

SENATE BILL NO. 633

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

4005S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 115.013, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.427, 115.435, 115.652, and 115.902, RSMo, and to enact in lieu thereof seventeen 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, 115.225, 115.237, 115.257,
2 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291,
3 115.302, 115.427, 115.435, 115.652, and 115.902, RSMo, are
4 repealed and seventeen new sections enacted in lieu thereof, to
5 be known as sections 115.013, 115.225, 115.237, 115.257,
6 115.275, 115.276, 115.277, 115.279, 115.283, 115.285, 115.286,
7 115.287, 115.291, 115.427, 115.435, 115.652, and 115.902, to
8 read as follows:

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

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

8 (2) "Ballot", the ballot card, paper ballot, or ballot
9 designed for use with an electronic voting system on which
10 each voter may cast all votes to which he or she is entitled
11 at an election;

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

12 (3) "Ballot card", a ballot which is voted by making a
13 mark which can be tabulated by automatic tabulating
14 equipment;

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

18 (5) "Counting location", a location selected by the
19 election authority for the automatic processing or counting,
20 or both, of ballots;

21 (6) "County", any county in this state or any city not
22 within a county;

23 (7) "Disqualified", a determination made by a court of
24 competent jurisdiction, the Missouri ethics commission, an
25 election authority or any other body authorized by law to
26 make such a determination that a candidate is ineligible to
27 hold office or not entitled to be voted on for office;

28 (8) "District", an area within the state or within a
29 political subdivision of the state from which a person is
30 elected to represent the area on a policy-making body with
31 representatives of other areas in the state or political
32 subdivision;

33 (9) "Electronic voting machine", any part of an
34 electronic voting system on which a voter is able to cast a
35 ballot under this chapter;

36 (10) "Electronic voting system", a system of casting
37 votes by use of marking devices, and counting votes by use
38 of automatic tabulating or data processing equipment,
39 including computerized voting systems;

40 (11) "Established political party" for the state, a
41 political party which, at either of the last two general
42 elections, polled for its candidate for any statewide office
43 more than two percent of the entire vote cast for the

44 office. "Established political party" for any district or
45 political subdivision shall mean a political party which
46 polled more than two percent of the entire vote cast at
47 either of the last two elections in which the district or
48 political subdivision voted as a unit for the election of
49 officers or representatives to serve its area;

50 (12) "Federal office", the office of presidential
51 elector, United States senator, or representative in
52 Congress;

53 (13) "Independent", a candidate who is not a candidate
54 of any political party and who is running for an office for
55 which political party candidates may run;

56 (14) "Major political party", the political party
57 whose candidates received the highest or second highest
58 number of votes at the last general election;

59 (15) "Marking device", any approved device which will
60 enable the votes to be counted by automatic tabulating
61 equipment;

62 (16) "Municipal" or "municipality", a city, village,
63 or incorporated town of this state;

64 (17) "New party", any political group which has filed
65 a valid petition and is entitled to place its list of
66 candidates on the ballot at the next general or special
67 election;

68 (18) "Nonpartisan", a candidate who is not a candidate
69 of any political party and who is running for an office for
70 which party candidates may not run;

71 (19) "Political party", any established political
72 party and any new party;

73 (20) "Political subdivision", a county, city, town,
74 village, or township of a township organization county;

75 (21) "Polling place", the voting place designated for
76 all voters residing in one or more precincts for any
77 election;

78 (22) "Precincts", the geographical areas into which
79 the election authority divides its jurisdiction for the
80 purpose of conducting elections;

81 (23) "Public office", any office established by
82 constitution, statute or charter and any employment under
83 the United States, the state of Missouri, or any political
84 subdivision or special district thereof, but does not
85 include any office in the Missouri state defense force or
86 the National Guard or the office of notary public or city
87 attorney in cities of the third classification or cities of
88 the fourth classification;

89 (24) "Question", any measure on the ballot which can
90 be voted "YES" or "NO";

91 (25) "Relative within the second degree by
92 consanguinity or affinity", a spouse, parent, child,
93 grandparent, brother, sister, grandchild, mother-in-law,
94 father-in-law, daughter-in-law, or son-in-law;

95 (26) "Special district", any school district, water
96 district, fire protection district, hospital district,
97 health center, nursing district, or other districts with
98 taxing authority, or other district formed pursuant to the
99 laws of Missouri to provide limited, specific services;

100 (27) "Special election", elections called by any
101 school district, water district, fire protection district,
102 or other district formed pursuant to the laws of Missouri to
103 provide limited, specific services; and

104 (28) "Voting district", the one or more precincts
105 within which all voters vote at a single polling place for
106 any election.

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) **Produces a paper ballot that the voter is required**
31 **to hand-mark with his or her votes;**

32 (10) Permits each voter, while voting, to clearly see
33 the ballot label;

34 [(10)] (11) Has been tested and is certified by an
35 independent authority that meets the voting system standards
36 developed by the Federal Election Commission or its
37 successor agency. The provisions of this subdivision shall
38 not be required for any system purchased prior to August 28,
39 2002.

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

47 4. Any rule or portion of a rule, as that term is
48 defined in section 536.010, that is created under the
49 authority delegated in this section shall become effective
50 only if it complies with and is subject to all of the
51 provisions of chapter 536 and, if applicable, section
52 536.028. This section and chapter 536 are nonseverable and
53 if any of the powers vested with the general assembly
54 pursuant to chapter 536 to review, to delay the effective
55 date or to disapprove and annul a rule are subsequently held
56 unconstitutional, then the grant of rulemaking authority and
57 any rule proposed or adopted after August 28, 2002, shall be
58 invalid and void.

115.237. 1. Each ballot printed or designed for use
2 with an electronic voting system for any election pursuant
3 to this chapter shall contain all questions and the names of
4 all offices and candidates certified or filed pursuant to
5 this chapter and no other. **Beginning January 1, 2023, the**

6 **official ballot shall be a paper ballot that is hand-marked**
7 **by the voter, or in the case of voters with disabilities who**
8 **need assistance, by a paper ballot marking device designed**
9 **to assist voters, except as provided in subsection 5 of**
10 **section 115.225.** As far as practicable, all questions and
11 the names of all offices and candidates for which each voter
12 is entitled to vote shall be printed on one page except for
13 the ballot for political party committee persons in polling
14 places not utilizing an electronic voting system which may
15 be printed separately and in conformity with the
16 requirements contained in this section. As far as
17 practicable, ballots containing only questions and the names
18 of nonpartisan offices and candidates shall be printed in
19 accordance with the provisions of this section, except that
20 the ballot information may be listed in vertical or
21 horizontal rows. The names of candidates for each office
22 shall be listed in the order in which they are filed.

23 2. In polling places using electronic voting systems,
24 the ballot information may be arranged in vertical or
25 horizontal rows or on a number of separate pages or
26 screens. In any event, the name of each candidate, the
27 candidate's party, the office for which he or she is a
28 candidate, and each question shall be indicated clearly on
29 the ballot.

30 3. Nothing in this subchapter shall be construed as
31 prohibiting the use of a separate paper ballot for questions
32 or for the presidential preference primary in any polling
33 place using an electronic voting system.

34 4. Where electronic voting systems are used and when
35 write-in votes are authorized by law, a write-in ballot,
36 which may be in the form of a separate paper ballot, card,
37 or envelope, may be provided by the election authority to

38 permit each voter to write in the names of persons whose
39 names do not appear on the ballot.

40 5. No ballot printed or designed for use with an
41 electronic voting system for any partisan election held
42 under this chapter shall allow a person to vote a straight
43 political party ticket. For purposes of this subsection, a
44 "straight political party ticket" means voting for all of
45 the candidates for elective office who are on the ballot
46 representing a single political party by a single selection
47 on the ballot.

48 6. The secretary of state shall promulgate rules that
49 specify uniform standards for ballot layout for each
50 electronic or computerized ballot counting system approved
51 under the provisions of section 115.225 so that the ballot
52 used with any counting system is, where possible, consistent
53 with the intent of this section. Nothing in this section
54 shall be construed to require the format specified in this
55 section if it does not meet the requirements of the ballot
56 counting system used by the election authority.

57 7. Any rule or portion of a rule, as that term is
58 defined in section 536.010, that is created under the
59 authority delegated in this section shall become effective
60 only if it complies with and is subject to all of the
61 provisions of chapter 536 and, if applicable, section
62 536.028. This section and chapter 536 are nonseverable and
63 if any of the powers vested with the general assembly
64 pursuant to chapter 536 to review, to delay the effective
65 date or to disapprove and annul a rule are subsequently held
66 unconstitutional, then the grant of rulemaking authority and
67 any rule proposed or adopted after August 28, 2002, shall be
68 invalid and void.

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

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

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

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

22 5. For the purpose of processing absentee ballots,
23 cast by voters in person in the office of the election
24 authority **that is deemed a designated polling place**, the
25 election authority [may] **shall** cause voting machines, **if**
26 **used**, to be put in order, set, adjusted, tested, and made
27 ready for voting within one business day of the printing of
28 absentee ballots as provided in section 115.281. The
29 election authority shall have the recording counter except
30 for the protective counter on the voting machine set to zero
31 (000). After the voting machines have been made ready for
32 voting, the election authority shall not permit any person

33 to handle any voting machine, except voters while they are
34 voting and others expressly authorized by the election
35 authority. The election authority shall neither be nor
36 permit any other person to be in any position or near any
37 position that enables the authority or person to see how any
38 absentee voter votes or has voted.

39 6. Nothing in this section shall prohibit the on-site
40 storage of electronic voting machines and the preparation of
41 the electronic machines for voting, provided the electronic
42 voting machines are put in order, set, adjusted and made
43 ready for voting as provided in subsections 1, 2, 3, 4, and
44 5 of this section.

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

4 (1) "Absentee ballot", any [of the ballots] **ballot** a
5 person is authorized to cast away from a polling place **or in**
6 **the office of the election authority or other authorized**
7 **location designated as a polling place by the election**
8 **authority** pursuant to the provisions of sections 115.275 to
9 115.304;

10 (2) "Covered voter":

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

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

16 (c) An overseas voter;

17 (d) Civilian employees of the United States government
18 working outside the boundaries of the United States, and
19 their spouses and dependents;

20 (e) Active members of religious or welfare
21 organizations assisting servicemen, and their spouses and
22 dependents; or

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

28 (3) "Interstate former resident", a former resident
29 and registered voter in this state who moves from Missouri
30 to another state after the deadline to register to vote in
31 any presidential election in the new state and who otherwise
32 possesses the qualifications to register and vote in such
33 state;

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

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

43 (6) "Overseas voter":

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

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

51 (7) "Uniformed services":

52 (a) Active and reserve components of the Army, Navy,
53 Air Force, Marine Corps, **Space Force**, or Coast Guard of the
54 United States;

55 (b) The Merchant Marine, the commissioned corps of the
56 Public Health Service, or the commissioned corps of the
57 National Oceanic and Atmospheric Administration of the
58 United States; or

59 (c) The Missouri National Guard;

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

62 (a) A member of the active or reserve components of
63 the Army, Navy, Air Force, Marine Corps, **Space Force**, or
64 Coast Guard of the United States who is on active duty;

65 (b) A member of the Merchant Marine, the commissioned
66 corps of the Public Health Service, or the commissioned
67 corps of the National Oceanic and Atmospheric Administration
68 of the United States;

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

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

73 (9) "United States", used in the territorial sense,
74 the several states, the District of Columbia, Puerto Rico,
75 the United States Virgin Islands, and any territory or
76 insular possession subject to the jurisdiction of the United
77 States.

**115.276. 1. An election authority may conduct
2 absentee voting in person pursuant to subdivision (1) of
3 subsection 1 of section 115.277 only at locations as
4 provided in this section.**

5 2. Beginning on the sixth Tuesday prior to the
6 election the election authority may only conduct absentee
7 voting in person at the office of the election authority.

8 3. Beginning on the third Tuesday prior to the
9 election the election authority may only conduct absentee
10 voting in person at the office of the election authority and
11 at no more than one additional site in the jurisdiction of
12 the election authority as determined by the election
13 authority.

115.277. 1. (1) Except as provided in subsections 2,
2 3, 4, and 5 of this section, any registered voter of this
3 state may vote by absentee ballot in person at a location
4 designated by the election authority for all candidates and
5 issues for which such voter is eligible to vote at the
6 polling place without providing a reason for the need to
7 vote absentee. Absentee ballots may be cast in person
8 pursuant to this subdivision beginning on the sixth Tuesday
9 prior to an election and ending at 5:00 p.m. on the day
10 before the election. Any registered voter casting an
11 absentee ballot pursuant to this subdivision shall comply
12 with section 115.427, prior to receiving the ballot.

13 (2) (a) Except as provided in subsections 2, 3, 4,
14 and 5 of this section, any registered voter of this state
15 may vote by absentee ballot for all candidates and issues
16 for which such voter [would be] **is** eligible to vote at the
17 polling place if such voter expects to be prevented from
18 going to the polls to vote on election day due to:

19 [(1)] **a.** Absence on election day from the jurisdiction
20 of the election authority in which such voter is registered
21 to vote;

22 [(2)] **b.** Incapacity or confinement due to illness or
23 physical disability **on election day**, including a person who

24 is primarily responsible for the physical care of a person
25 who is incapacitated or confined due to illness or
26 disability **and resides at the same address;**

27 [(3)] c. Religious belief or practice;

28 [(4)] d. Employment as an election authority, as a
29 member of an election authority, or by an election authority
30 at a location other than such voter's polling place;

31 [(5)] e. Incarceration, provided all qualifications
32 for voting are retained; **or**

33 [(6)] f. Certified participation in the address
34 confidentiality program established under sections 589.660
35 to 589.681 because of safety concerns[; or

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

41 (b) **This subdivision shall only apply in the case of**
42 **absentee ballots that are not cast in person but that are**
43 **returned to the election authority:**

44 a. **By the voter in person;**

45 b. **In person by a relative of the voter who is within**
46 **the second degree of consanguinity or affinity;**

47 c. **By mail or registered carrier; or**

48 d. **By a team of deputy election authorities.**

49 2. Any covered voter who is eligible to register and
50 vote in this state may vote in any election for federal
51 office, statewide office, state legislative office, or
52 statewide ballot initiatives by submitting a federal
53 postcard application to apply to vote by absentee ballot or
54 by submitting a federal postcard application at the polling
55 place even though the person is not registered. A federal

56 postcard application submitted by a covered voter pursuant
57 to this subsection shall also serve as a voter registration
58 application under section 115.908 and the election authority
59 shall, if satisfied that the applicant is entitled to
60 register, place the voter's name on the voter registration
61 file. Each covered voter may vote by absentee ballot or,
62 upon submitting an affidavit that the person is qualified to
63 vote in the election, may vote at the person's polling place.

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

66 4. Any intrastate new resident may vote by absentee
67 ballot at the election for presidential and vice
68 presidential electors, United States senator, representative
69 in Congress, statewide elected officials and statewide
70 questions, propositions and amendments from such resident's
71 new jurisdiction of residence after registering to vote in
72 such resident's new jurisdiction of residence.

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

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

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

82 (2) Live in a long-term care facility licensed under
83 chapter 198;

84 (3) Have chronic lung disease or moderate to severe
85 asthma;

86 (4) Have serious heart conditions;

87 (5) Are immunocompromised;

88 (6) Have diabetes;

89 (7) Have chronic kidney disease and are undergoing
90 dialysis; or

91 (8) Have liver disease.]

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, **if casting an absentee ballot pursuant**
14 **to subdivision (2) of subsection 1 of section 115.277**, the
15 address to which the ballot is to be mailed, if mailing is
16 requested, and for absent uniformed services and overseas
17 applicants, the applicant's email address if electronic
18 transmission is requested. If the reason for the applicant
19 voting absentee is due to the reasons established under
20 **subparagraph f of paragraph (a) of subdivision [(6)] (2) of**
21 **subsection 1 of section 115.277**, the applicant shall state
22 the voter's identification information provided by the
23 address confidentiality program in lieu of the applicant's
24 name, address at which he or she is or would be registered,
25 and address to which the ballot is to be mailed, if mailing
26 is requested. Each application to vote in a primary
27 election shall also state which ballot the applicant wishes
28 to receive. If any application fails to designate a ballot,

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

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

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

61 by mark, witnessed by the signature of an election official
62 or person of his or her own choosing. Any person who
63 knowingly makes, delivers or mails a fraudulent absentee
64 ballot application shall be guilty of a class one election
65 offense.

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

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

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

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

93 not later than ninety days after the date of each regularly
 94 scheduled general election for federal office and in a
 95 standardized format developed by the commission pursuant to
 96 the Help America Vote Act of 2002. The secretary shall make
 97 the report available to the general public.

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

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

111 "STATE OF _____

112 COUNTY OF _____, ss.

113 I, _____, do solemnly swear that:

114 (1) Before becoming a resident of this state, I
 115 resided at _____ (residence address) in _____
 116 (town, township, village or city) of _____
 117 County in the state of _____;

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

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

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

129 Signed _____

130 (Applicant)

131 _____

132 (Residence Address)

133 Subscribed and sworn to before me this _____ day
134 of _____, _____

135 Signed _____

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

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

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

154 "STATE OF _____

155 COUNTY OF _____, ss.

156 I, _____, do solemnly swear that:

- 157 (1) Before becoming a resident of this election
- 158 jurisdiction, I resided at _____ (residence
- 159 address) in _____ (town, township, village or
- 160 city) of _____ county in the state of _____;
- 161 (2) I moved to this election jurisdiction after the
- 162 last day to register to vote in such election;
- 163 (3) I believe I am entitled pursuant to the laws of
- 164 this state to vote in the election to be held
- 165 _____ (date);
- 166 (4) I hereby make application for an absentee
- 167 ballot for candidates and issues on which I am
- 168 entitled to vote pursuant to the laws of this
- 169 state. I have not voted and shall not vote
- 170 other than by this ballot at such election.

171 Signed _____

172 (Applicant)

173 _____

174 (Residence Address)

175 Subscribed and sworn to before me this _____ day

176 of _____, _____

177 Signed _____

178 (Title and name of officer authorized to

179 administer oaths)"

180 9. An application for an absentee ballot by an

181 interstate former resident shall be received in the office

182 of the election authority where the applicant was formerly

183 registered by 5:00 p.m. on the second Wednesday immediately

184 prior to the election, unless the application is made in

185 person by the applicant in the office of the election

186 authority, in which case such application shall be made no

187 later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a
2 statement on which the voter shall state the voter's name,
3 the voter's voting address, the voter's mailing address and,
4 **if casting an absentee ballot pursuant to subdivision (2) of**
5 **subsection 1 of section 115.277,** the voter's reason for
6 voting an absentee ballot. If the reason for the voter
7 voting absentee is due to the reasons established under
8 **subparagraph f of paragraph (a) of** subdivision [(6)] (2) of
9 subsection 1 of section 115.277, the voter shall state the
10 voter's identification information provided by the address
11 confidentiality program in lieu of the applicant's name,
12 voting address, and mailing address. On the form, the voter
13 shall also state under penalties of perjury that the voter
14 is qualified to vote in the election, that the voter has not
15 previously voted and will not vote again in the election,
16 that the voter has personally marked the voter's ballot in
17 secret or supervised the marking of the voter's ballot if
18 the voter is unable to mark it, that the ballot has been
19 placed in the ballot envelope and sealed by the voter or
20 under the voter's supervision if the voter is unable to seal
21 it, and that all information contained in the statement is
22 true. In addition, any person providing assistance to the
23 absentee voter shall include a statement on the envelope
24 identifying the person providing assistance under penalties
25 of perjury. Persons authorized to vote only for federal and
26 statewide officers shall also state their former Missouri
27 residence.

28 **2. The statement for persons voting absentee ballots**
29 **pursuant to subdivision (1) of subsection 1 of section**
30 **115.277 who are registered voters shall be in substantially**
31 **the following form:**

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State of Missouri

County (City) of _____

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

Signature of Voter

Signature of Person

Assisting Voter

(if applicable)

Signed _____

Subscribed and sworn

Signed _____

to before me this

Address of Voter

___ day of ___, ____

Mailing address
 (if different)

Signature of notary or
 other officer
 authorized to
 administer oaths

3. The statement for persons voting absentee ballots
 pursuant to subdivision (2) of subsection 1 of section
 115.277 who are registered voters shall be in substantially
 the following form:

64 State of Missouri

65 County (City) of _____

66 I, _____ (print name), a registered voter of
67 _____ County (City of St. Louis, Kansas City),
68 declare under the penalties of perjury that I
69 expect to be prevented from going to the polls on
70 election day due to (check one):

71 _____ absence on election day from the
72 jurisdiction of the election authority in
73 which I am registered;

74 _____ incapacity or confinement due to illness
75 or physical disability **on election day**,
76 including caring for a person who is
77 incapacitated or confined due to illness
78 or disability **and resides at the same**
79 **address;**

80 _____ religious belief or practice;

81 _____ employment as an election authority or by
82 an election authority at a location other
83 than my polling place;

84 _____ incarceration, although I have retained
85 all the necessary qualifications for
86 voting;

87 _____ certified participation in the address
88 confidentiality program established under
89 sections 589.660 to 589.681 because of
90 safety concerns.

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

102	_____	_____
103	Signature of Voter	Signature of Person
104		Assisting Voter
105		(if applicable)
106	Signed _____	Subscribed and sworn
107	Signed _____	to before me this
108	Address of Voter	_____ day of _____,
109		_____
110	_____	_____
111	_____	_____
112	Mailing addresses	Signature of notary or
113	(if different)	other officer
114		authorized to
115		administer oaths

116 **[3.] 4.** The statement for persons voting absentee
 117 ballots pursuant to the provisions of subsection 2, 3, 4, or
 118 5 of section 115.277 without being registered shall be in
 119 substantially the following form:

120 State of Missouri

121 County (City) of _____

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

132 I am (check one):

133 _____ a resident of the state of Missouri and a
 134 registered voter in _____ County and
 135 moved from that county to _____ County,
 136 Missouri, after the last day to register
 137 to vote in this election.

138 _____ an interstate former resident of Missouri
 139 and authorized to vote for presidential
 140 and vice presidential electors.

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

150 _____ Subscribed to and
 151 Signature of Voter sworn before me this
 152 _____ day of
 153 _____, _____

154 _____
 155 _____
 156 Address of Voter Signature of notary or
 157 other officer
 158 authorized to
 159 administer oaths

160 _____
 161 Mailing Address (if _____
 162 different) _____
 163 _____
 164 _____
 165 Signature of Person Address of Last

166 Assisting Voter Missouri Residence
167 (if applicable)

168 [4.] 5. The statement for persons voting absentee
169 ballots who are entitled to vote at the election pursuant to
170 the provisions of subsection 2 of section 115.137 shall be
171 in substantially the following form:

172 State of Missouri

173 County (City) of _____

174 I, _____ (print name), declare under the penalties
175 of perjury that I expect to be prevented from going
176 to the polls on election day due to (check one):

177

178 _____ absence on election day from the
179 jurisdiction of the election authority in
180 which I am directed to vote;

181 _____ incapacity or confinement due to illness
182 or physical disability **on election day,**
183 including caring for a person who is
184 incapacitated or confined due to illness
185 or disability **and resides at the same**
186 **address;**

187 _____ religious belief or practice;

188 _____ employment as an election authority or by
189 an election authority at a location other
190 than my polling place;

191 _____ incarceration, although I have retained
192 all the necessary qualifications of
193 voting;

194 _____ certified participation in the address
195 confidentiality program established under
196 sections 589.660 to 589.681 because of
197 safety concerns.

198 I hereby state under penalties of perjury that I
199 own property in the _____ district and am
200 qualified to vote at this election; I have not

201 voted and will not vote other than by this ballot
 202 at this election. I further state that I marked the
 203 enclosed ballot in secret or that I am blind,
 204 unable to read and write English, or physically
 205 incapable of marking the ballot, and the person of
 206 my choosing indicated below marked the ballot at my
 207 direction; all of the information on this statement
 208 is, to the best of my knowledge and belief, true.

209
 210 _____ Subscribed and sworn
 211 Signature of Voter to before me this
 212 _____ day of
 213 _____, _____
 214 _____
 215 _____
 216 Address Signature of notary or
 217 other officer
 218 authorized to
 219 administer oaths
 220 _____
 221 Signature of Person
 222 Assisting Voter
 223 (if applicable)

224 [5.] 6. The statement for persons providing assistance
 225 to absentee voters shall be in substantially the following
 226 form:

227 The voter needed assistance in marking the ballot
 228 and signing above, because of blindness, other
 229 physical disability, or inability to read or to
 230 read English. I marked the ballot enclosed in this
 231 envelope at the voter's direction, when I was
 232 alone with the voter, and I had no other
 233 communication with the voter as to how he or she

234 was to vote. The voter swore or affirmed the voter
235 affidavit above and I then signed the voter's name
236 and completed the other voter information above.
237 Signed under the penalties of perjury.

238 Reason why voter needed assistance: _____

239 ASSISTING PERSON SIGN HERE

- 240 1. _____ (signature of assisting person)
241 2. _____ (assisting person's name printed)
242 3. _____ (assisting person's residence)
243 4. _____ (assisting person's home city or town).

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

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

255 8. Notwithstanding any other provision of this section
256 or section 115.291 to the contrary, the subscription,
257 signature and seal of a notary or other officer authorized
258 to administer oaths shall not be required on any ballot,
259 ballot envelope, or statement required by this section if
260 the reason for the voter voting absentee is due to the
261 reasons established pursuant to **subparagraph f of paragraph**
262 **(a) of** subdivision (2) [or (7)] of subsection 1 of section
263 115.277.

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

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

115.285. The secretary of state may prescribe uniform
2 regulations with respect to the printing of ballot envelopes
3 and mailing envelopes, which shall comply with standards
4 established by federal law or postal regulations. Mailing
5 envelopes for use in returning ballots shall be printed with
6 business reply permits so that any ballot returned by mail
7 does not require postage. All fees and costs for
8 establishing and maintaining the business reply and postage-
9 free mail for all ballots cast shall be paid by the
10 secretary of state through state appropriations.

11 [Notwithstanding any provision of law to the contrary, a
12 ballot envelope used under section 115.302 shall be the same
13 ballot envelope used for absentee ballots, provided an
14 option shall be listed on the envelope to clearly indicate
15 whether the voter is casting an absentee ballot or a mail-in
16 ballot.]

**115.286. Absentee ballots under sections 115.275 to
2 115.304 received by the election authority in person at the
3 office of the election authority or other authorized
4 location designated as a polling place by the election
5 authority are deemed cast when received prior to election
6 day. Absentee ballots received by the election authority
7 through a common carrier such as the United States Postal
8 Service or through an authorized drop box provided by the
9 election authority are deemed cast when received prior to**

10 **the time fixed by law for the closing of the polls on**
11 **election day.**

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. Delivery shall be
10 made to the voter personally in the office of the election
11 authority or by bipartisan teams appointed by the election
12 authority, or by first class, registered, or certified mail
13 at the discretion of the election authority, or in the case
14 of a covered voter as defined in section 115.902, the method
15 of transmission prescribed in section 115.914. Where the
16 election authority is a county clerk, the members of
17 bipartisan teams representing the political party other than
18 that of county clerk shall be selected from a list of
19 persons submitted to the county clerk by the county chairman
20 of that party. If no list is provided by the time that
21 absentee ballots are to be made available, the county clerk
22 may select a person or persons from lists provided in
23 accordance with section 115.087. If the election authority
24 is not satisfied that any applicant is entitled to vote by
25 absentee ballot, it shall not deliver an absentee ballot to
26 the applicant. Within three working days of receiving such
27 an application, the election authority shall notify the
28 applicant and state the reason he or she is not entitled to
29 vote by absentee ballot. The applicant may file a complaint

30 with the elections division of the secretary of state's
31 office under and pursuant to section 115.219.

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

60 3. On the mailing and ballot envelopes for each
61 covered voter, the election authority shall stamp

62 prominently in black the words "FEDERAL BALLOT, STATE OF
63 MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

64 4. No information which encourages a vote for or
65 against a candidate or issue shall be provided to any voter
66 with an absentee ballot.

115.291. 1. Upon receiving an absentee ballot by
2 mail, the voter shall mark the ballot in secret, place the
3 ballot in the ballot envelope, seal the envelope and fill
4 out the statement on the ballot envelope. The affidavit of
5 each person voting an absentee ballot shall be subscribed
6 and sworn to before the election official receiving the
7 ballot, a notary public or other officer authorized by law
8 to administer oaths, unless the voter is voting absentee due
9 to incapacity or confinement due to the provisions of
10 section 115.284, illness or physical disability **on election**
11 **day, [for an election that occurs during the year 2020, the**
12 **voter has contracted or is in an at-risk category for**
13 **contracting or transmitting severe acute respiratory**
14 **syndrome coronavirus 2, as defined in section 115.277,]** or
15 the voter is a covered voter as defined in section 115.902.
16 If the voter is blind, unable to read or write the English
17 language, or physically incapable of voting the ballot, the
18 voter may be assisted by a person of the voter's own
19 choosing. Any person assisting a voter who is not entitled
20 to such assistance, and any person who assists a voter and
21 in any manner coerces or initiates a request or a suggestion
22 that the voter vote for or against or refrain from voting on
23 any question, ticket or candidate, shall be guilty of a
24 class one election offense. If, upon counting, challenge or
25 election contest, it is ascertained that any absentee ballot
26 was voted with unlawful assistance, the ballot shall be
27 rejected. **[For purposes of this subsection, the voters who**

28 are in an at-risk category for contracting or transmitting
29 severe acute respiratory syndrome coronavirus 2 are voters
30 who:

- 31 (1) Sixty-five years of age or older;
- 32 (2) Live in a long-term care facility licensed under
33 chapter 198;
- 34 (3) Have chronic lung disease or moderate to severe
35 asthma;
- 36 (4) Have serious heart conditions;
- 37 (5) Are immunocompromised;
- 38 (6) Have diabetes;
- 39 (7) Have chronic kidney disease and are undergoing
40 dialysis; or
- 41 (8) Have liver disease.]

42 2. Except as provided in subsection 4 of this section,
43 each absentee ballot that is not cast by the voter in person
44 in the office of the election authority shall be returned to
45 the election authority in the ballot envelope and shall only
46 be returned by the voter in person, or in person by a
47 relative of the voter who is within the second degree of
48 consanguinity or affinity, by mail or registered carrier or
49 by a team of deputy election authorities; except that
50 covered voters, when sent from a location determined by the
51 secretary of state to be inaccessible on election day, shall
52 be allowed to return their absentee ballots cast by use of
53 facsimile transmission or under a program approved by the
54 Department of Defense for electronic transmission of
55 election materials.

56 3. In cases of an emergency declared by the President
57 of the United States or the governor of this state where the
58 conduct of an election may be affected, the secretary of
59 state may provide for the delivery and return of absentee

60 ballots by use of a facsimile transmission device or
61 system. Any rule promulgated pursuant to this subsection
62 shall apply to a class or classes of voters as provided for
63 by the secretary of state.

64 4. No election authority shall refuse to accept and
65 process any otherwise valid marked absentee ballot submitted
66 in any manner by a covered voter solely on the basis of
67 restrictions on envelope type.

115.427. 1. Persons seeking to vote in a public
2 election shall establish their identity and eligibility to
3 vote at the polling place, **or, if voting absentee in person**
4 **pursuant to section 115.277, at the office of the election**
5 **authority or other authorized location designated as a**
6 **polling place by the election authority,** by presenting a
7 form of personal **photo** identification to election officials.
8 No form of personal **photo** identification other than the
9 forms listed in this section shall be accepted to establish
10 a voter's qualifications to vote. Forms of personal **photo**
11 identification that satisfy the requirements of this section
12 are any one of the following:

13 (1) Nonexpired Missouri driver's license;

14 (2) Nonexpired or nonexpiring Missouri nondriver's
15 license;

16 (3) A document that satisfies all of the following
17 requirements:

18 (a) The document contains the name of the individual
19 to whom the document was issued, and the name substantially
20 conforms to the most recent signature in the individual's
21 voter registration record;

22 (b) The document shows a photograph of the individual;

23 (c) The document includes an expiration date, and the
24 document is not expired, or, if expired, the document

25 expired after the date of the most recent general election;
26 and

27 (d) The document was issued by the United States or
28 the state of Missouri; or

29 (4) Any identification containing a photograph of the
30 individual which is issued by the Missouri National Guard,
31 the United States Armed Forces, **including the Space Force**,
32 or the United States Department of Veteran Affairs to a
33 member or former member of the Missouri National Guard or
34 the United States Armed Forces, **including the Space Force**,
35 and that is not expired or does not have an expiration date.

36 2. (1) An individual who appears at a polling place,
37 **or other authorized location designated as a polling place**
38 **by the election authority**, without a form of personal **photo**
39 identification described in subsection 1 of this section and
40 who is otherwise qualified to vote at that polling place **or**
41 **other authorized location** may [execute a statement, under
42 penalty of perjury, averring that the individual is the
43 person listed in the precinct register; averring that the
44 individual does not possess a form of personal
45 identification described in subsection 1 of this section;
46 acknowledging that the individual is eligible to receive a
47 Missouri nondriver's license free of charge if desiring it
48 in order to vote; and acknowledging that the individual is
49 required to present a form of personal identification, as
50 described in subsection 1 of this section, in order to
51 vote. Such statement shall be executed and sworn to before
52 the election official receiving the statement. Upon
53 executing such statement, the individual may cast a regular
54 ballot, provided such individual presents one of the
55 following forms of identification:

56 (a) Identification issued by the state of Missouri, an
57 agency of the state, or a local election authority of the
58 state;

59 (b) Identification issued by the United States
60 government or agency thereof;

61 (c) Identification issued by an institution of higher
62 education, including a university, college, vocational and
63 technical school, located within the state of Missouri;

64 (d) A copy of a current utility bill, bank statement,
65 government check, paycheck, or other government document
66 that contains the name and address of the individual;

67 (e) Other identification approved by the secretary of
68 state under rules promulgated pursuant to this section.

69 (2) For any individual who appears at a polling place
70 without a form of personal identification described in
71 subsection 1 of this section and who is otherwise qualified
72 to vote at that polling place, the election authority may
73 take a picture of such individual and keep it as part of
74 that individual's voter registration file at the election
75 authority.

76 (3) Any individual who chooses not to execute the
77 statement described in subdivision (1) of this subsection
78 may cast a provisional ballot. Such provisional ballot
79 shall be counted, provided that it meets the requirements of
80 subsection 4 of this section.

81 (4) For the purposes of this section, the term
82 "election official" shall include any person working under
83 the authority of the election authority.

84 3. The statement to be used for voting under
85 subdivision (1) of subsection 2 of this section shall be
86 substantially in the following form:

87 "State of _____
88 County of _____
89 I do solemnly swear (or affirm) that my name is
90 _____; that I reside at _____; that I am the
91 person listed in the precinct register under this
92 name and at this address; and that, under penalty
93 of perjury, I do not possess a form of personal
94 identification approved for voting. As a person
95 who does not possess a form of personal
96 identification approved for voting, I acknowledge
97 that I am eligible to receive free of charge a
98 Missouri nondriver's license at any fee office if
99 desiring it in order to vote. I furthermore
100 acknowledge that I am required to present a form
101 of personal identification, as prescribed by law,
102 in order to vote.

103 I understand that knowingly providing false
104 information is a violation of law and subjects me
105 to possible criminal prosecution.

106 _____

107 Signature of voter

108 Subscribed and affirmed before me this _____ day
109 of _____, 20_____

110 _____

111 Signature of election official"

112 4. A voter shall be allowed to cast a provisional
113 ballot under section 115.430 even if the election judges
114 cannot establish the voter's identity under this section.
115 The election judges shall make a notation on the provisional
116 ballot envelope to indicate that the voter's identity was
117 not verified. The provisional ballot cast by such voter
118 shall not be counted unless:

119 (1) (a) The voter returns to the polling place during
120 the uniform polling hours established by section 115.407 and

121 provides a form of personal identification that allows the
122 election judges to verify the voter's identity as provided
123 in subsection 1 of this section; or

124 (b) The election authority verifies the identity of
125 the individual by comparing that individual's signature to
126 the signature on file with the election authority and
127 determines that the individual was eligible to cast a ballot
128 at the polling place where the ballot was cast; and

129 (2) The provisional ballot otherwise qualifies to be
130 counted under section 115.430.

131 5. The secretary of state shall provide advance notice
132 of the personal identification requirements of subsection 1
133 of this section in a manner calculated to inform the public
134 generally of the requirement for forms of personal
135 identification as provided in this section. Such advance
136 notice shall include, at a minimum, the use of
137 advertisements and public service announcements in print,
138 broadcast television, radio, and cable television media, as
139 well as the posting of information on the opening pages of
140 the official state internet websites of the secretary of
141 state and governor.] **cast a regular ballot. Upon completing**
142 **such ballot, the voter shall insert the ballot into a**
143 **verification envelope with an affidavit attached to the**
144 **front to be completed by the voter. Each affidavit shall**
145 **include a personal identification number that allows the**
146 **voter to track whether the ballot has been verified and**
147 **counted and if the ballot was deemed not verifiable the**
148 **tracking system shall indicate the reason that the ballot**
149 **could not be verified.**

150 (2) The affidavit shall be in substantially the
151 following form:

152 I do solemnly swear or affirm that the following is
 153 correct:

154	Last Name	First Name	Middle Name
155			
156	Residential Address	City	Zip Code Telephone
157			
158	Mailing Address	City	Zip Code Telephone
159			
160	Date of Birth	Last 4 digits of SSN# (if exists)	
161			

162 I further swear or affirm that:

- 163 • I am a registered voter in:
 - 164 _____ County
 - 165 City of St. Louis
 - 166 City of Kansas City
- 167 • I am a qualified voter in said county or city;
- 168 • I am eligible to vote at this polling place;
- 169 • I am a citizen of the United States of America and
 170 a resident of the state of Missouri;
- 171 • I am at least 18 years of age;
- 172 • I have not been adjudged incapacitated by any
 173 court of law; and
- 174 • I have not voted in this election.

175 I understand if the above-provided information is not
 176 correct and the election authority determines that I am
 177 not registered and eligible to vote, my vote will not
 178 be counted. I further understand that knowingly
 179
 180

providing false information is a violation of law and subjects me to possible criminal prosecution.

181 If I have been convicted of a felony or a misdemeanor
182 connected with the right of suffrage, I affirm that I
183 have had the voting disabilities from such conviction
184 removed pursuant to law.

185 I swear under penalty of perjury that all statements
186 made on this affidavit are true to the best of my
187 knowledge.

188

Signature of Voter

189

190 (3) Upon completing the verification envelope
191 affidavit the voter shall insert the envelope in a
192 verification ballot box.

193 (4) (a) All ballots cast pursuant to this subsection
194 shall be verified and counted only as provided in this
195 subdivision.

196 (b) One judge from each major political party shall,
197 together, verify the ballots by verifying the signature on
198 the verification envelope affidavit with the signature on
199 file with the election authority. If the signature of the
200 voter cannot be verified, the election authority shall
201 notify the voter by mail of such fact.

202 (c) If the election judges cannot verify a ballot as
203 provided in paragraph (b) of this subdivision, the voter may
204 appeal the decision to such judges at any time prior to the
205 certification of the election by providing a form of
206 personal photo identification described in subsection 1 of
207 this section.

208 (5) All ballots cast by voters whose eligibility has
209 been verified as provided in this subsection shall be
210 counted in accordance with the rules governing ballot

211 **tabulation. Ballots verified under this subsection shall**
212 **not be counted until all such ballots are determined either**
213 **eligible or ineligible and all such ballots shall have a**
214 **determination of eligibility or ineligibility made before**
215 **the election is certified.**

216 [6.] 3. (1) Notwithstanding the provisions of section
217 136.055 and section 302.181 to the contrary, the state and
218 all fee offices shall provide one nondriver's license at no
219 cost to any otherwise qualified voter who does not already
220 possess such identification and who desires the
221 identification [in order to vote] **for voting.**

222 (2) This state and its agencies shall provide one copy
223 of each of the following, free of charge, if needed by an
224 individual seeking to obtain a form of personal **photo**
225 identification described in subsection 1 of this section [in
226 order to vote] **for voting:**

- 227 (a) A birth certificate;
228 (b) A marriage license or certificate;
229 (c) A divorce decree;
230 (d) A certificate of decree of adoption;
231 (e) A court order changing the person's name;
232 (f) A Social Security card reflecting an updated name;

233 and

234 (g) Naturalization papers or other documents from the
235 United States Department of State proving citizenship.

236 Any individual seeking one of the above documents in order
237 to obtain a form of personal **photo** identification described
238 in subsection 1 of this section [in order to vote] **for**
239 **voting** may request the secretary of state to facilitate the
240 acquisition of such documents. The secretary of state shall
241 pay any fee or fees charged by another state or its

242 agencies, or any court of competent jurisdiction in this
243 state or any other state, or the federal government or its
244 agencies, in order to obtain any of the above documents from
245 such state or the federal government.

246 (3) All costs associated with the implementation of
247 this section shall be reimbursed from the general revenue of
248 this state by an appropriation for that purpose. If there
249 is not a sufficient appropriation of state funds, then the
250 personal identification requirements of subsection 1 of this
251 section shall not be enforced.

252 (4) Any applicant who requests a nondriver's license
253 for the purpose of voting shall not be required to pay a fee
254 if the applicant executes a statement, under penalty of
255 perjury, averring that the applicant does not have any other
256 form of personal identification that meets the requirements
257 of this section. The state of Missouri shall pay the
258 legally required fees for any such applicant. The director
259 of the department of revenue shall design a statement to be
260 used for this purpose. The total cost associated with
261 nondriver's license photo identification under this
262 subsection shall be borne by the state of Missouri from
263 funds appropriated to the department of revenue for that
264 specific purpose. The department of revenue and a local
265 election authority may enter into a contract that allows the
266 local election authority to assist the department in issuing
267 nondriver's license photo identifications.

268 [7.] 4. The director of the department of revenue
269 shall, by January first of each year, prepare and deliver to
270 each member of the general assembly a report documenting the
271 number of individuals who have requested and received a
272 nondriver's license photo identification for the purposes of
273 voting under this section. The report shall also include

274 the number of persons requesting a nondriver's license for
 275 purposes of voting under this section, but not receiving
 276 such license, and the reason for the denial of the
 277 nondriver's license.

278 [8.] 5. The precinct register shall serve as the voter
 279 identification certificate. The following form shall be
 280 printed at the top of each page of the precinct register:

281 VOTER'S IDENTIFICATION CERTIFICATE

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

285 PRECINCT _____

286 WARD OR TOWNSHIP _____

287 GENERAL (SPECIAL, **JUNE PRIMARY, AUGUST** PRIMARY)
 288 ELECTION

289 Held _____, 20_____

290 Date _____

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

294 [9.] 6. The secretary of state shall promulgate rules
 295 to effectuate the provisions of this section.

296 [10.] 7. Any rule or portion of a rule, as that term
 297 is defined in section 536.010, that is created under the
 298 authority delegated in this section shall become effective
 299 only if it complies with and is subject to all of the
 300 provisions of chapter 536 and, if applicable, section
 301 536.028. This section and chapter 536 are nonseverable and
 302 if any of the powers vested with the general assembly
 303 pursuant to chapter 536 to review, to delay the effective
 304 date or to disapprove and annul a rule are subsequently held

305 unconstitutional, then the grant of rulemaking authority and
306 any rule proposed or adopted after August 28, 2002, shall be
307 invalid and void.

308 [11.] 8. If any voter is unable to sign his name at
309 the appropriate place on the certificate or computer
310 printout, an election judge shall print the name and address
311 of the voter in the appropriate place on the precinct
312 register, the voter shall make his mark in lieu of
313 signature, and the voter's mark shall be witnessed by the
314 signature of an election judge.

315 [12. This section shall become effective only upon the
316 passage and approval by the voters of a constitutional
317 amendment submitted to them by the general assembly
318 regarding the authorization of photo identification
319 requirements for elections by general law. If such
320 constitutional amendment is approved by the voters, this
321 section shall become effective June 1, 2017.]

115.435. After initialing the voter's identification
2 certificate and after completing any procedures required by
3 section 115.433, the election judges shall allow the voter
4 to proceed to the voting booth and vote. **Once the ballot**
5 **has been completed by the voter and he or she successfully**
6 **submits the ballot into the ballot box, the ballot is deemed**
7 **cast.**

115.652. [1.] An election shall not be conducted
2 under sections 115.650 to 115.660 unless:

3 (1) The officer or agency calling the election submits
4 a written request that the election be conducted by mail.
5 Such request shall be submitted not later than the date
6 specified in section 115.125 for submission of the notice of
7 election and sample ballot;

8 (2) The election authority responsible for conducting
9 the election authorizes the use of mailed ballots for the
10 election;

11 (3) The election is nonpartisan;

12 (4) The election is not one at which any candidate is
13 elected, retained or recalled; and

14 (5) The election is an issue election at which all of
15 the qualified voters of any one political subdivision are
16 the only voters eligible to vote.

17 [2. Notwithstanding the provisions of subsection 1 of
18 this section or any other provision of law to the contrary,
19 an election may be conducted by mail as authorized under
20 section 115.302, during the year 2020, to avoid the risk of
21 contracting or transmitting severe acute respiratory
22 syndrome coronavirus 2. This subsection shall expire
23 December 31, 2020.]

 115.902. As used in sections 115.900 to 115.936, the
2 following terms shall mean:

3 (1) "Covered voter":

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

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

9 (c) An overseas voter;

10 (2) "Dependent", an individual recognized as a
11 dependent by a uniformed service;

12 (3) "Federal postcard application", the application
13 prescribed under Section 101(b)(2) of the Uniformed and
14 Overseas Citizens Absentee Voting Act, 42 U.S.C. Section
15 1973ff(b)(2);

16 (4) "Federal write-in absentee ballot", the ballot
17 described in Section 103 of the Uniformed and Overseas
18 Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

19 (5) "Military-overseas ballot":

20 (a) A federal write-in absentee ballot;

21 (b) A ballot specifically prepared or distributed for
22 use by a covered voter in accordance with sections 115.900
23 to 115.936; and

24 (c) A ballot cast by a covered voter in accordance
25 with sections 115.900 to 115.936;

26 (6) "Overseas voter":

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

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

34 (7) "State", a state of the United States, the
35 District of Columbia, Puerto Rico, the United States Virgin
36 Islands, or any territory or insular possession subject to
37 the jurisdiction of the United States;

38 (8) "Uniformed services":

39 (a) Active and reserve components of the Army, Navy,
40 Air Force, Marine Corps, **Space Force**, or Coast Guard of the
41 United States;

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

46 (c) The Missouri National Guard;

47 (9) "Uniformed services voter", an individual who is
48 qualified to vote and is:

49 (a) A member of the active or reserve components of
50 the Army, Navy, Air Force, Marine Corps, **Space Force**, or
51 Coast Guard of the United States who is on active duty;

52 (b) A member of the Merchant Marine, the commissioned
53 corps of the Public Health Service, or the commissioned
54 corps of the National Oceanic and Atmospheric Administration
55 of the United States;

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

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

60 (10) "United States", used in the territorial sense,
61 the several states, the District of Columbia, Puerto Rico,
62 the United States Virgin Islands, and any territory or
63 insular possession subject to the jurisdiction of the United
64 States.

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

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

20 3. All applications for mail-in ballots
21 received prior to the sixth Tuesday before an
22 election shall be stored at the office of the
23 election authority until such time as the
24 applications are processed under section
115.281. No application for a mail-in ballot

25 received in the office of the election authority
26 after 5:00 p.m. on the second Wednesday
27 immediately prior to the election shall be
28 accepted by any election authority.

29 4. Each application for a mail-in ballot
30 shall be signed by the applicant or, if the
31 application is made by a guardian or relative
32 under this section, the application shall be
33 signed by the guardian or relative, who shall
34 note on the application his or her relationship
35 to the applicant. If an applicant, guardian, or
36 relative is blind, unable to read or write the
37 English language, or physically incapable of
38 signing the application, he or she shall sign by
39 mark that is witnessed by the signature of an
40 election official or person of his or her
41 choice. Knowingly making, delivering, or
42 mailing a fraudulent mail-in-ballot application
43 is a class one election offense.

44 5. Not later than the sixth Tuesday prior
45 to each election, or within fourteen days after
46 candidate names or questions are certified under
47 section 115.125, the election authority shall
48 cause to have printed and made available a
49 sufficient quantity of ballots, ballot
50 envelopes, and mailing envelopes. As soon as
51 possible after a proper official calls a special
52 state or county election, the election authority
53 shall cause to have printed and made available a
54 sufficient quantity of mail-in ballots, ballot
55 envelopes, and mailing envelopes.

56 6. Each ballot envelope shall bear a
57 statement in substantially the same form
58 described in subsection 9 of this section. In
59 addition, any person providing assistance to the
60 mail-in voter shall include a signature on the
61 envelope identifying the person providing such
62 assistance under penalties of perjury. Persons
63 authorized to vote only for federal and
64 statewide offices shall also state their former
65 Missouri residence.

66 7. The statement for persons voting mail-
67 in ballots who are registered voters shall be in
68 substantially the following form:

69 State of Missouri

70 County (City) of _____

71 I, _____ (print name), a registered voter of
72 _____ County (City of St. Louis, Kansas City),
73 declare under the penalties of perjury that: I am
74 qualified to vote at this election; I have not
75 voted and will not vote other than by this ballot
76 at this election. I further state that I marked
77 the enclosed ballot in secret or that I am blind,
78 unable to read or write English, or physically
79 incapable of marking the ballot, and the person of

80 my choosing indicated below marked the ballot at my
81 direction; all of the information on this statement
82 is, to the best of my knowledge and belief, true.
83

84 Signature of Voter Signature of
85 Person
86 Assisting Voter
87 (if applicable)

88 Subscribed and sworn to before me this _____
89 day of _____, _____ .
90

91 Signature of notary or other officer authorized to
92 administer oaths.
93

94

95 Mailing addresses

96 (if different)

97 8. Upon receipt of a signed application
98 for a mail-in ballot and if satisfied that the
99 applicant is entitled to vote by mail-in ballot,
100 the election authority shall, within three
101 working days after receiving the application,
102 or, if mail-in ballots are not available at the
103 time the application is received, within five
104 working days after such ballots become
105 available, deliver to the voter a mail-in
106 ballot, ballot envelope and such instructions as
107 are necessary for the applicant to vote. If the
108 election authority is not satisfied that any
109 applicant is entitled to vote by mail-in ballot,
110 the authority shall not deliver a mail-in ballot
111 to the applicant. Within three working days of
112 receiving such an application, the election
113 authority shall notify the applicant and state
114 the reason he or she is not entitled to vote by
115 mail-in ballot. The applicant may file a
116 complaint with the elections division of the
117 secretary of state's office under section
118 115.219.

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

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

127 11. Upon receiving a mail-in ballot by
128 mail, the voter shall mark the ballot in secret,
129 place the ballot in the ballot envelope, seal
130 the envelope and fill out the statement on the
131 ballot envelope. The statement required under
132 subsection 7 of this section shall be subscribed
133 and sworn to before a notary public or other
134 officer authorized by law to administer oaths.
135 If the voter is blind, unable to read or write
136 the English language, or physically incapable of
137 voting the ballot, the voter may be assisted by
138 a person of the voter's own choosing. Any
139 person who assists a voter and in any manner
140 coerces or initiates a request or suggestion
141 that the voter vote for or against, or refrain
142 from voting on, any question or candidate, shall
143 be guilty of a class one election offense. If,
144 upon counting, challenge, or election contest,
145 it is ascertained that any mail-in ballot was
146 voted with unlawful assistance, the ballot shall
147 be rejected.

148 12. Each mail-in ballot shall be returned
149 to the election authority in the ballot envelope
150 and shall only be returned by the voter by
151 United States mail.

152 13. The secretary of state may prescribe
153 uniform regulations with respect to the printing
154 of ballot envelopes and mailing envelopes, which
155 shall comply with standards established by
156 federal law or postal regulations. Mailing
157 envelopes for use in returning ballots shall be
158 printed with business reply permits so that any
159 ballot returned by mail does not require
160 postage. All fees and costs for establishing
161 and maintaining the business reply and postage-
162 free mail for all ballots cast shall be paid by
163 the secretary of state through state
164 appropriations.

165 14. All votes on each mail-in ballot
166 received by an election authority at or before
167 the time fixed by law for the closing of the
168 polls on election day shall be counted. No
169 votes on any mail-in ballot received by an
170 election authority after the time fixed by law
171 for the closing of the polls on election day
172 shall be counted.

173 15. If sufficient evidence is shown to an
174 election authority that any mail-in voter has
175 died prior to the opening of the polls on
176 election day, the ballot of the deceased voter
177 shall be rejected if it is still sealed in the
178 ballot envelope. Any such rejected ballot,
179 still sealed in its ballot envelope, shall be
180 sealed with the application and any other papers
181 connected therewith in an envelope marked
182 "Rejected ballot of _____, a mail-in voter
183 of _____ voting district". The reason for

184 rejection shall be noted on the envelope, which
185 shall be kept by the election authority with the
186 other ballots from the election until the
187 ballots are destroyed according to law.

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

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

195 18. Mail-in ballots shall be counted using
196 the procedures set out in sections 115.297,
197 115.299, 115.300, and 115.303.

198 19. The false execution of a mail-in
199 ballot is a class one election offense. The
200 attorney general or any prosecuting or circuit
201 attorney shall have the authority to prosecute
202 such offense either in the county of residence
203 of the person or in the circuit court of Cole
204 County.

205 20. The provisions of this section shall
206 apply only to an election that occurs during the
207 year 2020, to avoid the risk of contracting or
208 transmitting severe acute respiratory syndrome
209 coronavirus 2.

210 21. The provisions of this section
211 terminate and shall be repealed on December 31,
212 2020, and shall not apply to any election
213 conducted after that date.]

Section B. Notwithstanding the provisions of section
2 1.140 to the contrary, the provisions of this act shall be
3 nonseverable, and if any provision is for any reason held to
4 be invalid, such decision shall invalidate all of the
5 remaining provisions of this act.

✓