

HB 1483 -- ELECTIONS

SPONSOR: Kelley (127)

This bill changes election laws. In its main provisions, the bill:

(1) Creates a public holiday on general election day which occurs on the Tuesday after the first Monday in November in even numbered years (Section 9.010, RSMo);

(2) Creates a "Joint Committee on Elections" comprised of seven members of the House of Representatives appointed by the Speaker of the House and the Minority Floor Leader of the House of Representatives and seven members of the Senate to be appointed by the President Pro Tem of the Senate and the Minority Floor Leader of the Senate as specified in the bill (Section 21.1020);

(3) Creates the "Election Integrity Committee", which is a 20 member committee appointed by the Joint Committee on Elections. This committee will implement random election audits as specified. The integrity committee shall also conduct comprehensive risk assessments of election authorities to protect against cyber security threats to the election process. An "Election Integrity Fund" is created to fund audits and risk assessments (Section 21.1020);

(4) Authorizes the Secretary of State (SOS) to audit voter registration lists and require election authorities to remove improper names. Audit procedures are specified in the bill and noncompliance could result in a withhold of funds (Section 28.960, RSMo);

(5) Grants the SOS exclusive and broad authority over all types of election equipment. The SOS office will be a member of the Center for Internet Security. The office shall require vendors to allow specified testing of equipment. Wireless internet transmission of election data is prohibited. The SOS office may forbid the use of any equipment not in compliance with its security rules or that fails testing and may bring suit as specified in the bill to enforce its rules (Section 28.965);

(6) Requires automatic tabulating equipment to be air-gapped and unable to be connected to the internet or receive outside communications (Section 115.013);

(7) Prohibits the state of Missouri or its political subdivisions from receiving or expending private money to prepare, administer, or conduct an election or register voters (Section 115.022);

(8) Allows appointment of election judges who reside outside the requisite election authorities jurisdiction without the need for written consent from the election authority in whose jurisdiction the potential judge resides. Increases the number of election judges and specifies the procedures for selecting election judges from lists submitted by political party committees (Section 115.081; 115.085);

(9) Allows election challengers to be present when election judges arrive at polling places and to remain until all ballots are returned and counted (Section 115.105);

(10) Increases the number of watchers allowed from one to four for each political party. Allows candidates to select poll watchers at their own expense to monitor an election. Candidates for watcher need not reside or be a registered voter within the jurisdiction they serve (Section 115.107);

(11) Authorizes the Department of Revenue to use electronic applications when sending materials to election authorities under the existing voter registration program in place at the Division of Motor Vehicles and Drivers Licensing, within the Department of Revenue. Electronic applications shall be sent no later than three business days after completion of a form. The electronic applications shall be secure and in a format compatible with the existing Voter Registration System under Section 115.158. The SOS and Director of Revenue shall guarantee the security and transmission of electronic data. Images of signatures may be used for the purpose of voter registration (Sections 115.151, 115.160, 115.960);

(12) Authorizes an election authority to remove names from voter registration lists at any time where it is determined that an individual is not allowed to vote under the laws of Missouri (Section 115.178);

(13) Beginning January 1, 2023, the bill requires the use of a paper ballot and repeals electronic voting system language with certain exceptions for voting equipment used for the disabled. Requires local election authorities to be members of the Center for Internet Security and allows the SOS to review cyber security for local election authorities and vendors as specified in the bill. Testing of vendor products such as programs and machines is allowed and subject to appropriation (Sections 115.225, 115.237, 115.417);

(14) Requires use of photographic identification for purposes of voting in-person absentee ballots at an election authority site that is a designated polling place (Sections 115.237, 115.257, 115.427);

(15) Repeals a currently expired exception to absentee ballot processing rules and an exception allowing mail-in voting which were implemented during the COVID-19 pandemic (115.277, 115.302);

(16) Prohibits the distribution of unsolicited applications for absentee ballots by any person including election authorities. The violation of this rule will be a class four election offense (Sections 115.279, 115.637);

(17) Prohibits the use of mail-in ballots subsequent to the effective date of the bill except by explicit reference and repeal of this section of the bill (Section 115.302);

(18) Authorizes the use of provisional ballots in cases where a voter appears without identification which may be verified and counted by use of either photographic identification or signature matching and repeals an affidavit requirement that was declared unconstitutional in *Priorities U.S.A., et. al. v. State of Missouri* (Mo. 2020) (Section 115.427);

(19) Requires the retention of ballots in all elections for one year from the date of certification in a secure location. Intentional destruction or tampering with such ballots will be a class one election offense (Section 115.449); and

(20) Requires ballot matching regarding all ballots cast, unused ballots, spoiled ballots, and provisional ballots to ensure that the numbers sent to election authorities match the returns. Discrepancies must be immediately reported to the SOS (Section 115.450).