

FIRST REGULAR SESSION

# SENATE BILL NO. 154

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

0499S.01I

ADRIANE D. CROUSE, Secretary

## AN ACT

To repeal sections 115.137, 115.155, 115.157, 115.163, 115.225, 115.249, 115.279, 115.287, 115.327, 115.349, 115.351, 115.363, 115.395, 115.397, 115.409, 115.429, and 115.770, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with penalty provisions and a delayed effective date for certain sections.

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

Section A. Sections 115.137, 115.155, 115.157, 115.163, 2 115.225, 115.249, 115.279, 115.287, 115.327, 115.349, 115.351, 3 115.363, 115.395, 115.397, 115.409, 115.429, and 115.770, RSMo, 4 are repealed and nineteen new sections enacted in lieu thereof, 5 to be known as sections 115.137, 115.155, 115.157, 115.163, 6 115.168, 115.225, 115.249, 115.279, 115.287, 115.327, 115.349, 7 115.351, 115.363, 115.395, 115.397, 115.398, 115.409, 115.429, 8 and 115.770, to read as follows:

115.137. 1. Except as provided in subsection 2 of 2 this section, any citizen who is entitled to register and 3 vote shall be entitled to register for and vote pursuant to 4 the provisions of this chapter in all statewide public 5 elections and all public elections held for districts and 6 political subdivisions within which he resides.

7 2. Any person who and only persons who fulfill the 8 ownership requirements shall be entitled to vote in 9 elections for which ownership of real property is required 10 by law for voting.

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**



27	Home Address	Required Personal
28		Identification
29		Information
30	_____	
31	City ZIP	
32	_____	_____
33	Date of Birth	Place of Birth
34		(Optional)
35	_____	_____
36	Telephone Number	Mother's Maiden
37	(Optional)	Name (Optional)
38	_____	_____
39	Occupation	Last Place
40	(Optional)	Previously
41		Registered
42	_____	_____
43	Last four digits of	Under What Name
44	Social Security	
45	Number (Required	
46	for registration	
47	unless no Social	
48	Security number	
49	exists for	
50	Applicant)	
51	<b>Political Party</b>	
52	<b>Affiliation</b>	
53	<b>(Optional.</b>	
54	<b>However, if you</b>	
55	<b>make a designation,</b>	
56	<b>you will only be</b>	
57	<b>allowed to vote for</b>	
58	<b>candidates of the</b>	
59	<b>designated</b>	
60	<b>political party in</b>	



97 **election authority shall mark the applicant's form as**  
98 **unaffiliated.**

99       **3.** After supplying all information necessary for the  
100 registration records, each applicant who appears in person  
101 before the election authority shall swear or affirm the  
102 statements on the registration application by signing his or  
103 her full name, witnessed by the signature of the election  
104 authority or such authority's deputy registration official.  
105 Each applicant who applies to register by mail pursuant to  
106 section 115.159, or pursuant to section 115.160 or 115.162,  
107 shall attest to the statements on the application by his or  
108 her signature.

109       **[3.] 4.** Upon receipt by mail of a completed and signed  
110 voter registration application, a voter registration  
111 application forwarded by the division of motor vehicle and  
112 drivers licensing of the department of revenue pursuant to  
113 section 115.160, or a voter registration agency pursuant to  
114 section 115.162, the election authority shall, if satisfied  
115 that the applicant is entitled to register, transfer all  
116 data necessary for the registration records from the  
117 application to its registration system. Within seven  
118 business days after receiving the application, the election  
119 authority shall send the applicant a verification notice.  
120 If such notice is returned as undeliverable by the postal  
121 service within the time established by the election  
122 authority, the election authority shall not place the  
123 applicant's name on the voter registration file.

124       **[4.] 5.** If, upon receipt by mail of a voter  
125 registration application or a voter registration application  
126 forwarded pursuant to section 115.160 or 115.162, the  
127 election authority determines that the applicant is not  
128 entitled to register, such authority shall, within seven

129 business days after receiving the application, so notify the  
130 applicant by mail and state the reason such authority has  
131 determined the applicant is not qualified. The applicant  
132 may file a complaint with the elections division of the  
133 secretary of state's office under and pursuant to section  
134 115.219. If an applicant for voter registration fails to  
135 answer the question on the application concerning United  
136 States citizenship, the election authority shall notify the  
137 applicant of the failure and provide the applicant with an  
138 opportunity to complete the form in a timely manner to allow  
139 for the completion of the registration form before the next  
140 election.

141 [5.] 6. The secretary of state shall prescribe  
142 specifications for voter registration documents so that they  
143 are uniform throughout the state of Missouri and comply with  
144 the National Voter Registration Act of 1993, including the  
145 reporting requirements, and so that registrations, name  
146 changes and transfers of registrations within the state may  
147 take place as allowed by law.

148 [6.] 7. All voter registration applications shall be  
149 preserved in the office of the election authority.

115.157. 1. The election authority may place all  
2 information on any registration cards in computerized form  
3 in accordance with section 115.158. No election authority  
4 or secretary of state shall furnish to any member of the  
5 public electronic media or printout showing any registration  
6 information, except as provided in this section. Except as  
7 provided in subsection 2 of this section, the election  
8 authority or secretary of state shall make available  
9 electronic media or printouts showing unique voter  
10 identification numbers, voters' names, dates of birth,  
11 addresses, townships or wards, and precincts. Electronic

12 data shall be maintained in at least the following separate  
13 fields:

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

34 2. All election authorities shall enter voter history  
35 in their computerized registration systems and shall, not  
36 more than six months after the election, forward such data  
37 to the Missouri voter registration system established in  
38 section 115.158. In addition, election authorities shall  
39 forward registration and other data in a manner prescribed  
40 by the secretary of state to comply with the Help America  
41 Vote Act of 2002.

42 3. Except as provided in subsection 6 of this section,  
43 the election authority shall furnish, for a fee, electronic

44 media or a printout showing the names, dates of birth [and],  
45 addresses, **and political party affiliations or**  
46 **unaffiliations** of voters, or any part thereof, within the  
47 jurisdiction of the election authority who voted in any  
48 specific election, including primary elections, by township,  
49 ward or precinct, provided that nothing in this chapter  
50 shall require such voter information to be released to the  
51 public over the internet.

52 4. Except as provided in subsection 6 of this section,  
53 upon a request by a candidate, a duly authorized  
54 representative of a campaign committee, or a political party  
55 committee, the secretary of state shall furnish, for a fee  
56 determined by the secretary of state and in compliance with  
57 section 610.026, media in an electronic format or, if so  
58 requested, in a printed format, showing the names,  
59 addresses, [and] voter identification numbers, **and political**  
60 **party affiliations or unaffiliations** of voters within the  
61 jurisdiction of a specific election authority who applied  
62 for an absentee ballot under section 115.279 for any  
63 specific election involving a ballot measure or an office  
64 for which the declaration of candidacy is required to be  
65 filed with the secretary of state pursuant to section  
66 115.353, including primary elections, by township, ward, or  
67 precinct. Nothing in this section shall require such voter  
68 information to be released to the public over the internet.  
69 For purposes of this section, the terms "candidate",  
70 "campaign committee", and "political party committee" shall  
71 have the same meaning given to such terms in section 130.011.

72 5. The amount of fees charged for information provided  
73 in this section shall be established pursuant to chapter  
74 610. All revenues collected by the secretary of state  
75 pursuant to this section shall be deposited in the state



76 treasury and credited to the secretary of state's technology  
77 trust fund account established pursuant to section 28.160.  
78 In even-numbered years, each election authority shall, upon  
79 request, supply the voter registration list for its  
80 jurisdiction to all candidates and party committees for a  
81 charge established pursuant to chapter 610. Except as  
82 provided in subsection 6 of this section, all election  
83 authorities shall make the information described in this  
84 section available pursuant to chapter 610. Any election  
85 authority who fails to comply with the requirements of this  
86 section shall be subject to the provisions of chapter 610.

87         6. Any person working as an undercover officer of a  
88 local, state or federal law enforcement agency, persons in  
89 witness protection programs, and victims of domestic  
90 violence and abuse who have received orders of protection  
91 pursuant to chapter 455 shall be entitled to apply to the  
92 circuit court having jurisdiction in his or her county of  
93 residence to have the residential address on his or her  
94 voter registration records closed to the public if the  
95 release of such information could endanger the safety of the  
96 person. Any person working as an undercover agent or in a  
97 witness protection program shall also submit a statement  
98 from the chief executive officer of the agency under whose  
99 direction he or she is serving. The petition to close the  
100 residential address shall be incorporated into any petition  
101 for protective order provided by circuit clerks pursuant to  
102 chapter 455. If satisfied that the person filing the  
103 petition meets the qualifications of this subsection, the  
104 circuit court shall issue an order to the election authority  
105 to keep the residential address of the voter a closed record  
106 and the address may be used only for the purposes of  
107 administering elections pursuant to this chapter. The

108 election authority may require the voter who has a closed  
109 residential address record to verify that his or her  
110 residential address has not changed or to file a change of  
111 address and to affirm that the reasons contained in the  
112 original petition are still accurate prior to receiving a  
113 ballot. A change of address within an election authority's  
114 jurisdiction shall not require that the voter file a new  
115 petition. Any voter who no longer qualifies pursuant to  
116 this subsection to have his or her residential address as a  
117 closed record shall notify the circuit court. Upon such  
118 notification, the circuit court shall void the order closing  
119 the residential address and so notify the election authority.

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

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

14 3. **(1)** The election authority shall send to each  
15 voter, except those who registered by mail and have not  
16 voted, a voter identification card no later than ninety days  
17 prior to the date of a primary or general election for  
18 federal office, unless the voter has received such a card  
19 during the preceding six months. The election authority  
20 shall send to each voter who registered by mail and has not

21 voted the verification notice required under section 115.155  
22 no later than ninety days prior to the date of a primary or  
23 general election for federal office.

24 (2) The voter identification card shall contain the  
25 voter's name, address, [and] precinct, **and political party**  
26 **affiliation or unaffiliation**. The card also shall inform  
27 the voter of the personal identification requirement in  
28 section 115.427 and may also contain other voting  
29 information at the discretion of the election authority.

30 (3) The voter identification card shall be sent to a  
31 voter, except those who registered by mail and have not  
32 voted, after a new registration or a change of address. If  
33 any voter, except those who registered by mail and have not  
34 voted, shall lose his **or her** voter identification card **or**  
35 **change political party affiliation or unaffiliation**, he **or**  
36 **she** may request a new [one] **card** from the election authority.

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

40 (5) Except as provided in subsection 2 of section  
41 115.157, anyone, upon request and payment of a reasonable  
42 fee, may obtain a printout, list and/or computer tape of  
43 those newly registered voters or voters deleted from the  
44 voting rolls, since the last canvass or updating of the  
45 rolls.

46 (6) The election authority may authorize the use of  
47 the postal service contractors under the federal National  
48 Change of Address program to identify those voters whose  
49 address is not correct on the voter registration records.  
50 The election authority shall not be required to mail a voter  
51 registration card to those voters whose addresses are  
52 incorrect. Confirmation notices to such voters required by

53 section 115.193 shall be sent to the corrected address  
54 provided by the National Change of Address program.

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

(2) Except as otherwise provided in subdivision (3) of  
8 this subsection, beginning January 1, 2025, if a registered  
9 voter changes his or her political party affiliation within  
10 twenty-three weeks of a primary election of an established  
11 political party, the voter's change of affiliation shall not  
12 be applied by the election authority to his or her voter  
13 registration until after such election. A registered voter  
14 may only vote in the primary election of the established  
15 political party with which he or she was affiliated on the  
16 twenty-third Tuesday before such election.

(3) In any year in which a presidential preference  
18 primary is held, a registered voter may change his or her  
19 political party affiliation for purposes of voting in a  
20 primary election no later than fifteen weeks prior to the  
21 primary election.

(4) For purposes of this subsection, the phrase  
23 "change his or her political party affiliation" shall mean  
24 changing affiliation from one established political party to  
25 another established political party, changing from  
26 affiliation with an established political party to  
27 unaffiliated, or changing from unaffiliated to an  
28 established political party.

2. Notwithstanding any provision of this section to  
30 the contrary, any person who was not previously registered

31 to vote in this state prior to a primary election or a  
32 presidential preference primary of an established political  
33 party and who submits a voter registration application by 5  
34 p.m. on the fourth Wednesday prior to such an election may  
35 choose a political party affiliation or unaffiliation and  
36 may vote in such election.

37 3. Any person who was registered to vote in this state  
38 as of August 28, 2021, shall be considered by the election  
39 authority to be unaffiliated with an established political  
40 party unless such person:

41 (1) Votes in a primary election or a presidential  
42 preference primary of an established political party after  
43 August 28, 2021, but before September 1, 2024, in which case  
44 the election authority shall make a notation on such  
45 person's voter registration pursuant to section 115.398; or

46 (2) Files a change in political party affiliation form  
47 pursuant to subsection 1 of this section.

115.225. 1. Before use by election authorities in  
2 this state, the secretary of state shall approve the marking  
3 devices and the automatic tabulating equipment used in  
4 electronic voting systems and may promulgate rules and  
5 regulations to implement the intent of sections 115.225 to  
6 115.235.

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

9 (1) Permits voting in absolute secrecy;

10 (2) Permits each voter to vote for as many candidates  
11 for each office as a voter is lawfully entitled to vote for;

12 (3) Permits each voter to vote for or against as many  
13 questions as a voter is lawfully entitled to vote on, and no  
14 more;

15           (4) Provides facilities for each voter to cast as many  
16 write-in votes for each office as a voter is lawfully  
17 entitled to cast;

18           (5) Permits each voter in a primary election to vote  
19 for the candidates of only one party [announced by the voter  
20 in advance];

21           (6) Permits each voter at a presidential election to  
22 vote by use of a single mark for the candidates of one party  
23 or group of petitioners for president, vice president and  
24 their presidential electors;

25           (7) Accurately counts all proper votes cast for each  
26 candidate and for and against each question;

27           (8) Is set to reject all votes, except write-in votes,  
28 for any office and on any question when the number of votes  
29 exceeds the number a voter is lawfully entitled to cast;

30           (9) Permits each voter, while voting, to clearly see  
31 the ballot label;

32           (10) Has been tested and is certified by an  
33 independent authority that meets the voting system standards  
34 developed by the Federal Election Commission or its  
35 successor agency. The provisions of this subdivision shall  
36 not be required for any system purchased prior to August 28,  
37 2002.

38           3. The secretary of state shall promulgate rules and  
39 regulations to allow the use of a computerized voting  
40 system. The procedures shall provide for the use of a  
41 computerized voting system with the ability to provide a  
42 paper audit trail. Notwithstanding any provisions of this  
43 chapter to the contrary, such a system may allow for the  
44 storage of processed ballot materials in an electronic form.

45           4. Any rule or portion of a rule, as that term is  
46 defined in section 536.010, that is created under the

47 authority delegated in this section shall become effective  
48 only if it complies with and is subject to all of the  
49 provisions of chapter 536 and, if applicable, section  
50 536.028. This section and chapter 536 are nonseverable and  
51 if any of the powers vested with the general assembly  
52 pursuant to chapter 536 to review, to delay the effective  
53 date or to disapprove and annul a rule are subsequently held  
54 unconstitutional, then the grant of rulemaking authority and  
55 any rule proposed or adopted after August 28, 2002, shall be  
56 invalid and void.

115.249. No voting machine shall be used unless it:

- 2 (1) Permits voting in absolute secrecy;
- 3 (2) Permits each voter to vote for as many candidates  
4 for each office as he is lawfully entitled to vote for, and  
5 no other;
- 6 (3) Permits each voter to vote for or against as many  
7 questions as he is lawfully entitled to vote on, and no more;
- 8 (4) Provides facilities for each voter to cast as many  
9 write-in votes for each office as he is lawfully entitled to  
10 cast;
- 11 (5) Permits each voter in a primary election to vote  
12 for the candidates of only one party [announced by the voter  
13 in advance];
- 14 (6) Correctly registers or records and accurately  
15 counts all votes cast for each candidate and for and against  
16 each question;
- 17 (7) Is provided with a lock or locks which prevent any  
18 movement of the voting or registering mechanism and any  
19 tampering with the mechanism;
- 20 (8) Is provided with a protective counter or other  
21 device whereby any operation of the machine before or after  
22 an election will be detected;

23           (9) Is provided with a counter which shows at all  
24 times during the election how many people have voted on the  
25 machine;

26           (10) Is provided with a proper light which enables  
27 each voter, while voting, to clearly see the ballot labels.

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

8           2. Each application shall be made to the election  
9 authority of the jurisdiction in which the person is or  
10 would be registered. Each application shall be in writing  
11 and shall state the applicant's name, address at which he or  
12 she is or would be registered, his or her reason for voting  
13 an absentee ballot, the address to which the ballot is to be  
14 mailed, if mailing is requested, and for absent uniformed  
15 services and overseas applicants, the applicant's email  
16 address if electronic transmission is requested. If the  
17 reason for the applicant voting absentee is due to the  
18 reasons established under subdivision (6) of subsection 1 of  
19 section 115.277, the applicant shall state the voter's  
20 identification information provided by the address  
21 confidentiality program in lieu of the applicant's name,  
22 address at which he or she is or would be registered, and  
23 address to which the ballot is to be mailed, if mailing is  
24 requested. [Each application to vote in a primary election  
25 shall also state which ballot the applicant wishes to  
26 receive. If any application fails to designate a ballot,  
27 the election authority shall, within three working days



28 after receiving the application, notify the applicant by  
29 mail that it will be unable to deliver an absentee ballot  
30 until the applicant designates which political party ballot  
31 he or she wishes to receive. If the applicant does not  
32 respond to the request for political party designation, the  
33 election authority is authorized to provide the voter with  
34 that part of the ballot for which no political party  
35 designation is required.]

36 3. [Except as provided in subsection 3 of section  
37 115.281,] All applications for absentee ballots received  
38 prior to the sixth Tuesday before an election shall be  
39 stored at the office of the election authority until such  
40 time as the applications are processed in accordance with  
41 section 115.281. No application for an absentee ballot  
42 received in the office of the election authority by mail, by  
43 facsimile transmission, by electronic mail, or by a guardian  
44 or relative after 5:00 p.m. on the second Wednesday  
45 immediately prior to the election shall be accepted by any  
46 election authority. No application for an absentee ballot  
47 submitted by the applicant in person after 5:00 p.m. on the  
48 day before the election shall be accepted by any election  
49 authority, except as provided in subsections 6, 8 and 9 of  
50 this section.

51 4. Each application for an absentee ballot shall be  
52 signed by the applicant or, if the application is made by a  
53 guardian or relative pursuant to this section, the  
54 application shall be signed by the guardian or relative, who  
55 shall note on the application his or her relationship to the  
56 applicant. If an applicant, guardian or relative is blind,  
57 unable to read or write the English language or physically  
58 incapable of signing the application, he or she shall sign  
59 by mark, witnessed by the signature of an election official

60 or person of his or her own choosing. Any person who  
61 knowingly makes, delivers or mails a fraudulent absentee  
62 ballot application shall be guilty of a class one election  
63 offense.

64 5. (1) Notwithstanding any law to the contrary, any  
65 resident of the state of Missouri who resides outside the  
66 boundaries of the United States or who is on active duty  
67 with the Armed Forces of the United States or members of  
68 their immediate family living with them may request an  
69 absentee ballot for both the primary and subsequent general  
70 election with one application.

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

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

82 (4) Not later than sixty days after the date of each  
83 regularly scheduled general election for federal office,  
84 each election authority which administered the election  
85 shall submit to the secretary of state in a format  
86 prescribed by the secretary a report on the combined number  
87 of absentee ballots transmitted to, and returned by, absent  
88 uniformed services voters and overseas voters for the  
89 election. The secretary shall submit to the Election  
90 Assistance Commission a combined report of such information  
91 not later than ninety days after the date of each regularly

92 scheduled general election for federal office and in a  
93 standardized format developed by the commission pursuant to  
94 the Help America Vote Act of 2002. The secretary shall make  
95 the report available to the general public.

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

99 6. An application for an absentee ballot by a new  
100 resident shall be submitted in person by the applicant in  
101 the office of the election authority in the election  
102 jurisdiction in which such applicant resides. The  
103 application shall be received by the election authority no  
104 later than 7:00 p.m. on the day of the election. Such  
105 application shall be in the form of an affidavit, executed  
106 in duplicate in the presence of the election authority or  
107 any authorized officer of the election authority, and in  
108 substantially the following form:

109 "STATE OF \_\_\_\_\_

110 COUNTY OF \_\_\_\_\_, ss.

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

112 (1) Before becoming a resident of this state, I resided at  
113 \_\_\_\_\_ (residence address) in \_\_\_\_\_ (town, township,  
114 village or city) of \_\_\_\_\_ County in the state of  
115 \_\_\_\_\_;

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

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

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

125 Signed \_\_\_\_\_

126 (Applicant)

127 \_\_\_\_\_

128 (Residence Address)

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

131 Signed \_\_\_\_\_

132 (Title and name of officer authorized to administer oaths)"  
133

134 7. The election authority in whose office an  
135 application is filed pursuant to subsection 6 of this  
136 section shall immediately send a duplicate of such  
137 application to the appropriate official of the state in  
138 which the new resident applicant last resided and shall file  
139 the original of such application in its office.

140 8. An application for an absentee ballot by an  
141 intrastate new resident shall be made in person by the  
142 applicant in the office of the election authority in the  
143 election jurisdiction in which such applicant resides. The  
144 application shall be received by the election authority no  
145 later than 7:00 p.m. on the day of the election. Such  
146 application shall be in the form of an affidavit, executed  
147 in duplicate in the presence of the election authority or an  
148 authorized officer of the election authority, and in  
149 substantially the following form:

150 "STATE OF \_\_\_\_\_

151 COUNTY OF \_\_\_\_\_, ss.

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

153 (1) Before becoming a resident of this election  
154 jurisdiction, I resided at \_\_\_\_\_ (residence address) in  
155 \_\_\_\_\_ (town, township, village or city) of \_\_\_\_\_  
156 county in the state of \_\_\_\_\_;

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

159 (3) I believe I am entitled pursuant to the laws of this  
160 state to vote in the election to be held \_\_\_\_\_ (date);

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

166 Signed \_\_\_\_\_

167 (Applicant)

168 \_\_\_\_\_

169 (Residence Address)

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

172 Signed \_\_\_\_\_

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

174

175 9. An application for an absentee ballot by an  
176 interstate former resident shall be received in the office  
177 of the election authority where the applicant was formerly  
178 registered by 5:00 p.m. on the second Wednesday immediately  
179 prior to the election, unless the application is made in  
180 person by the applicant in the office of the election  
181 authority, in which case such application shall be made no  
182 later than 7:00 p.m. on the day of the election.

115.287. 1. Upon receipt of a signed application for  
2 an absentee ballot and if satisfied the applicant is

3 entitled to vote by absentee ballot, the election authority  
4 shall, within three working days after receiving the  
5 application, or if absentee ballots are not available at the  
6 time the application is received, within five working days  
7 after they become available, deliver to the voter an  
8 absentee ballot, ballot envelope and such instructions as  
9 are necessary for the applicant to vote. **For applications**  
10 **for an absentee ballot to vote in a primary election, the**  
11 **election authority shall only deliver to the voter the**  
12 **ballot that corresponds to the established political party**  
13 **with which the voter is affiliated, according to his or her**  
14 **voter registration, or, if the voter is unaffiliated, the**  
15 **unaffiliated ballot.** Delivery shall be made to the voter  
16 personally in the office of the election authority or by  
17 bipartisan teams appointed by the election authority, or by  
18 first class, registered, or certified mail at the discretion  
19 of the election authority, or in the case of a covered voter  
20 as defined in section 115.902, the method of transmission  
21 prescribed in section 115.914. Where the election authority  
22 is a county clerk, the members of bipartisan teams  
23 representing the political party other than that of county  
24 clerk shall be selected from a list of persons submitted to  
25 the county clerk by the county chairman of that party. If  
26 no list is provided by the time that absentee ballots are to  
27 be made available, the county clerk may select a person or  
28 persons from lists provided in accordance with section  
29 115.087. If the election authority is not satisfied that  
30 any applicant is entitled to vote by absentee ballot, it  
31 shall not deliver an absentee ballot to the applicant.  
32 Within three working days of receiving such an application,  
33 the election authority shall notify the applicant and state  
34 the reason he or she is not entitled to vote by absentee

35 ballot. The applicant may file a complaint with the  
36 elections division of the secretary of state's office under  
37 and pursuant to section 115.219.

38 2. If, after 5:00 p.m. on the second Wednesday before  
39 an election, any voter from the jurisdiction has become  
40 hospitalized, becomes confined due to illness or injury, or  
41 is confined in an intermediate care facility, residential  
42 care facility, or skilled nursing facility, as such terms  
43 are defined in section 198.006, in the county in which the  
44 jurisdiction is located or in the jurisdiction of an  
45 adjacent election authority within the same county, the  
46 election authority shall appoint a team to deliver, witness  
47 the signing of and return the voter's application and  
48 deliver, witness the voting of and return the voter's  
49 absentee ballot. In counties with a charter form of  
50 government and in cities not within a county, and in each  
51 city which has over three hundred thousand inhabitants, and  
52 is situated in more than one county, if the election  
53 authority receives ten or more applications for absentee  
54 ballots from the same address it may appoint a team to  
55 deliver and witness the voting and return of absentee  
56 ballots by voters residing at that address, except when such  
57 addresses are for an apartment building or other structure  
58 wherein individual living units are located, each of which  
59 has its own separate cooking facilities. Each team  
60 appointed pursuant to this subsection shall consist of two  
61 registered voters, one from each major political party.  
62 Both members of any team appointed pursuant to this  
63 subsection shall be present during the delivery, signing or  
64 voting and return of any application or absentee ballot  
65 signed or voted pursuant to this subsection.

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

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

          115.327. **1.** When submitted for filing, each petition  
2 for the nomination of an independent candidate or for the  
3 formation of a new political party shall be accompanied by a  
4 declaration of candidacy for each candidate to be nominated  
5 by the petition or by the party, respectively. The party's  
6 duly authorized chairman and treasurer shall also submit a  
7 certified complete list of the names and addresses of all  
8 their candidates and the office for which each seeks. The  
9 party shall nominate its candidates in the manner prescribed  
10 in the party's bylaws. If presidential electors are to be  
11 nominated, at least one qualified resident of each  
12 congressional district shall be named as a nominee for  
13 presidential elector. The number of candidates to be  
14 nominated shall equal the number of electors to which the  
15 state is entitled. Each declaration of candidacy for the  
16 office of presidential elector shall be in the form provided  
17 in section 115.399. Each declaration of candidacy for an  
18 office other than presidential elector shall state the  
19 candidate's full name, residence address, office for which  
20 he proposes to be a candidate, the party, if any, upon whose  
21 ticket he is to be a candidate and that if nominated and  
22 elected he will qualify. Each such declaration shall be in  
23 substantially the following form:



24 I, \_\_\_\_\_, a resident and registered voter of the \_\_\_\_\_  
 25 precinct of the town of \_\_\_\_\_ or the \_\_\_\_\_ precinct of  
 26 the \_\_\_\_\_ ward of the city of \_\_\_\_\_, or the \_\_\_\_\_  
 27 precinct of \_\_\_\_\_ township of the county of \_\_\_\_\_ and the  
 28 state of Missouri, do announce myself a candidate for the  
 29 office of \_\_\_\_\_ on the \_\_\_\_\_ ticket, to be voted for at  
 30 the general (special) election to be held on the \_\_\_\_\_ day  
 31 of \_\_\_\_\_, 20\_\_\_\_\_, and I further declare that if  
 32 nominated and elected I will qualify.

33 _____	Subscribed and
34	sworn
35 Signature of	to before me this
36 candidate	
37	_____ day of
38	_____, 20_____
39 _____	_____
40 Residence address	Signature of
41	election
42	official or officer
43	authorized to
44	administer oaths

45 Each such declaration shall be subscribed and sworn to by  
 46 the candidate before the election official accepting the  
 47 candidate's petition, a notary public or other officer  
 48 authorized by law to administer oaths.

49 **2. Any person who files a declaration of candidacy as**  
 50 **an independent candidate or as the candidate of a new**  
 51 **political party for election to an office shall be**  
 52 **unaffiliated with any established political party, as**  
 53 **evidenced by his or her voter registration, no later than**  
 54 **the twenty-third Tuesday prior to the last Tuesday in**  
 55 **February immediately preceding the primary election.**

115.349. 1. Except as otherwise provided in sections  
 2 115.361 to 115.383 or sections 115.755 to 115.785, no  
 3 candidate's name shall be printed on any official primary  
 4 ballot unless the candidate has filed a written declaration  
 5 of candidacy in the office of the appropriate election  
 6 official by 5:00 p.m. on the last Tuesday in March  
 7 immediately preceding the primary election.

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

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

19 I, \_\_\_\_\_, a resident and registered voter of the county of  
 20 \_\_\_\_\_ and the state of Missouri, residing at \_\_\_\_\_, do  
 21 announce myself a candidate for the office of \_\_\_\_\_ on the  
 22 \_\_\_\_\_ party ticket, to be voted for at the primary  
 23 election to be held on the \_\_\_\_\_ day of \_\_\_\_\_,  
 24 and I further declare that if nominated and elected to such  
 25 office I will qualify.

26 \_\_\_\_\_  
 27

28 Signature of  
 29 candidate

30  
 31  
 32 \_\_\_\_\_

Subscribed and  
 sworn

to before me this

\_\_\_\_\_ day of  
 \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

33 Residence address Signature of  
 34 election  
 35 official or other  
 36 officer  
 37 authorized to  
 38 administer oaths

39 \_\_\_\_\_  
 40 Mailing address (if different)

41 \_\_\_\_\_  
 42 Telephone Number (Optional)

43 If the declaration is to be filed in person, it shall be  
 44 subscribed and sworn to by the candidate before an official  
 45 authorized to accept his or her declaration of candidacy.  
 46 If the declaration is to be filed by certified mail pursuant  
 47 to the provisions of subsection 2 of section 115.355, it  
 48 shall be subscribed and sworn to by the candidate before a  
 49 notary public or other officer authorized by law to  
 50 administer oaths.

51 **4. Any person who files a declaration of candidacy as**  
 52 **a party candidate for nomination or election to an office**  
 53 **shall be affiliated with that political party, as evidenced**  
 54 **by his or her voter registration, no later than the twenty-**  
 55 **third Tuesday prior to the last Tuesday in February**  
 56 **immediately preceding the primary election.**

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

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

115.363. 1. Except as provided in section 115.361, a  
2 party nominating committee of a political party may select a  
3 party candidate for nomination to an office on the primary  
4 election ballot in the following cases:

5 (1) If there are no candidates for nomination as the  
6 party candidate due to death of all the party's candidates  
7 after 5:00 p.m. on the last day in which a person may file  
8 as a candidate for nomination and at or before 5:00 p.m. on  
9 the tenth Tuesday prior to the primary election;

10 (2) If there are no candidates for nomination as the  
11 party candidate due to withdrawal after 5:00 p.m. on the  
12 last day in which a person may file as a candidate for  
13 nomination and at or before 5:00 p.m. on whatever day may be  
14 fixed by law as the final date for withdrawing as a  
15 candidate for the office;

16           (3) If there are no candidates for nomination as the  
17 party candidate due to death or disqualification of all  
18 candidates within seven days prior to the filing deadline  
19 and if no person has filed for the party nomination within  
20 that time;

21           (4) If there are no candidates for nomination as the  
22 party candidate due to disqualification of all party  
23 candidates after 5:00 p.m. on the last day on which a person  
24 may file as a candidate for nomination, and at or before  
25 5:00 p.m. on the tenth Tuesday prior to the primary  
26 election; or

27           (5) If a candidate for the position of political party  
28 committeeman or committeewoman dies or withdraws as provided  
29 in subsection 1 or 2 of section 115.359 after the tenth  
30 Tuesday prior to the primary election, leaving no candidate.

31           2. Any established political party may select a  
32 candidate for nomination, if a candidate who is the  
33 incumbent or only candidate dies, is disqualified or  
34 withdraws pursuant to subsection 1 or 2 of section 115.359  
35 after 5:00 p.m. on the tenth Tuesday prior to the primary  
36 election, and at or before 5:00 p.m. on whatever day is  
37 fixed by law as the final date for withdrawing as a  
38 candidate for the office.

39           3. A party nominating committee may select a party  
40 candidate for election to an office on the general election  
41 ballot in the following cases:

42           (1) If the person nominated as the party candidate  
43 shall die at or before 5:00 p.m. on the tenth Tuesday prior  
44 to the general election;

45           (2) If the person nominated as the party candidate is  
46 disqualified at or before 5:00 p.m. on the tenth Tuesday  
47 prior to the general election;

48           (3) If the person nominated as the party candidate  
49 shall withdraw at or before 5:00 p.m. on whatever day may be  
50 fixed by law as the final date for withdrawing as a  
51 candidate for the office;

52           (4) If a candidate for nomination to an office in  
53 which the person is the party's only candidate dies after  
54 5:00 p.m. on the tenth Tuesday prior to any primary  
55 election, withdraws as provided in subsection 1 of section  
56 115.359 after 5:00 p.m. on the tenth Tuesday prior to any  
57 primary election, or is disqualified after 5:00 p.m. on the  
58 tenth Tuesday before any primary election.

59           4. If a person nominated as a party's candidate who is  
60 unopposed shall die at or before 5:00 p.m. on the tenth  
61 Tuesday prior to the general election, is disqualified at or  
62 before 5:00 p.m. on the tenth Tuesday prior to the general  
63 election, or shall withdraw at or before 5:00 p.m. on  
64 whatever day may be fixed by law as the final date for  
65 withdrawing as a candidate for the office, the party  
66 nominating committee for any established political party may  
67 select a party candidate.

68           5. A party nominating committee may select a party  
69 candidate for election to an office in the following cases:

70           (1) For an election called to fill a vacancy in an  
71 office;

72           (2) For an election held pursuant to the provisions of  
73 section 105.030 to fill an unexpired term resulting from a  
74 vacancy in an office that occurs within fourteen days prior  
75 to the filing deadline for the primary election and not  
76 later than the tenth Tuesday prior to the general election.  
77 If such vacancy occurs prior to the fourteenth day before  
78 the filing deadline for a primary election, filing for the

79 office shall be as provided for in sections 115.307 to  
80 115.359.

81 **6. Any party candidate selected by a party nominating**  
82 **committee pursuant to this section shall be affiliated with**  
83 **the political party of the committee, as evidenced by his or**  
84 **her voter registration.**

115.395. 1. At each primary election, there shall be  
2 as many separate ballots as there are **established political**  
3 parties entitled to participate in the election.  
4 **Additionally, there shall be a separate ballot for**  
5 **unaffiliated voters which shall contain only ballot measures**  
6 **and nonpartisan candidates submitted by political**  
7 **subdivisions and special districts.**

8 2. The names of the candidates for each office on each  
9 party ballot shall be listed in the order in which they are  
10 filed, except that, in the case of candidates who file a  
11 declaration of candidacy with the secretary of state prior  
12 to 5:00 p.m. on the first day for filing, the secretary of  
13 state shall determine by random drawing the order in which  
14 such candidates' names shall appear on the ballot. The  
15 drawing shall be conducted so that each candidate, or  
16 candidate's representative if the candidate filed under  
17 subsection 2 of section 115.355, may draw a number at random  
18 at the time of filing. The secretary of state shall record  
19 the number drawn with the candidate's declaration of  
20 candidacy. The names of candidates filing on the first day  
21 for filing for each office on each party ballot shall be  
22 listed in ascending order of the numbers so drawn. For the  
23 purposes of this subsection, the election authority  
24 responsible for oversight of the filing of candidates, other  
25 than candidates that file with the secretary of state, shall  
26 clearly designate where candidates, or a candidate's

27 representative if the candidate filed under subsection 2 of  
28 section 115.355, shall form a line to effectuate such  
29 filings and determine the order of such filings; except  
30 that, in the case of candidates who file a declaration of  
31 candidacy with the election authority prior to 5:00 p.m. on  
32 the first day for filing, the election authority may  
33 determine by random drawing the order in which such  
34 candidates' names shall appear on the ballot. If a drawing  
35 is conducted pursuant to this subsection, it shall be  
36 conducted so that each candidate, or candidate's  
37 representative if the candidate filed under subsection 2 of  
38 section 115.355, may draw a number at random at the time of  
39 filing. If such drawing is conducted, the election  
40 authority shall record the number drawn with the candidate's  
41 declaration of candidacy. If such drawing is conducted, the  
42 names of candidates filing on the first day for filing for  
43 each office on each party ballot shall be listed in  
44 ascending order of the numbers so drawn.

45 3. Insofar as applicable, the provisions of sections  
46 115.237 and 115.245 shall apply to each ballot prepared for  
47 a primary election, except that the ballot information may  
48 be placed in vertical or horizontal rows, no circle shall  
49 appear under any party name and no write-in lines shall  
50 appear under the name of any office for which a candidate is  
51 to be nominated at the primary. At a primary election,  
52 write-in votes shall be counted only for persons who can be  
53 elected to an office at the primary.

115.397. 1. In each primary election, each voter  
2 shall be entitled to receive the ballot of [one and only  
3 one] **the established** political party[, designated by the  
4 voter before receiving his ballot] **with which such voter is**  
5 **affiliated, as evidenced by his or her voter registration.**



6 Any voter who has chosen to be unaffiliated shall only be  
7 permitted to cast an unaffiliated ballot.

8 2. Each voter who participates in a party primary  
9 shall be entitled to vote on all questions and for any  
10 nonpartisan candidates submitted by political subdivisions  
11 and special districts at the primary election. Each voter  
12 who does not wish to participate in a party primary may vote  
13 on all questions and for any nonpartisan candidates  
14 submitted by a political subdivision or special district at  
15 the primary election.

115.398. 1. For any person who was registered to vote  
2 in this state as of August 28, 2021, if such person  
3 thereafter casts a ballot on a primary election day or a  
4 presidential preference primary election day before  
5 September 1, 2024, such person may pick any ballot and the  
6 election authority shall note the ballot designated and cast  
7 by such person and make a notation on the person's voter  
8 registration as follows:

9 (1) If the person participates in a party primary by  
10 designating the ballot of an established political party,  
11 then the election authority shall make a notation on the  
12 person's voter registration to reflect that he or she is  
13 affiliated with such party;

14 (2) If the person participates in the nonpartisan  
15 primary by designating the unaffiliated ballot with only  
16 questions and nonpartisan candidates, then the election  
17 authority shall make a notation on the person's voter  
18 registration to reflect that he or she is unaffiliated.

19 2. For any person who casts a ballot on a primary  
20 election day or a presidential preference primary election  
21 day after August 28, 2021, but before September 1, 2024, the  
22 notation made by the election authority pursuant to

23 subsection 1 of this section at the last primary election or  
24 presidential preference primary at which the person casts a  
25 ballot shall dictate such person's political party  
26 affiliation or unaffiliation for all primary elections and  
27 presidential preference primary elections held after  
28 September 1, 2024.

115.409. Except election authority personnel, election  
2 judges, watchers and challengers appointed pursuant to  
3 section 115.105 or 115.107, law enforcement officials at the  
4 request of election officials or in the line of duty, minor  
5 children under the age of eighteen accompanying an adult who  
6 is in the process of voting, international observers who  
7 have registered as such with the election authority, persons  
8 designated by the election authority to administer a  
9 simulated youth election for persons ineligible to vote  
10 because of their age, members of the news media who present  
11 identification satisfactory to the election judges and who  
12 are present only for the purpose of bona fide news coverage  
13 except as provided in subdivision (18) of section 115.637,  
14 provided that such coverage does not disclose how any voter  
15 cast the voter's ballot on any question or candidate [or in  
16 the case of a primary election on which party ballot they  
17 voted] or does not interfere with the general conduct of the  
18 election as determined by the election judges or election  
19 authority, and registered voters who are eligible to vote at  
20 the polling place, no person shall be admitted to a polling  
21 place.

115.429. 1. The election judges shall not permit any  
2 person to vote unless satisfied that such person is the  
3 person whose name appears on the precinct register.

4 2. The identity or qualifications of any person  
5 offering to vote may be challenged by any election authority

6 personnel, any registered voter, or any duly authorized  
7 challenger at the polling place. No person whose right to  
8 vote is challenged shall receive a ballot until his or her  
9 identity and qualifications have been established.

10 3. Any question of doubt concerning the identity or  
11 qualifications of a voter shall be decided by a majority of  
12 the judges from the major political parties. If such  
13 election judges decide not to permit a person to vote  
14 because of doubt as to his or her identity or  
15 qualifications, the person may apply to the election  
16 authority as provided in section 115.193 or file a complaint  
17 with the elections division of the secretary of state's  
18 office under and pursuant to section 115.219.

19 4. If the election judges cannot reach a decision on  
20 the identity or qualifications of any person, the question  
21 shall be decided by the election authority.

22 5. The election judges or the election authority may  
23 require any person whose right to vote is challenged to  
24 execute an affidavit affirming his or her qualifications.  
25 The election authority shall furnish to the election judges  
26 a sufficient number of blank affidavits of qualification,  
27 and the election judges shall enter any appropriate  
28 information or comments under the title "Remarks" which  
29 shall appear at the bottom of the affidavit. All executed  
30 affidavits of qualification shall be returned to the  
31 election authority with the other election supplies. Any  
32 person who makes a false affidavit of qualification shall be  
33 guilty of a class one election offense.

34 **6. In the case of any primary election, the election**  
35 **judges shall determine whether the voter's political party**  
36 **affiliation is the same as the political party holding the**  
37 **primary election.**

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

Section B. The repeal and reenactment of sections  
2 115.137, 115.155, 115.157, 115.163, 115.225, 115.249,  
3 115.279, 115.287, 115.327, 115.349, 115.351, 115.363,  
4 115.395, 115.397, 115.409, 115.429, and 115.770 of this act  
5 shall become effective January 1, 2025.

✓