

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

SS HB 850 _____ entitled:

AN ACT

To repeal sections 115.075, 115.121, 115.225, 115.311, 115.339, 115.341, 115.343, 115.345, 115.349, 115.355, 115.359, 115.361, 115.363, 115.364, 115.373, 115.377, 115.379, 115.387, 115.389, 115.391, 115.393, 115.395, 115.397, 115.403, 115.409, 115.427, 115.430, 115.511, 115.519, 115.521, 115.523, 115.526, 115.527, 115.529, 115.531, 115.539, 115.547, 115.549, 115.593, 116.155, 116.190, and 116.220, RSMo, and to enact in lieu thereof forty-four new sections relating to elections.

With SA 2, SA 3 & SA 4

In which the concurrence of the House is respectfully requested.

Respectfully,

Adriane D. Crouse
Secretary of the Senate

RECEIVED
MAY 14 2021
CHIEF CLERK

SENATE AMENDMENT NO. 2

Offered by May of 4'

Amend SS/House Bill No. 850, Page 5, Section 115.225, Line 61,

2 by inserting after all of said line the following:

3 "115.306. 1. No person shall qualify as a candidate
4 for elective public office in the state of Missouri who has
5 been found guilty of or pled guilty to a felony under the
6 federal laws of the United States of America or to a felony
7 under the laws of this state or an offense committed in
8 another state that would be considered a felony in this
9 state.

10 2. (1) Any person who files as a candidate for
11 election to a public office shall be disqualified from
12 participation in the election for which the candidate has
13 filed if such person is delinquent in the payment of any
14 state income taxes, personal property taxes, municipal
15 taxes, real property taxes on the place of residence, as
16 stated on the declaration of candidacy, or if the person is
17 a past or present corporate officer of any fee office that
18 owes any taxes to the state.

19 (2) Each potential candidate for election to a public
20 office, except candidates for a county or city committee of
21 a political party, shall file an affidavit with the
22 department of revenue and include a copy of the affidavit
23 with the declaration of candidacy required under section
24 115.349. Such affidavit shall be in substantially the
25 following form:

Offered 5/12/21
Adopted "

26 AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

27 I hereby declare under penalties of perjury that I am not
 28 currently aware of any delinquency in the filing or payment
 29 of any state income taxes, personal property taxes,
 30 municipal taxes, real property taxes on the place of
 31 residence, as stated on the declaration of candidacy, or
 32 that I am a past or present corporate officer of any fee
 33 office that owes any taxes to the state, other than those
 34 taxes which may be in dispute. I declare under penalties
 35 of perjury that I am not aware of any information that
 36 would prohibit me from fulfilling any bonding requirements
 37 for the office for which I am filing.

38 _____ Candidate's
 39 _____ Signature

40 _____ Printed Name of Candidate

41 (3) Upon receipt of a complaint alleging a delinquency
 42 of the candidate in the filing or payment of any state
 43 income taxes, personal property taxes, municipal taxes, real
 44 property taxes on the place of residence, as stated on the
 45 declaration of candidacy, or if the person is a past or
 46 present corporate officer of any fee office that owes any
 47 taxes to the state, the department of revenue shall
 48 investigate such potential candidate to verify the claim
 49 contained in the complaint. If the department of revenue
 50 finds a positive affirmation to be false, the department
 51 shall contact the secretary of state, or the election
 52 official who accepted such candidate's declaration of
 53 candidacy, and the potential candidate. The department
 54 shall notify the candidate of the outstanding tax owed and
 55 give the candidate thirty days to remit any such outstanding
 56 taxes owed which are not the subject of dispute between the
 57 department and the candidate. If the candidate fails to
 58 remit such amounts in full within thirty days, the candidate
 59 shall be disqualified from participating in the current
 60 election and barred from refiling for an entire election

61 cycle even if the individual pays all of the outstanding
62 taxes that were the subject of the complaint.

63 (4) Any person who files as a candidate for election to
64 a public office that performs county functions in a city not
65 within a county shall provide appropriate copies of paid tax
66 receipts or no tax due statements for each tax listed in
67 subdivision (1) of this subsection that indicate the person
68 has paid all taxes due and is not delinquent in any tax. If
69 available, the election authority shall utilize online
70 databases to verify the candidate's taxes instead of the
71 paper copies provided by the candidate. The election
72 authority shall review such documentation and the
73 affirmation of tax payments required under subdivision (2)
74 of this subsection. The election authority may file a
75 complaint with the department of revenue if there appears to
76 be any delinquency."; and

77 Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 3Offered by Brattin OF CassAmend SS/House Bill No. 850, Page 3, Section 115.121, Line 26,

2 by inserting after all of said line the following:

3 "115.151. 1. Each qualified applicant who appears
4 before the election authority shall be deemed registered as
5 of the time the applicant's completed, signed and sworn
6 registration application is witnessed by the election
7 authority or deputy registration official.

8 2. Each applicant who registers by mail shall be
9 deemed to be registered as of the date the application is
10 postmarked, if such application is accepted and not rejected
11 by the election authority and the verification notice
12 required pursuant to section 115.155 is not returned as
13 undeliverable by the postal service.

14 3. Each applicant who registers at a voter
15 registration agency or the division of motor vehicle and
16 drivers licensing of the department of revenue shall be
17 deemed to be registered as of the date the application is
18 signed by the applicant, if such application is accepted and
19 not rejected by the election authority and the verification
20 notice required pursuant to section 115.155 is not returned
21 as undeliverable by the postal service. Voter registration
22 agencies [and the division of motor vehicle and drivers
23 licensing of the department of revenue] shall transmit voter
24 registration application forms to the appropriate election
25 authority not later than five business days after the form
26 is completed by the applicant. The division of motor

Offered 5/12/21
Adopted

27 vehicle and drivers licensing of the department of revenue
28 shall transmit voter registration application forms to the
29 appropriate election authority not later than three business
30 days after the form is completed by the applicant.

31 115.160. 1. All Missouri driver's license applicants
32 shall receive a voter registration application form as a
33 simultaneous part of the application for a driver's license,
34 renewal of driver's license, change of address, duplicate
35 request and a nondriver's license. The director of revenue
36 shall utilize electronic voter registration application
37 forms and provide for secure electronic transfer of voter
38 registration information to election authorities. The
39 secretary of state and the director of revenue shall ensure
40 the confidentiality and integrity of the voter registration
41 data collected, maintained, received, or transmitted under
42 this section.

43 2. If a single application form is used, the voter
44 registration application portion of any application
45 described in subsection 1 of this section may not require
46 any information that duplicates information required in the
47 driver's license portion of the form, except a second
48 signature or other information required by law.

49 3. After conferring with the secretary of state as the
50 chief state election official responsible for overseeing of
51 the voter registration process, the director of revenue
52 shall adopt rules and regulations pertaining to the format
53 of the voter registration application used by the
54 department.

55 4. No information relating to the failure of an
56 applicant for a driver's license or nondriver's license to
57 sign a voter registration application may be used for any
58 purpose other than voter registration.

59 5. Any voter registration application received
60 pursuant to the provisions of this section shall be
61 forwarded, in a secure and electronic manner, to the
62 election authority located within that county or any city
63 not within a county, or if there is more than one election
64 authority within the county, then to the election authority
65 located nearest to the location where the driver's license
66 application was received. Voter registration information,
67 including an electronic image of the signature of the
68 applicant, shall be transmitted in a format compatible with
69 the Missouri voter registration system established in
70 section 115.158 which allows for review by the election
71 authority and does not require the election authority to
72 manually reenter the information, provided that the election
73 authority shall print out a paper copy of the information
74 and retain such information in the manner required by
75 section 115.145. The election authority receiving the
76 application forms shall review the applications and forward,
77 in a secure and electronic manner, any applications
78 pertaining to a different election authority to that
79 election authority.

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

85 7. Any person registering to vote when applying for or
86 renewing a Missouri driver's license shall submit with the
87 application form a copy of a birth certificate, a Native
88 American tribal document, or other proof of United States
89 citizenship, a valid Missouri driver's license, or other
90 form of personal identification."; and

91 Further amend said bill, page 49, section 115.593, line
92 24, by inserting after all of said line the following:

93 "115.960. 1. An election authority is authorized to
94 accept voter registration applications with a signature
95 submitted to the election authority under the provisions of
96 sections 432.200 to 432.295 as provided in this section:

97 (1) Sections 432.200 to 432.295 shall only apply to
98 transactions between parties that have agreed to conduct
99 transactions by electronic means;

100 (2) Except as provided in subsection 2 of this
101 section, as used in this section and sections 432.200 to
102 432.295, the parties who agree to conduct voter registration
103 transactions by electronic means shall be the local election
104 authority who is required to accept or reject a voter
105 registration application and the prospective voter
106 submitting the application;

107 (3) A local election authority is authorized to
108 develop, maintain, and approve systems that transmit voter
109 registration applications electronically under sections
110 432.200 to 432.295;

111 (4) Except as provided in subsection 2 of this section
112 and section 115.160, no officer, agency, or organization
113 shall collect or submit a voter registration application
114 with an electronic signature to an election authority
115 without first obtaining approval of the data and signature
116 format from the local election authority and the approval of
117 the voter to collect and store the signature and data; and

118 (5) Local election authorities who maintain a voter
119 registration application system shall direct voter
120 registration applicants from other jurisdictions to the
121 system used by the local election authority for that
122 jurisdiction to accept voter registration applications
123 electronically.

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

128 (1) Within thirty days of, but in no event prior to
129 January 1, 2017, the president of the Missouri Association
130 of County Clerks and Election Authorities shall appoint
131 fourteen of its members to serve on a committee to approve
132 and develop uniform standards, systems, and modifications
133 that shall be used by the secretary of state in any
134 electronic voter registration application system offered by
135 that office. The committee may also make recommendations
136 regarding the purchase, maintenance, integration, and
137 operation of electronic databases, software, and hardware
138 used by local election authorities and the secretary of
139 state's office including, but not limited to, systems used
140 for military and overseas voting and for building and
141 conducting election operations. The committee shall have
142 fourteen local election authorities, including
143 representatives of each classification of counties, a
144 representative from an election board, and at least one
145 member who has experience processing online voter
146 registration transactions. In addition, one representative
147 appointed by the secretary of state's office shall serve on
148 the committee;

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

153 (3) Once the format and data collection standards are
154 approved by the committee and implemented for the system
155 maintained by the secretary of state, local election
156 authorities shall accept the transmission of voter

157 registration applications submitted to the approved system
158 under the provisions of sections 432.200 to 432.295;

159 (4) The secretary of state's office shall direct
160 eligible voters to a local election authority's system to
161 accept voter registration applications electronically if the
162 local election authority has a system in place as of August
163 28, 2016, or implements a system that meets the same
164 standards and format that has been approved by the committee
165 for the secretary of state's system;

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

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

181 3. Each applicant who registers using an approved
182 electronic voter registration application system shall be
183 deemed to be registered as of the date the signed
184 application is submitted to the system, if such application
185 is accepted and not rejected by the election authority and
186 the verification notice required under section 115.155 is
187 not returned as undeliverable by the postal service.

188 4. This section shall not apply to voter registration
189 and absentee records submitted by voters authorized under

190 federal law, section 115.291, or sections 115.900 to 115.936
191 to submit electronic records and signatures.

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

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

198 7. [Notwithstanding the provisions of section 432.230]
199 Except as provided under sections 115.160 and 432.230,
200 nothing in this section shall require the election authority
201 to accept voter registration records or signatures created,
202 generated, sent, communicated, received, stored, or
203 otherwise processed, or used by electronic means or in
204 electronic form from any officer, agency, or organization
205 not authorized under subsection 2 of this section without
206 prior approval from the election authority. Election
207 authorities shall accept and process voter registration
208 records, including electronic images of applicant
209 signatures, transmitted electronically by the division of
210 motor vehicle and drivers licensing of the department of
211 revenue under section 115.160. Except as provided in
212 subsection 2 of this section and section 115.160, no
213 officer, agency, or organization shall give the voter the
214 opportunity to submit a voter registration application with
215 an electronic signature without first obtaining the approval
216 of the local election authority.

217 8. An election authority that agrees to conduct a
218 transaction by electronic means may refuse to conduct other
219 transactions by electronic means.

220 9. No election authority or the secretary of state
221 shall furnish to any member of the public any data collected

222 under a voter registration application system except as
223 authorized in subsections 1 to 5 of section 115.157.

224 10. Nothing in this section shall be construed to
225 require the secretary of state to cease operating a voter
226 registration application in place as of the effective date
227 of this act."; and

228 Further amend the title and enacting clause accordingly.

SENATE AMENDMENT NO. 4

Offered by Moon of 29TH

Amend SS/House Bill No. 850, Page 5, Section 115.225, Line 61,

2 by inserting after all of said line the following:

3 "5. If any election authority uses any touchscreen,

4 direct-recording, electronic vote-counting machine, the

5 election authority may continue to use such machine. Upon

6 the removal of such voting machine from the election

7 authority's inventory because of mechanical malfunction,

8 wear and tear, or any other reason, the machine shall not be

9 replaced and no additional direct-recording electronic

10 voting machine shall be added to the election authority's

11 inventory. Such machines shall not be used beginning

12 January 1, 2022, except that election authorities may allow

13 the machines to be used by voters who are disabled as long

14 as the machines are functional. Replacement of equipment

15 for use by voters who are disabled shall be with paper

16 ballot marking devices designed to assist voters."

Offered 3/12/21
Adopted 11