

SECOND REGULAR SESSION

# HOUSE BILL NO. 1413

102ND GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE STACY.

4194H.011

DANA RADEMAN MILLER, Chief Clerk

---

## AN ACT

To repeal sections 115.427 and 302.181, RSMo, and to enact in lieu thereof two new sections relating to driver's and nondriver's licenses for United States citizens.

---

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

Section A. Sections 115.427 and 302.181, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 115.427 and 302.181, to read as follows:

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

8 (1) **(a) Prior to July 1, 2031**, nonexpired Missouri driver's license;

9 **(b) Beginning July 1, 2031, nonexpired Missouri driver's license with a United**  
10 **States citizen distinguishing mark;**

11 (2) **(a) Prior to July 1, 2031**, nonexpired or nonexpiring Missouri nondriver's  
12 license;

13 **(b) Beginning July 1, 2031, nonexpired or nonexpiring Missouri nondriver's**  
14 **license with a United States citizen distinguishing mark;**

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

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

20 (c) The document includes an expiration date, and the document is not expired, or, if  
21 expired, the document expired after the date of the most recent general election; and

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

23 (4) Any identification containing a photograph of the individual which is issued by  
24 the Missouri National Guard, the United States Armed Forces, including the Space Force, or  
25 the United States Department of Veteran Affairs to a member or former member of the  
26 Missouri National Guard or the United States Armed Forces, including the Space Force, and  
27 that is not expired or does not have an expiration date.

28 2. (1) An individual who appears at a polling place without a form of personal  
29 identification described in subsection 1 of this section and who is otherwise qualified to vote  
30 at that polling place shall be allowed to cast a provisional ballot. The election judges shall  
31 make a notation on the provisional ballot envelope to indicate that the voter's identity was not  
32 verified.

33 (2) No person shall be entitled to receive a provisional ballot until such person has  
34 completed a provisional ballot affidavit on the provisional ballot envelope. All provisional  
35 ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable  
36 from other ballots.

37 (3) The provisional ballot envelope shall be completed by the voter for use in  
38 determining the voter's eligibility to cast a ballot.

39 3. The provisional ballot envelope shall provide a place for the voter's name, address,  
40 date of birth, and last four digits of his or her Social Security number, followed by a  
41 certificate in substantially the following form:

42 I do solemnly swear that I am the person identified above and the  
43 information provided is correct. I understand that my vote will not be  
44 counted unless:

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

47 a. **(i) Prior to July 1, 2031, nonexpired Missouri driver's license; or**  
48 **(ii) Beginning July 1, 2031, nonexpired Missouri driver's license**  
49 **with a United States citizen distinguishing mark;**

50 b. **(i) Prior to July 1, 2031, nonexpired or nonexpiring Missouri**  
51 **nondriver's license; or (ii) Beginning July 1, 2031, nonexpired or**



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

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

90 5. The secretary of state shall provide notice of the personal photo identification  
91 requirements described in subsection 1 of this section on the official state internet website of  
92 the secretary of state.

93 6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the  
94 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any  
95 otherwise qualified voter who does not already possess such identification and who desires  
96 the identification for voting.

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

100 (a) A birth certificate;

101 (b) A marriage license or certificate;

102 (c) A divorce decree;

103 (d) A certificate of decree of adoption;

104 (e) A court order changing the person's name;

105 (f) A Social Security card reflecting an updated name; and

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

108

109 Any individual seeking one of the above documents in order to obtain a form of personal  
110 photo identification described in subsection 1 of this section for voting may request the  
111 secretary of state to facilitate the acquisition of such documents. The secretary of state shall  
112 pay any fee or fees charged by another state or its agencies, or any court of competent  
113 jurisdiction in this state or any other state, or the federal government or its agencies, in order  
114 to obtain any of the above documents from such state or the federal government.

115 (3) Any applicant who requests a nondriver's license for voting shall not be required  
116 to pay a fee. The state of Missouri shall pay the legally required fees for any such applicant.  
117 The department of revenue and a local election authority may enter into a contract that allows  
118 the local election authority to assist the department in issuing nondriver's license photo  
119 identifications.

120 7. The director of the department of revenue shall, by January first of each year,  
121 prepare and deliver to each member of the general assembly a report documenting the number  
122 of individuals who have requested and received a nondriver's license photo identification for

123 the purposes of voting under this section. The report shall also include the number of persons  
 124 requesting a nondriver's license for purposes of voting under this section, but not receiving  
 125 such license, and the reason for the denial of the nondriver's license.

126 8. The precinct register shall serve as the voter identification certificate. The  
 127 following form shall be printed at the top of each page of the precinct register:

128 VOTER'S IDENTIFICATION CERTIFICATE  
 129 Warning: It is against the law for anyone to vote, or attempt to vote,  
 130 without having a lawful right to vote.  
 131 PRECINCT  
 132 WARD OR TOWNSHIP \_\_\_\_\_  
 133 GENERAL (SPECIAL, PRIMARY) ELECTION  
 134 Held \_\_\_\_\_, 20\_\_\_\_\_  
 135 Date

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

139 9. The secretary of state shall promulgate rules to effectuate the provisions of this  
 140 section.

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

149 11. If any voter is unable to sign his name at the appropriate place on the certificate or  
 150 computer printout, an election judge shall print the name and address of the voter in the  
 151 appropriate place on the precinct register, the voter shall make his mark in lieu of signature,  
 152 and the voter's mark shall be witnessed by the signature of an election judge.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to  
 2 302.340 shall be in such form as the director shall prescribe, but the license shall be a card  
 3 made of plastic or other comparable material. All licenses shall be manufactured of materials  
 4 and processes that will prohibit, as nearly as possible, the ability to reproduce, alter,  
 5 counterfeit, forge, or duplicate any license without ready detection. The license shall also  
 6 bear the expiration date of the license, the classification of the license, the name, date of birth,  
 7 residence address including the county of residence or a code number corresponding to such

8 county established by the department, and brief description and colored digitized image of the  
9 licensee, and a facsimile of the signature of the licensee. The director shall provide by  
10 administrative rule the procedure and format for a licensee to indicate on the back of the  
11 license together with the designation for an anatomical gift as provided in section 194.240 the  
12 name and address of the person designated pursuant to sections 404.800 to 404.865 as the  
13 licensee's attorney in fact for the purposes of a durable power of attorney for health care  
14 decisions. No license shall be valid until it has been so signed by the licensee. If any portion  
15 of the license is prepared by a private firm, any contract with such firm shall be made in  
16 accordance with the competitive purchasing procedures as established by the state director of  
17 the division of purchasing.

18         2. All digital images produced for licenses shall become the property of the  
19 department of revenue.

20         3. The license issued shall be carried at all times by the holder thereof while driving a  
21 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or  
22 any police officer or peace officer, or any other duly authorized person, for inspection when  
23 demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her  
24 license to any duly authorized officer shall be presumptive evidence that such person is not a  
25 duly licensed operator.

26         4. The director of revenue shall not issue a license without a facial digital image of  
27 the license applicant, except as provided pursuant to subsection 7 of this section. A digital  
28 image of the applicant's full facial features shall be taken in a manner prescribed by the  
29 director. No digital image shall be taken wearing anything which cloaks the facial features of  
30 the individual.

31         5. The department of revenue may issue a temporary license or a full license without  
32 the photograph or with the last photograph or digital image in the department's records to  
33 members of the Armed Forces, except that where such temporary license is issued it shall be  
34 valid only until the applicant shall have had time to appear and have his or her picture taken  
35 and a license with his or her photograph issued.

36         6. The department of revenue shall issue upon request a nondriver's license card  
37 containing essentially the same information and photograph or digital image, except as  
38 provided pursuant to subsection 7 of this section, as the driver's license upon payment of six  
39 dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after  
40 issuance. A person who has passed his or her seventieth birthday shall upon application be  
41 issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this  
42 chapter, a nondriver's license containing a concealed carry endorsement shall expire three  
43 years from the date the certificate of qualification was issued pursuant to section 571.101, as  
44 section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a

45 period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a  
46 period of three years or less. The nondriver's license card shall be used for identification  
47 purposes only and shall not be valid as a license.

48 7. If otherwise eligible, an applicant may receive a driver's license or nondriver's  
49 license without a photograph or digital image of the applicant's full facial features except that  
50 such applicant's photograph or digital image shall be taken and maintained by the director and  
51 not printed on such license. In order to qualify for a license without a photograph or digital  
52 image pursuant to this section the applicant must:

53 (1) Present a form provided by the department of revenue requesting the applicant's  
54 photograph be omitted from the license or nondriver's license due to religious affiliations.  
55 The form shall be signed by the applicant and another member of the religious tenant  
56 verifying the photograph or digital image exemption on the license or nondriver's license is  
57 required as part of their religious affiliation. The required signatures on the prescribed form  
58 shall be properly notarized;

59 (2) Provide satisfactory proof to the director that the applicant has been a United  
60 States citizen for at least five years and a resident of this state for at least one year, except that  
61 an applicant moving to this state possessing a valid driver's license from another state without  
62 a photograph shall be exempt from the one-year state residency requirement. The director  
63 may establish rules necessary to determine satisfactory proof of citizenship and residency  
64 pursuant to this section;

65 (3) Applications for a driver's license or nondriver's license without a photograph or  
66 digital image must be made in person at a license office determined by the director. The  
67 director is authorized to limit the number of offices that may issue a driver's or nondriver's  
68 license without a photograph or digital image pursuant to this section.

69 8. The department of revenue shall make available, at one or more locations within  
70 the state, an opportunity for individuals to have their full facial photograph taken by an  
71 employee of the department of revenue, or their designee, who is of the same sex as the  
72 individual being photographed, in a segregated location.

73 9. Beginning July 1, 2005, the director shall not issue a driver's license or a  
74 nondriver's license for a period that exceeds an applicant's lawful presence in the United  
75 States. The director may, by rule or regulation, establish procedures to verify the lawful  
76 presence of the applicant and establish the duration of any driver's license or nondriver's  
77 license issued under this section.

78 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170,  
79 the department of revenue is hereby authorized to design and implement a secure digital  
80 driver's license program that allows applicants applying for a driver's license in accordance

81 with this chapter to obtain a secure digital driver's license in addition to the physical card-  
82 based license specified in this section.

83 (2) A digital driver's license as described in this subsection shall be accepted for all  
84 purposes for which a license, as defined in section 302.010, is used.

85 (3) The department may contract with one or more entities to develop the secure  
86 digital driver's license system. The department or entity may develop a mobile software  
87 application capable of being utilized through a person's electronic device to access the  
88 person's secure digital driver's license.

89 (4) The department shall suspend, disable, or terminate a person's participation in the  
90 secure digital driver's license program if:

91 (a) The person's driving privilege is suspended, revoked, denied, withdrawn, or  
92 cancelled as provided in this chapter; or

93 (b) The person reports that the person's electronic device has been lost, stolen, or  
94 compromised.

95 **11. Beginning July 1, 2025, any driver's license or nondriver's license issued to a**  
96 **person who is a citizen of the United States, including naturalized citizens, shall have a**  
97 **distinguishing mark on the front of the license that specifies that the license holder is a**  
98 **citizen of the United States. The department of revenue shall coordinate with the United**  
99 **States Department of State to establish criteria for establishing citizen status and a**  
100 **procedure for verifying such status.**

101 [~~11.~~] 12. The director of the department of revenue may promulgate rules as  
102 necessary for the implementation of this section. Any rule or portion of a rule, as that term is  
103 defined in section 536.010 that is created under the authority delegated in this section shall  
104 become effective only if it complies with and is subject to all of the provisions of chapter 536  
105 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any  
106 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
107 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then  
108 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020,  
109 shall be invalid and void.

✓