ballot or, upon submitting an affidavit that the
41 person is qualified to vote in the election, may vote at the person's polling place.

42 [3.] 4. Any interstate former resident may vote by absentee ballot for presidential and
43 vice presidential electors.

44 [4.] 5. Any intrastate new resident may vote by absentee ballot at the election for
45 presidential and vice presidential electors, United States senator, representative in Congress,
46 statewide elected officials and statewide questions, propositions and amendments from such
47 resident's new jurisdiction of residence after registering to vote in such resident's new jurisdiction
48 of residence.

49 [5.] 6. Any new resident may vote by absentee ballot for presidential and vice
50 presidential electors after registering to vote in such resident's new jurisdiction of residence.

51 **7. The provisions of this section authorizing the casting of absentee ballots without
52 stating a reason and requiring the use photographic identification are essentially connected
53 and if any of the photographic identification requirements under this section, or other
54 general law requiring the use of photographic identification in order to cast an absentee
55 ballot, are held unconstitutional, or otherwise made ineffective, then subsection 1 of this
56 section and all other general laws or rules enabling the casting of absentee ballots without
57 stating a reason shall be null and void.**

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

- 60 _____ (1) Are sixty-five years of age or older;
- 61 _____ (2) Live in a long-term care facility licensed under chapter 198;
- 62 _____ (3) Have chronic lung disease or moderate to severe asthma;
- 63 _____ (4) Have serious heart conditions;
- 64 _____ (5) Are immunocompromised;
- 65 _____ (6) Have diabetes;
- 66 _____ (7) Have chronic kidney disease and are undergoing dialysis; or
- 67 _____ (8) Have liver disease.]

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

5 2. Each application shall be made to the election authority of the jurisdiction in which
6 the person is or would be registered. Each application shall be in writing and shall state the
7 applicant's name, address at which he or she is or would be registered, his or her reason for
8 voting an absentee ballot, if casting an absentee ballot under subsection 2 of section 115.277,
9 the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed
10 services and overseas applicants, the applicant's email address if electronic transmission is

11 requested. If the reason for the applicant voting absentee is due to the reasons established under
12 subdivision (6) of subsection [4] 2 of section 115.277, the applicant shall state the voter's
13 identification information provided by the address confidentiality program in lieu of the
14 applicant's name, address at which he or she is or would be registered, and address to which the
15 ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall
16 also state which ballot the applicant wishes to receive. If any application fails to designate a
17 ballot, the election authority shall, within three working days after receiving the application,
18 notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant
19 designates which political party ballot he or she wishes to receive. If the applicant does not
20 respond to the request for political party designation, the election authority is authorized to
21 provide the voter with that part of the ballot for which no political party designation is required.

22 3. ~~[Except as provided in subsection 3 of section 115.281,]~~ All applications for absentee
23 ballots received prior to the sixth Tuesday before an election shall be stored at the office of the
24 election authority until such time as the applications are processed in accordance with section
25 115.281. No application for an absentee ballot received in the office of the election authority by
26 mail, by facsimile transmission, by electronic mail, or by a guardian or relative after 5:00 p.m.
27 on the second Wednesday immediately prior to the election shall be accepted by any election
28 authority. No application for an absentee ballot submitted by the applicant in person after 5:00
29 p.m. on the day before the election shall be accepted by any election authority, except as
30 provided in subsections 6, 8 and 9 of this section.

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

39 5. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri who
40 resides outside the boundaries of the United States or who is on active duty with the Armed
41 Forces of the United States, **including Space Force**, or members of their immediate family
42 living with them may request an absentee ballot for both the primary and subsequent general
43 election with one application.

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

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

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

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

62 6. An application for an absentee ballot by a new resident shall be submitted in person
63 by the applicant in the office of the election authority in the election jurisdiction in which such
64 applicant resides. The application shall be received by the election authority no later than 7:00
65 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed
66 in duplicate in the presence of the election authority or any authorized officer of the election
67 authority, and in substantially the following form:

68 "STATE OF

69 COUNTY OF , ss.

70 I, _____, do solemnly swear that:

71 (1) Before becoming a resident of this state, I resided at _____ (residence address)
72 in _____ (town, township, village or city) of _____ County in the state of
73 _____;

74 (2) I moved to this state after the last day to register to vote in such general
75 presidential election and I am now residing in the county of _____, state of
76 Missouri;

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

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

83 _____

84 (Residence Address)

85 Subscribed and sworn to before me this _____ day of _____, _____

86 Signed _____

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

88 7. The election authority in whose office an application is filed pursuant to subsection
89 6 of this section shall immediately send a duplicate of such application to the appropriate official
90 of the state in which the new resident applicant last resided and shall file the original of such
91 application in its office.

92 8. An application for an absentee ballot by an intrastate new resident shall be made in
93 person by the applicant in the office of the election authority in the election jurisdiction in which
94 such applicant resides. The application shall be received by the election authority no later than
95 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit,
96 executed in duplicate in the presence of the election authority or an authorized officer of the
97 election authority, and in substantially the following form:

98 "STATE OF _____

99 COUNTY OF _____, ss.

100 I, _____, do solemnly swear that:

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

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

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

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

111 Signed _____

112 (Applicant)

113 _____

114 (Residence Address)

115 Subscribed and sworn to before me this _____ day of _____, _____

116 Signed _____

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

118 9. An application for an absentee ballot by an interstate former resident shall be received
119 in the office of the election authority where the applicant was formerly registered by 5:00 p.m.
120 on the second Wednesday immediately prior to the election, unless the application is made in
121 person by the applicant in the office of the election authority, in which case such application shall
122 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 **if casting an absentee**
3 **ballot under subsection 2 of section 115.277**, and the voter's reason for voting an absentee
4 ballot. If the reason for the voter voting absentee is due to the reasons established under
5 subdivision (6) of subsection [4] 2 of section 115.277, the voter shall state the voter's
6 identification information provided by the address confidentiality program in lieu of the
7 applicant's name, voting address, and mailing address. On the form, the voter shall also state
8 under penalties of perjury that the voter is qualified to vote in the election, that the voter has not
9 previously voted and will not vote again in the election, that the voter has personally marked the
10 voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to
11 mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under
12 the voter's supervision if the voter is unable to seal it, and that all information contained in the
13 statement is true. In addition, any person providing assistance to the absentee voter shall include
14 a statement on the envelope identifying the person providing assistance under penalties of
15 perjury. Persons authorized to vote only for federal and statewide officers shall also state their
16 former Missouri residence.

17 2. **The statement for persons voting absentee ballots under subsection 1 of section**
18 **115.277 who are registered voters shall be in substantially the following form:**

19 "State of Missouri

20 County (City) of _____

21 I, _____ (print name), a registered voter of _____ County (City of St. Louis,
22 Kansas City), hereby state under penalties of perjury that I am qualified to vote at
23 this election; I have not voted and will not vote other than by this ballot at this
24 election. I further state that I marked the enclosed ballot in secret or that I am
25 blind, unable to read or write English, or physically incapable of marking the
26 ballot, and the person of my choosing, indicated below, marked the ballot at my
27 direction; all of the information on this statement is, to the best of my knowledge
28 and belief, true.

29 _____

30 Signature of Voter

Signature of Person

Assisting Voter

31

68	<hr/>	
69	Signature of Voter	Signature of Person
70		Assisting Voter
71		(if applicable)
72	Signed _____	Subscribed and sworn
73	Signed _____	to before me this
74	Address of Voter	_____ day of _____, _____
75	<hr/>	
76	<hr/>	
77	Mailing addresses	Signature of notary or
78	(if different)	other officer
79		authorized to
80		administer oaths"

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

86 "State of Missouri
87 County (City) of _____

88 I, _____ (print name), declare under the penalties of perjury that I am a citizen of the
89 United States and eighteen years of age or older. I am not adjudged incapacitated by any court
90 of law, and if I have been convicted of a felony or of a misdemeanor connected with the right of
91 suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to
92 law. I hereby state under penalties of perjury that I am qualified to vote at this election.

93 I am (check one):

94 a resident of the state of Missouri and a registered voter in _____ County
95 and moved from that county to _____ County, Missouri, after the last day to register to vote in
96 this election.

97 _____ an interstate former resident of Missouri and authorized to vote for
98 presidential and vice presidential electors.

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

104 _____ Subscribed to and
105 Signature of Voter sworn before me this
106 _____ day of
107 _____, _____
108 _____
109 _____
110 Address of Voter Signature of notary or
111 other officer
112 authorized to
113 administer oaths
114 _____
115 Mailing Address (if different) _____
116 _____
117 _____
118 Signature of Person Address of Last
119 Assisting Voter Missouri Residence
120 (if applicable)"
121
122 [4.] 5. The statement for persons voting absentee ballots who are entitled to vote at the
123 election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially
124 the following form:
125
126 "State of Missouri
127 County (City) of _____
128 I, _____ (print name), declare under the penalties of perjury that I expect to be prevented
129 from going to the polls on election day due to (check one):
130 _____ absence on election day from the jurisdiction of the election authority in
131 which I am directed to vote;
132 _____ incapacity or confinement due to illness or physical disability **on election**
133 **day**, including caring for a person who is incapacitated or confined due to illness or disability
134 **and resides at the same address**;
135 _____ religious belief or practice;
136 _____ employment as an election authority or by an election authority at a
137 location other than my polling place;
138 _____ incarceration, although I have retained all the necessary qualifications of
139 voting;

140 _____ certified participation in the address confidentiality program established
141 under sections 589.660 to 589.681 because of safety concerns.

142 I hereby state under penalties of perjury that I own property in the _____ district and am
143 qualified to vote at this election; I have not voted and will not vote other than by this ballot at
144 this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable
145 to read and write English, or physically incapable of marking the ballot, and the person of my
146 choosing indicated below marked the ballot at my direction; all of the information on this
147 statement is, to the best of my knowledge and belief, true.

148 _____ Subscribed and sworn

149 Signature of Voter to before me this

150 _____ day of

151 _____, _____

152 _____

153 _____

154 Address Signature of notary or

155 other officer

156 authorized to

157 administer oaths

158 _____

159 Signature of Person

160 Assisting Voter

161 (if applicable)"

162

163 [§.] 6. The statement for persons providing assistance to absentee voters shall be in
164 substantially the following form:

165

166 "The voter needed assistance in marking the ballot and signing above, because of
167 blindness, other physical disability, or inability to read or to read English. I marked the ballot
168 enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no
169 other communication with the voter as to how he or she was to vote. The voter swore or affirmed
170 the voter affidavit above and I then signed the voter's name and completed the other voter
171 information above. Signed under the penalties of perjury.

172 Reason why voter needed assistance: _____

173 ASSISTING PERSON SIGN HERE

174 1. _____ (signature of assisting person)

175 2. _____ (assisting person's name printed)

176 3. _____ (assisting person's residence)
177 4. _____ (assisting person's home city or town)".

178

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

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

186 8. Notwithstanding any other provision of this section or section 115.291 to the contrary,
187 the subscription, signature and seal of a notary or other officer authorized to administer oaths
188 shall not be required on any ballot, ballot envelope, or statement required by this section if the
189 reason for the voter voting absentee is due to the reasons established pursuant to subdivision (2)
190 or (7) of subsection [4] 2 of section 115.277.

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

193 10. A notary public who charges more than the maximum fee specified or who charges
194 or collects a fee for notarizing the signature on any absentee ballot or absentee voter registration
195 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 ballots
4 shall be printed with business reply permits so that any ballot returned by mail does not require
5 postage. All fees and costs for establishing and maintaining the business reply and postage-free
6 mail for all ballots cast shall be paid by the secretary of state through state appropriations.
7 [Notwithstanding any provision of law to the contrary, a ballot envelope used under section
8 115.302 shall be the same ballot envelope used for absentee ballots, provided an option shall be
9 listed on the envelope to clearly indicate whether the voter is casting an absentee ballot or a
10 mail-in ballot.]

115.286. **Absentee ballots under sections 115.275 to 115.304 received by the election
2 authority in person or other authorized location designated by the election authority are
3 deemed cast when received prior to election day. Absentee ballots received by the election
4 authority through a common carrier such as the United States Postal Service or through
5 an authorized drop box provided by the election authority are deemed cast when received
6 prior to the time fixed by law for the closing of the polls on election day.**

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 time
4 the application is received, within five working days after they become available, deliver to the
5 voter an absentee ballot, ballot envelope and such instructions as are necessary for the applicant
6 to vote. Delivery shall be made to the voter personally in the office of the election authority or
7 by bipartisan teams appointed by the election authority, or by first class, registered, or certified
8 mail at the discretion of the election authority, or in the case of a covered voter as defined in
9 section 115.902, the method of transmission prescribed in section 115.914. Where the election
10 authority is a county clerk, the members of bipartisan teams representing the political party other
11 than that of county clerk shall be selected from a list of persons submitted to the county clerk by
12 the county chairman of that party. If no list is provided by the time that absentee ballots are to
13 be made available, the county clerk may select a person or persons from lists provided in
14 accordance with section 115.087. If the election authority is not satisfied that any applicant is
15 entitled to vote by absentee ballot, it shall not deliver an absentee ballot to the applicant. Within
16 three working days of receiving such an application, the election authority shall notify the
17 applicant and state the reason he or she is not entitled to vote by absentee ballot. The applicant
18 may file a complaint with the elections division of the secretary of state's office under and
19 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 counties~~
27 ~~with a charter form of government and in cities not within a county, and in each city which has~~
28 ~~over three hundred thousand inhabitants, and is situated in more than one county.]~~ If the election
29 authority receives ten or more applications for absentee ballots from the same address it ~~[may]~~
30 **shall** appoint a team to deliver and witness the voting and return of absentee ballots by voters
31 residing at that address, except when such addresses are for an apartment building or other
32 structure wherein individual living units are located, each of which has its own separate cooking
33 facilities. Each team appointed pursuant to this subsection shall consist of two registered voters,
34 one from each major political party. Both members of any team appointed pursuant to this
35 subsection shall be present during the delivery, signing or voting and return of any application
36 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" and
39 "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 election**
7 ~~day [for an election that occurs during the year 2020, the voter has contracted or is in an at-risk~~
8 ~~category for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as~~
9 ~~defined in section 115.277,]~~ or the voter is a covered voter as defined in section 115.902. If the
10 voter is blind, unable to read or write the English language, or physically incapable of voting the
11 ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting
12 a voter who is not entitled to such assistance, and any person who assists a voter and in any
13 manner coerces or initiates a request or a suggestion that the voter vote for or against or refrain
14 from voting on any question, ticket or candidate, shall be guilty of a class one election offense.
15 If, upon counting, challenge or election contest, it is ascertained that any absentee ballot was
16 voted with unlawful assistance, the ballot shall be rejected. ~~[For purposes of this subsection, the~~
17 ~~voters who are in an at-risk category for contracting or transmitting severe acute respiratory~~
18 ~~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 cast
28 by the voter in person in the office of the election authority shall be returned to the election
29 authority in the ballot envelope and shall only be returned by the voter in person, or in person by
30 a relative of the voter who is within the second degree of consanguinity or affinity, by mail or
31 registered carrier or by a team of deputy election authorities; except that covered voters, when

32 sent from a location determined by the secretary of state to be inaccessible on election day, shall
33 be allowed to return their absentee ballots cast by use of facsimile transmission or under a
34 program approved by the Department of Defense for electronic transmission of election
35 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 may
38 provide for the delivery and return of absentee ballots by use of a facsimile transmission device
39 or system. Any rule promulgated pursuant to this subsection shall apply to a class or classes of
40 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 on
43 envelope type.

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

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

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

12
13 I, _____, a resident and registered voter of the county of _____ and the state of
14 Missouri, residing at _____, do announce myself a candidate for the office of _____ on the
15 _____ party ticket, to be voted for at the primary election to be held on the _____ day of
16 _____, _____, and I further declare that if nominated and elected to such office I will qualify.

17 _____ Subscribed and sworn

18 Signature of candidate to before me this
19 _____ day of
20 _____, _____

21 _____
22 Residence address Signature of election
23 official or other officer
24 authorized to

25 administer oaths

26 _____
27 Mailing address (if different)

29 Telephone Number (Optional)

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

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 which
3 include the following information: ~~if paper ballots or an electronic voting system is used, the~~
4 ~~instructions shall inform the voter on~~ how to obtain a ballot for voting, how to vote and prepare
5 the ballot for deposit in the ballot box and how to obtain a new ballot to replace one accidentally
6 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 in
11 which a person may cast an absentee ballot and on election day a sample version of the ballot
12 that will be used for that election, the date of the election, the hours during which the polling
13 place will be open, instructions for mail-in registrants and first-time voters, general information
14 on voting rights in accordance with the state plan filed by the secretary of state pursuant to the
15 Help America Vote Act of 2002, general information on the right to cast a provisional ballot and
16 instructions for provisional ballots, how to contact appropriate authorities if voting rights have
17 been violated, and general information on federal and Missouri law regarding prohibitions on
18 acts of fraud and misrepresentation. The secretary of state may promulgate rules to execute this
19 section. No rule or portion of a rule promulgated pursuant to the authority of this section shall
20 become effective unless it has been promulgated pursuant to chapter 536.

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

115.427. 1. Persons seeking to vote in a public election shall establish their identity and
2 eligibility to vote at the polling place **or, if voting absentee in person under section 115.277,**
3 **at the office of the election authority or other authorized location designated by the election**

4 **authority** by presenting a form of personal **photo** identification to election officials. No form
5 of personal identification other than the forms listed in this section shall be accepted to establish
6 a voter's qualifications to vote. Forms of personal identification that satisfy the requirements of
7 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 issued,
12 and the name substantially conforms to the most recent signature in the individual's voter
13 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 the
19 Missouri National Guard, the United States Armed Forces, **including Space Force**, or the United
20 States Department of Veteran Affairs to a member or former member of the Missouri National
21 Guard or the United States Armed Forces, **including Space Force**, and that is not expired or
22 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 at
25 that polling place ~~may execute a statement, under penalty of perjury, averring that the individual~~
~~is the person listed in the precinct register; averring that the individual does not possess a form~~
~~of personal identification described in subsection 1 of this section; acknowledging that the~~
~~individual is eligible to receive a Missouri nondriver's license free of charge if desiring it in order~~
~~to vote; and acknowledging that the individual is required to present a form of personal~~
~~identification, as described in subsection 1 of this section, in order to vote. Such statement shall~~
~~be executed and sworn to before the election official receiving the statement. Upon executing~~
~~such statement, the individual may cast a regular ballot, 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~~
~~election authority of the state;~~
- 35 (b) ~~Identification issued by the United States government or agency thereof;~~
- 36 (c) ~~Identification issued by an institution of higher education, including a university,~~
~~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 other~~
40 ~~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 at~~
45 ~~that polling place, the election authority may take a picture of such individual and keep it as part~~
46 ~~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 person~~
51 ~~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

55 "State of _____

56 County of _____

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

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

66 _____

67 Signature of voter _____

68 Subscribed and affirmed before me this _____ day of _____, 20_____

69 _____

70 Signature of election official" _____

71

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 judges~~

74 shall make a notation on the provisional ballot envelope to indicate that the voter's identity was
75 not verified.

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

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

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

- 91 **(a) Nonexpired Missouri driver's license;**
- 92 **(b) Nonexpired or nonexpiring Missouri nondriver's license;**
- 93 **(c) A document that satisfies all of the following requirements:**
 - 94 **(i) The document contains my name, in substantially the same form**
95 **as the most recent signature on my voter registration record;**
 - 96 **(ii) The document contains my photograph;**
 - 97 **(iii) The document contains an expiration date and is not expired, or**
98 **if expired, the document expired after the date of the most recent general**
99 **election; and**
 - 100 **(iv) The document was issued by the United States or the state of**
101 **Missouri; or**
 - 102 **(d) Identification containing my photograph issued to me by the**
103 **Missouri National Guard, the United States Armed Forces, including Space**
104 **Force, or the United States Department of Veteran Affairs as a member or**
105 **former member of the Missouri National Guard or the United States Armed**
106 **Forces, including Space Force, that is not expired or does not have an**
107 **expiration date;**

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

(3) This provisional ballot otherwise qualifies to be counted under the laws of the state of Missouri.

Signature of Voter

Date

Signatures of Election Officials"

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

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

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

126 (b) The election authority verifies the identity of the individual by comparing that
127 individual's signature to the signature on file with the election authority and determines that the
128 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.

130 5. [The secretary of state shall provide advance notice of the personal identification
131 requirements of subsection 1 of this section in a manner calculated to inform the public generally
132 of the requirement for forms of personal identification as provided in this section. Such advance
133 notice shall include, at a minimum, the use of advertisements and public service announcements
134 in print, broadcast television, radio, and cable television media, as well as the posting of
135 information on the opening pages of the official state internet websites of the secretary of state
136 and governor.

137 ———6.] (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the
138 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any
139 otherwise qualified voter who does not already possess such identification and who desires the
140 identification ~~in order to vote~~ for voting.

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

144 (a) A birth certificate;
145 (b) A marriage license or certificate;
146 (c) A divorce decree;
147 (d) A certificate of decree of adoption;
148 (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 State
151 proving citizenship.

152
153 Any individual seeking one of the above documents in order to obtain a form of personal
154 identification described in subsection 1 of this section ~~in order to vote~~ for voting may request
155 the secretary of state to facilitate the acquisition of such documents. The secretary of state shall
156 pay any fee or fees charged by another state or its agencies, or any court of competent jurisdiction
157 in this state or any other state, or the federal government or its agencies, in order to obtain any
158 of the above documents from such state or the federal government.

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

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

173 [7.] 6. The director of the department of revenue shall, by January first of each year,
174 prepare and deliver to each member of the general assembly a report documenting the number
175 of individuals who have requested and received a nondriver's license photo identification for the
176 purposes of voting under this section. The report shall also include the number of persons
177 requesting a nondriver's license for purposes of voting under this section, but not receiving such
178 license, and the reason for the denial of the nondriver's license.

179 [8-] 7. The precinct register shall serve as the voter identification certificate. The
180 following form shall be printed at the top of each page of the precinct register:

181 VOTER'S IDENTIFICATION CERTIFICATE

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

184 PRECINCT

185 WARD OR TOWNSHIP _____

186 GENERAL (SPECIAL, PRIMARY) ELECTION Held _____, 20_____ Date

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

189 [9-] 8. The secretary of state shall promulgate rules to effectuate the provisions of this
190 section.

191 [10-] 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is
192 created under the authority delegated in this section shall become effective only if it complies
193 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
194 This section and chapter 536 are nonseverable and if any of the powers vested with the general
195 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and
196 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
197 any rule proposed or adopted after August 28, 2002, shall be invalid and void.

198 [11-] 10. If any voter is unable to sign his name at the appropriate place on the certificate
199 or computer printout, an election judge shall print the name and address of the voter in the
200 appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and
201 the voter's mark shall be witnessed by the signature of an election judge.

202 [12. This section shall become effective only upon the passage and approval by the voters
203 of a constitutional amendment submitted to them by the general assembly regarding the
204 authorization of photo identification requirements for elections by general law. If such
205 constitutional amendment is approved by the voters, this section shall become effective June 1,
206 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 into the ballot box, the ballot is deemed cast.**

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

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

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

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

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

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

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

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

115.652. [1.] 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 election
4 be conducted by mail. Such request shall be submitted not later than the date specified in section
5 115.125 for submission of the notice of election and sample ballot;

6 (2) The election authority responsible for conducting the election authorizes the use of
7 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 provision
13 of law to the contrary, an election may be conducted by mail as authorized under section
14 115.302, during the year 2020, to avoid the risk of contracting or transmitting severe acute
15 respiratory syndrome coronavirus 2. This subsection shall expire December 31, 2020.]

115.960. 1. An election authority is authorized to accept voter registration applications
2 with a signature submitted to the election authority under the provisions of sections 432.200 to
3 432.295 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 sections
7 432.200 to 432.295, the parties who agree to conduct voter registration transactions by electronic
8 means shall be the local election authority who is required to accept or reject a voter registration
9 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 electronic
14 signature to an election authority without first obtaining approval of the data and signature
15 format from the local election authority and the approval of the voter to collect and store the
16 signature and data; and

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

20 2. A system maintained by the secretary of state's office shall be used to accept voter
21 registration applications electronically subsequent to approval from the committee formed as set
22 forth in this subsection:

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

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

39 (3) Once the format and data collection standards are approved by the committee and
40 implemented for the system maintained by the secretary of state, local election authorities shall
41 accept the transmission of voter registration applications submitted to the approved system under
42 the provisions of sections 432.200 to 432.295;

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

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

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

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

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

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

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

68 7. ~~[Notwithstanding the provisions of section 432.230] Except as provided under~~
69 ~~sections 115.160 and 432.230,~~ nothing in this section shall require the election authority to
70 accept voter registration records or signatures created, generated, sent, communicated, received,
71 stored, or otherwise processed, or used by electronic means or in electronic form from any

72 officer, agency, or organization not authorized under subsection 2 of this section without prior
73 approval from the election authority. **Election authorities shall accept and process voter**
74 **registration records, including electronic images of applicant signatures, transmitted**
75 **electronically by the division of motor vehicle and drivers licensing of the department of**
76 **revenue under section 115.160.** Except as provided in subsection 2 of this section **and section**
77 **115.160**, no officer, agency, or organization shall give the voter the opportunity to submit a voter
78 registration application with an electronic signature without first obtaining the approval of the
79 local election authority.

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

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

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

116.225. The election authority for any political subdivision or special district of
2 **this state shall label ballot measures of any type that are submitted to a vote of the people**
3 **alphabetically in the order in which they are submitted by petition, ordinance, vote of a**
4 **political subdivision or special district, or other method authorized by law. The secretary**
5 **of state shall label statutory initiative and referendum measures with the letters A through**
6 **I. Local election authorities shall label county ballot measures with the letters J through**
7 **R, and local ballot measures with the letters S through Z. The election authority shall label**
8 **the first ballot measure in each category with the first letter in the sequence designated for**
9 **that category, and so on consecutively through the last letter designated for the category,**
10 **and then begin labeling with the first letter for the category followed by an "A" and so on.**
11 **A new series of letters shall be started after each election. In the event that a ballot**
12 **measure of any type involves multiple jurisdictions, then it shall be labeled with a numeral**
13 **beginning with the number one. Such ballot measures shall be numbered consecutively**
14 **based upon the time of notice of the ballot measure to the requisite election authority.**
15 **Election authorities may coordinate with each other, or with the secretary of state, to**
16 **maintain a database or other record to facilitate numerical assignment. A new series of**
17 **numbers shall be started after each election. In the event a measure is labeled prior to, but**
18 **not voted on at, the next succeeding election, the letter or number assigned to such measure**
19 **shall not be reassigned until after such measure has been voted on by the people.**

Section 1. Notwithstanding any other provision of law to the contrary, no use of
2 mail-in ballots shall be authorized by any executive or administrative order and no

3 authorization for the use of mail-in ballots shall be inferred from any general law. This
4 section shall not preclude the use of absentee ballots authorized under chapter 115. Any
5 expansion of the use of mail-in ballots subsequent to the effective date of this section shall
6 require the repeal of this section by explicit reference thereto.

Section 2. 1. No election authority, or employee thereof, shall report any
information whatsoever concerning vote returns to any party, other than an election
authority or employee, until all removable media devices, or other methods of data
transport, are secured.

2. As soon as practicable after the election, the election authority shall count all
ballots cast, unused ballots, spoiled ballots, and provisional ballots to ensure that the same
number of ballots which the election authority sent to each precinct were returned to the
election authority at the close of the polls. Any discrepancy in such ballot numbers shall
be immediately reported to the secretary of state.

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

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

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

4. Each application for a mail-in ballot shall be signed by the applicant
or, if the application is made by a guardian or relative under this section, the
application shall be signed by the guardian or relative, who shall note on the
application his or her relationship to the applicant. If an applicant, guardian, or
relative is blind, unable to read or write the English language, or physically
incapable of signing the application, he or she shall sign by mark that is
witnessed by the signature of an election official or person of his or her choice.

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

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

39 _____ 7. The statement for persons voting mail-in ballots who are registered
40 voters shall be in substantially the following form:

42 ————— State of Missouri

43 _____ County (City) of _____

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

54 —

55

56 _____ Signature of Voter _____ Signature of Person

57 _____ Assisting Voter
58 _____ (if applicable)

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

61 _____
62 _____ Signature of notary or other officer authorized to
63 administer oaths.

64 _____
65 _____

66 _____ Mailing addresses
67 _____ (if different)

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

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

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

85 11. Upon receiving a mail-in ballot by mail, the voter shall mark the
86 ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill
87 out the statement on the ballot envelope. The statement required under
88 subsection 7 of this section shall be subscribed and sworn to before a notary
89 public or other officer authorized by law to administer oaths. If the voter is blind,
90 unable to read or write the English language, or physically incapable of voting the
91 ballot, the voter may be assisted by a person of the voter's own choosing. Any
92 person who assists a voter and in any manner coerces or initiates a request or
93 suggestion that the voter vote for or against, or refrain from voting on, any

95 question or candidate, shall be guilty of a class one election offense. If, upon
96 counting, challenge, or election contest, it is ascertained that any mail-in ballot
97 was voted with unlawful assistance, the ballot shall be rejected.

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

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

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

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

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

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

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

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

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

134 21. The provisions of this section terminate and shall be repealed on
135 December 31, 2020, and shall not apply to any election conducted after that date.]
136

1 116.220. The secretary of state shall label statutory initiative and
2 referendum measures alphabetically in the order in which they are submitted by
3 petition or in the order in which they are passed by the general assembly. The
4 secretary of state shall label the first as "Proposition A", and so on consecutively
5 through the letter Z, and then begin labeling as "Proposition AA" and so on. A
6 new series of letters shall be started after each general election. In the event a
7 measure is labeled prior to, but not voted on at, the next succeeding general
8 election, the letter assigned to such measure shall not be reassigned until after
9 such measure has been voted on by the people.]

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