

SECOND REGULAR SESSION

# HOUSE BILL NO. 2052

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHWADRON.

4045H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal sections 115.133, 115.163, 115.287, 115.295, 115.430, 115.635, 115.637, and 115.642, RSMo, and to enact in lieu thereof nine new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.133, 115.163, 115.287, 115.295, 115.430, 115.635, 115.637, 2 and 115.642, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known 3 as sections 115.133, 115.163, 115.287, 115.295, 115.430, 115.635, 115.637, 115.642, and 4 115.1200, to read as follows:

115.133. 1. Except as provided in subsection 2 of this section, any citizen of the 2 United States who is a resident of the state of Missouri and seventeen years and six months of 3 age or older shall be entitled to register and to vote in any election which is held on or after 4 his eighteenth birthday. **Such voter registration shall be valid for six years from the 5 voter's birthday. The six-year expiration shall be updated with any voter registration 6 application update, such as name change or address change. The expiration date shall 7 be calculated based on the current year birthday, and if the application is dated after the 8 current year birthday, the next succeeding year birthday shall be used to calculate the 9 expiration date. If the voter registration has expired, the voter may complete a voter 10 registration application and shall comply with 115.135 to be eligible to vote. Any voter 11 registration duly registered on January 1, 2024, shall expire six years from the voter's 12 next birthday unless otherwise updated according to this section.**

13 2. No person who is adjudged incapacitated shall be entitled to register or vote. No 14 person shall be entitled to vote:

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.

- 15 (1) While confined under a sentence of imprisonment;  
16 (2) While on probation or parole after conviction of a felony, until finally discharged  
17 from such probation or parole; or  
18 (3) After conviction of a felony or misdemeanor connected with the right of suffrage.  
19 3. Except as provided in federal law or federal elections and in section 115.277, no  
20 person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his  
21 or her residence prior to the deadline to register to vote.

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

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

10 3. (1) The election authority shall send to each voter, except those who registered by  
11 mail and have not voted, a voter ~~[identification]~~ **information** card no later than ninety days  
12 prior to the date of a primary or general election for federal office, unless the voter has  
13 received such a card during the preceding six months. The election authority shall send to  
14 each voter who registered by mail and has not voted the verification notice required under  
15 section 115.155 no later than ninety days prior to the date of a primary or general election for  
16 federal office.

17 (2) The voter ~~[identification]~~ **information** card shall contain the voter's name,  
18 address, political party affiliation, **registration expiration date**, and precinct. The card also  
19 shall inform the voter of the personal identification requirement in section 115.427 and may  
20 also contain other voting information at the discretion of the election authority.

21 (3) The voter ~~[identification]~~ **information** card shall be sent to a voter, except those  
22 who registered by mail and have not voted, after a new registration or a change of address. If  
23 any voter, except those who registered by mail and have not voted, shall lose his or her voter  
24 ~~[identification]~~ **information** card or change political party affiliation, he or she may request a  
25 new card from the election authority.

26 (4) The voter ~~[identification]~~ **information** card authorized pursuant to this section  
27 may be used as a canvass of voters in lieu of the provisions set out in sections 115.179 to  
28 115.193.

29 (5) Except as provided in subsection 6 of section 115.157, anyone, upon request and  
30 payment of a reasonable fee, may obtain a printout, list and/or computer tape of those newly

31 registered voters or voters deleted from the voting rolls, since the last canvass or updating of  
32 the rolls.

33 (6) The election authority may authorize the use of the postal service contractors  
34 under the federal National Change of Address program to identify those voters whose address  
35 is not correct on the voter registration records. The election authority shall not be required to  
36 mail a voter registration card to those voters whose addresses are incorrect. Confirmation  
37 notices to such voters required by section 115.193 shall be sent to the corrected address  
38 provided by the National Change of Address program.

115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied  
2 the applicant is entitled to vote by absentee ballot, the election authority shall, within three  
3 working days after receiving the application, or if absentee ballots are not available at the  
4 time the application is received, within five working days after they become available, deliver  
5 to the voter an absentee ballot, ballot envelope and such instructions as are necessary for the  
6 applicant to vote. Delivery shall be made to the voter personally in the office of the election  
7 authority or by bipartisan teams appointed by the election authority, or by first class,  
8 registered, or certified mail at the discretion of the election authority, or in the case of a  
9 covered voter as defined in section 115.902, the method of transmission prescribed in section  
10 115.914. Where the election authority is a county clerk, the members of bipartisan teams  
11 representing the political party other than that of county clerk shall be selected from a list of  
12 persons submitted to the county clerk by the county chairman of that party. If no list is  
13 provided by the time that absentee ballots are to be made available, the county clerk may  
14 select a person or persons from lists provided in accordance with section 115.087. If the  
15 election authority is not satisfied that any applicant is entitled to vote by absentee ballot, it  
16 shall not deliver an absentee ballot to the applicant. Within three working days of receiving  
17 such an application, the election authority shall notify the applicant and state the reason he or  
18 she is not entitled to vote by absentee ballot. The applicant may file a complaint with the  
19 elections division of the secretary of state's office under and pursuant to section 115.219.

20 2. If, after 5:00 p.m. on the second Wednesday before an election, any voter from the  
21 jurisdiction has become hospitalized, becomes confined due to illness or injury, or is confined  
22 in an intermediate care facility, residential care facility, or skilled nursing facility on election  
23 day, as such terms are defined in section 198.006, in the county in which the jurisdiction is  
24 located or in the jurisdiction of an adjacent election authority within the same county, the  
25 election authority shall appoint a team to deliver, witness the signing of and return the voter's  
26 application and deliver, witness the voting of and return the voter's absentee ballot. If the  
27 election authority receives ten or more applications for absentee ballots from the same  
28 address it shall appoint a team to deliver and witness the voting and return of absentee ballots  
29 by voters residing at that address, except when such addresses are for an apartment building

30 or other structure wherein individual living units are located, each of which has its own  
31 separate cooking facilities. Each team appointed pursuant to this subsection shall consist of  
32 two registered voters, one from each major political party. Both members of any team  
33 appointed pursuant to this subsection shall be present during the delivery, signing or voting  
34 and return of any application or absentee ballot signed or voted pursuant to this subsection.

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

38 4. No information which encourages a vote for or against a candidate or issue shall be  
39 provided **by the election authority** to any voter with an absentee ballot.

115.295. 1. As each absentee ballot is received by the election authority, the election  
2 authority shall indicate its receipt on the list.

3 2. If the statements on any ballot envelope have not been completed, the absentee  
4 ballot in the envelope shall be rejected.

5 3. **The election authority shall compare the signature on the ballot envelope with**  
6 **the signature of the voter on the voter's registration record. If the signature is**  
7 **inconsistent with the voter's signature on the voter's registration record, the envelope**  
8 **shall be rejected.**

9 4. All ballot envelopes received by the election authority shall be kept together in a  
10 safe place and shall not be opened except as provided in this subchapter.

115.430. 1. This section shall apply to ~~[primary and general elections where~~  
2 ~~candidates for federal or statewide offices are nominated or elected and any election where~~  
3 ~~statewide issue or issues are submitted to the voters]~~ **any public election.**

4 2. (1) A voter claiming to be properly registered in the jurisdiction of the election  
5 authority and eligible to vote in an election, but whose eligibility at that precinct cannot be  
6 immediately established upon examination of the precinct register, shall be entitled to vote a  
7 provisional ballot after providing a form of personal identification required pursuant to  
8 section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central  
9 polling place as established in section 115.115 where the voter may vote his or her  
10 appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a  
11 provisional ballot if eligibility cannot be determined. The provisional ballot provided to a  
12 voter under this section shall be the ballot provided to a resident of the voter's precinct  
13 determined by reference to the affidavit provided for in this section. If the voter declares that  
14 the voter is eligible to vote and the election authority determines that the voter is eligible to  
15 vote at another polling place, the voter shall be directed to the correct polling place or a  
16 central polling place as established by the election authority pursuant to subsection 5 of  
17 section 115.115. If the voter refuses to go to the correct polling place or a central polling

18 place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place,  
19 but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

20 (2) The following steps shall be taken to establish a voter's eligibility to vote at a  
21 polling place:

22 (a) The election judge shall examine the precinct register as provided in section  
23 115.425. If the voter is registered and eligible to vote at the polling place, the voter shall  
24 receive a regular ballot;

25 (b) If the voter's eligibility cannot be immediately established by examining the  
26 precinct register, the election judge shall contact the election authority. If the election  
27 authority cannot immediately establish that the voter is registered and eligible to vote at the  
28 polling place upon examination of the Missouri voter registration system, or if the election  
29 judge is unable to make contact with the election authority immediately, the voter shall be  
30 notified that the voter is entitled to a provisional ballot.

31 (3) The voter shall have the duty to appear and vote at the correct polling place. If an  
32 election judge determines that the voter is not eligible to vote at the polling place at which a  
33 voter presents himself or herself, and if the voter appears to be eligible to vote at another  
34 polling place, the voter shall be informed that he or she may cast a provisional ballot at the  
35 current polling place or may travel to the correct polling place or a central polling place, as  
36 established by the election authority under subsection 5 of section 115.115, where the voter  
37 may cast a regular ballot or provisional ballot if the voter's eligibility still cannot be  
38 determined. Provisional ballots cast at a polling place shall be counted only if the voter was  
39 eligible to vote at such polling place as provided in subsection 5 of this section.

40 (4) For a voter requesting an absentee ballot in person, such voter shall be entitled to  
41 cast a provisional ballot when the voter's eligibility cannot be immediately established upon  
42 examination of the precinct registers or the Missouri voter registration system.

43 (5) Prior to accepting any provisional ballot at the polling place, the election judges  
44 shall determine that the information provided on the provisional ballot envelope by the  
45 provisional voter is consistent with the identification provided by such person under section  
46 115.427.

47 3. (1) No person shall be entitled to receive a provisional ballot until such person has  
48 completed a provisional ballot affidavit on the provisional ballot envelope.

49 (2) The secretary of state shall produce appropriate sizes of provisional ballot  
50 envelopes and distribute them to each election authority according to their tabulating system.  
51 All provisional ballot envelopes shall be printed on a distinguishable color of paper that is  
52 different from the color of the regular ballot. The provisional ballot envelope shall be in the  
53 form required by subsection 4 of this section. All provisional ballots shall be marked with a

54 conspicuous stamp or other distinguishing mark that makes them readily distinguishable from  
55 the regular ballots.

56 (3) Once voted, the provisional ballot shall be placed and sealed in a provisional  
57 ballot envelope.

58 4. The provisional ballot in its envelope shall be deposited in the ballot box. The  
59 provisional ballot envelope shall be completed by the voter for use in determining eligibility.  
60 The provisional ballot envelope specified in this section shall contain a voter's certificate  
61 which shall be in substantially the following form:

62 STATE OF \_\_\_\_\_

63 COUNTY OF \_\_\_\_\_

64 I do solemnly swear (or affirm) that my name is \_\_\_\_\_; that my date of  
65 birth is \_\_\_\_\_; that the last four digits of my Social Security Number are \_  
66 \_\_\_\_\_; that I am registered to vote in \_\_\_\_\_ County or City (if a City not  
67 within a County), Missouri; that I am a qualified voter of said County (or  
68 City not within a County); that I am eligible to vote at this polling place;  
69 and that I have not voted in this election.

70 I understand that if the above-provided information is not correct and the  
71 election authority determines that I am not registered and eligible to vote,  
72 my vote will not be counted. I further understand that knowingly providing  
73 false information is a violation of law and subjects me to possible criminal  
74 prosecution.

75 \_\_\_\_\_  
76 (Signature of Voter)

77 \_\_\_\_\_  
78 (Current Address)

79 Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

80 \_\_\_\_\_  
81 (Signature of Election Official)

82

83 The voter may provide additional information to further assist the election authority in  
84 determining eligibility, including the place and date the voter registered to vote, if known.

85 5. (1) Prior to counting any provisional ballot, the election authority shall determine  
86 if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility  
87 of provisional votes shall be determined according to the requirements for a voter to cast a  
88 ballot in the election as set forth in sections 115.133 and 115.135. A provisional [voter] ballot  
89 shall not be eligible to be counted until the election authority has determined that:

90 (a) The voter cast such provisional ballot at a polling place established for the voter or  
91 the central polling place established by the election authority under subsection 5 of section  
92 115.115;

93 (b) The individual who cast the provisional ballot is an individual registered to vote in  
94 the respective election at the polling place where the ballot was cast;

95 (c) The voter did not otherwise vote in the same election by regular ballot, absentee  
96 ballot, or otherwise; and

97 (d) The information on the provisional ballot envelope is found to be correct,  
98 complete, and accurate.

99 (2) When the ballot boxes are delivered to the election authority from the polling  
100 places, the receiving teams shall separate the provisional ballots from the rest of the ballots  
101 and place the sealed provisional ballot envelopes in a separate container. Teams of election  
102 authority employees or teams of election judges with each team consisting of one member of  
103 each major political party shall photocopy each provisional ballot envelope, such photocopy  
104 to be used by the election authority to determine provisional voter eligibility. The sealed  
105 provisional ballot envelopes shall be placed by the team in a sealed container and shall remain  
106 therein until tabulation.

107 (3) To determine whether a provisional ballot is valid and entitled to be counted, the  
108 election authority shall examine its records and verify that the provisional voter is properly  
109 registered and eligible to vote in the election. If the provisional voter has provided  
110 information regarding the registration agency where the provisional voter registered to vote,  
111 the election authority shall make an inquiry of the registration agency to determine whether  
112 the provisional voter is properly registered and eligible to vote in the election.

113 (4) If the election authority determines that the provisional voter is registered and  
114 eligible to vote in the election, the election authority shall provide documentation verifying  
115 the voter's eligibility. Such documentation shall be noted on the copy of the provisional ballot  
116 envelope and shall contain substantially the following information:

117 (a) The name of the provisional voter;

118 (b) The name of the reviewer;

119 (c) The date and time; and

120 (d) A description of evidence found that supports the voter's eligibility.

121 (5) The local election authority shall record on a provisional ballot acceptance/  
122 rejection list the provisional ballot identification number and a notation marking it as  
123 accepted.

124 (6) If the election authority determines that the provisional voter is not registered or  
125 eligible to vote in the election, the election authority shall provide documentation verifying

126 the voter's ineligibility. Such documentation shall be noted on the copy of the provisional  
127 ballot envelope and shall contain substantially the following information:

128 (a) The name of the provisional voter;

129 (b) The name of the reviewer;

130 (c) The date and time;

131 (d) A description of why the voter is ineligible.

132 (7) The local election authority shall record on a provisional ballot acceptance/  
133 rejection list the provisional ballot identification number and notation marking it as rejected.

134 (8) If rejected, a photocopy of the envelope shall be made and used by the election  
135 authority as a mail-in voter registration. The actual provisional ballot envelope shall be kept  
136 as ballot material, and the copy of the envelope shall be used by the election authority for  
137 registration record keeping.

138 6. All provisional ballots cast by voters whose eligibility has been verified as  
139 provided in this section shall be counted in accordance with the rules governing ballot  
140 tabulation. Provisional ballots shall not be counted until all provisional ballots are determined  
141 either eligible or ineligible and all provisional ballots must be processed before the election is  
142 certified. The provisional ballot shall be counted only if the election authority determines that  
143 the voter is registered and eligible to vote. Provisional ballots voted in the wrong polling  
144 place shall not be counted. If the voter is not registered but is qualified to register for future  
145 elections, the affidavit shall be considered a mail-in application to register to vote pursuant to  
146 this chapter.

147 7. (1) After the election authority completes its review of the provisional voter's  
148 eligibility under subsection 5 of this section, the election authority shall deliver the  
149 provisional ballots and copies of the provisional ballot envelopes that include eligibility  
150 information to bipartisan counting teams, which may be the board of verification, for review  
151 and tabulation. The election authority shall maintain a record of such delivery. The record  
152 shall include the number of ballots delivered to each team and shall include a signed receipt  
153 from two judges, one from each major political party. The election authority shall provide  
154 each team with a ballot box and material necessary for tabulation.

155 (2) If the person named on the provisional ballot affidavit is found to have been  
156 properly qualified and registered to cast a ballot in the election and the provisional ballot  
157 otherwise qualifies to be counted under the provisions of this section, the envelope shall be  
158 opened, and the ballot shall be placed in a ballot box to be counted.

159 (3) If the person named on the provisional ballot affidavit is found not to have been  
160 properly qualified and registered to cast a ballot in the election or if the election authority is  
161 unable to determine such person's right to vote, the envelope containing the provisional ballot  
162 shall not be opened, and the person's vote shall not be counted. The members of the team



163 shall follow the procedures set forth in subsection 5 of this section for rejected provisional  
164 ballots.

165 (4) The votes shall be tallied and the returns made as provided in sections 115.447 to  
166 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted,  
167 the ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information  
168 provided by the election authority shall be enclosed in sealed containers marked "Voted  
169 provisional ballots and ballot envelopes from the election held \_\_\_\_\_, 20\_\_\_\_\_". All  
170 rejected provisional ballots, ballot envelopes, and copies of ballot envelopes with the  
171 eligibility information provided by the election authority shall be enclosed in sealed  
172 containers marked "Rejected provisional ballots and ballot envelopes from the election held \_  
173 \_\_\_\_\_, 20\_\_\_\_\_". On the outside of each voted ballot and rejected ballot container, each  
174 member of the team shall write their name and all such containers shall be returned to the  
175 election authority. Upon receipt of the returns and ballots, the election authority shall tabulate  
176 the provisional votes.

177 8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be  
178 present during all times that the bipartisan counting teams are reviewing or counting the  
179 provisional ballots, the provisional ballot envelopes, or copies of the provisional ballot  
180 envelopes that include eligibility information provided by the election authority. Challengers  
181 and watchers shall be permitted to observe the determination of the eligibility of all  
182 provisional ballots. The election authority shall notify the county chair of each major  
183 political party of the time and location when bipartisan counting teams will be reviewing or  
184 counting the provisional ballots, the provisional ballot envelopes, or the copies of the  
185 provisional ballot envelopes that include the eligibility information provided by the election  
186 authority.

187 9. The certificate of ballot cards shall:

188 (1) Reflect the number of provisional envelopes delivered; and

189 (2) Reflect the number of sealed provisional envelopes with voted ballots deposited in  
190 the ballot box.

191 10. In counties where the voting system does not utilize a paper ballot, the election  
192 authority shall provide the appropriate provisional ballots to each polling place.

193 11. The secretary of state may promulgate rules for purposes of ensuring the uniform  
194 application of this section. No rule or portion of a rule promulgated pursuant to the authority  
195 of this section shall become effective unless it has been promulgated pursuant to chapter 536.

196 12. The secretary of state shall design and provide to the election authorities the  
197 envelopes and forms necessary to carry out the provisions of this section.

198 13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure  
199 a free access system is established, such as a toll-free number or an internet website, that any

200 individual who casts a provisional ballot may access to discover whether the vote of that  
201 individual was counted, and, if the vote was not counted, the reason that the vote was not  
202 counted. At the time an individual casts a provisional ballot, the election authority shall give  
203 the voter written information that states that any individual who casts a provisional ballot will  
204 be able to ascertain under such free access system whether the vote was counted, and if the  
205 vote was not counted, the reason that the vote was not counted.

206         14. In accordance with the Help America Vote Act of 2002, any individual who votes  
207 in an election as a result of a court order or any other order extending the time established for  
208 closing the polls in section 115.407 may vote only by using a provisional ballot, and such  
209 provisional ballot shall be separated and held apart from other provisional ballots cast by  
210 those not affected by the order. Such ballots shall not be counted until such time as the ballots  
211 are determined to be valid. No state court shall have jurisdiction to extend the polling hours  
212 established by law, including section 115.407.

115.635. The following offenses, and any others specifically so described by law,  
2 shall be class three election offenses and are deemed misdemeanors connected with the  
3 exercise of the right of suffrage. Conviction for any of these offenses shall be punished by  
4 imprisonment of not more than one year or by fine of not more than two thousand five  
5 hundred dollars, or by both such imprisonment and fine:

6         (1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to  
7 procure, any money or valuable consideration, office, or place of employment, to or for any  
8 voter, to or for any person on behalf of any voter, or to or for any person, in order to induce  
9 any voter to vote or refrain from voting or corruptly doing any such act on account of such  
10 voter having already voted or refrained from voting at any election;

11         (2) Making use of, or threatening to make use of, any force, violence, or restraint, or  
12 inflicting or threatening to inflict any injury, damage, harm or loss upon or against any  
13 person, in order to induce or compel such person to vote or refrain from voting at any  
14 election;

15         (3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress  
16 or any fraudulent device or contrivance, the free exercise of the franchise of any voter or, by  
17 abduction, duress, or any fraudulent device, compelling, inducing, or prevailing upon any  
18 voter to vote or refrain from voting at any election;

19         (4) Giving, or making an agreement to give, any money, property, right in action, or  
20 other gratuity or reward, in consideration of any grant or deputation of office;

21         (5) Bringing into this state any nonresident person with intent that such person shall  
22 vote at an election without possessing the requisite qualifications;

23 (6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or  
24 other device or agreeing or contracting for any money, gift, office, employment, or other  
25 reward, for giving, or refraining from giving, his or her vote in any election;

26 (7) Removing, destroying or altering any supplies or information placed in or near a  
27 voting booth for the purpose of enabling a voter to prepare his or her ballot;

28 (8) Entering a voting booth or compartment except as specifically authorized by law;

29 (9) On the part of any election official, challenger, watcher or person assisting a  
30 person to vote, revealing or disclosing any information as to how any voter may have voted,  
31 indicated that the person had voted except as authorized by this chapter, indicated an intent to  
32 vote or offered to vote, except to a grand jury or pursuant to a lawful subpoena in a court  
33 proceeding relating to an election offense;

34 (10) On the part of any registration or election official, refusing to permit any person  
35 to register to vote or to vote when such official knows the person is legally entitled to register  
36 or legally entitled to vote;

37 (11) Attempting to commit or participating in an attempt to commit any class one or  
38 class two election offense;

39 **(12) Threatening to harm or engaging in conduct reasonably calculated to harass**  
40 **or alarm, including stalking under section 565.227, an election judge, challenger,**  
41 **watcher, or employee or volunteer of an election authority, or a member of such person's**  
42 **family;**

43 **(13) Attempting to induce, influence, deceive, or pressure an election official or**  
44 **member of an election official's family to violate any provision of this chapter;**

45 **(14) Disseminating, through any means, including by posting on the internet, the**  
46 **home address, home telephone number, mobile telephone number, personal email**  
47 **address, social security number, federal tax identification number, checking account**  
48 **number, savings account number, credit card number, marital status, or identity of a**  
49 **child under eighteen years of age, of an election judge, challenger, watcher, or employee**  
50 **or volunteer of an election authority, or a member of such person's family, for the**  
51 **purposes listed in subdivisions (12) and (13) of this section.**

115.637. The following offenses, and any others specifically so described by law,  
2 shall be class four election offenses and are deemed misdemeanors not connected with the  
3 exercise of the right of suffrage. Conviction for any of these offenses shall be punished by  
4 imprisonment of not more than one year or by a fine of not more than two thousand five  
5 hundred dollars or by both such imprisonment and fine:

6 (1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample  
7 ballots that may be furnished by an organization or individual at or near any voting place on  
8 election day, except that this subdivision shall not be construed so as to interfere with the right

9 of an individual voter to erase or cause to be erased on a sample ballot the name of any  
10 candidate and substituting the name of the person for whom he or she intends to vote; or to  
11 dispose of the received sample ballot;

12 (2) Printing, circulating, or causing to be printed or circulated, any false and  
13 fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

14 (3) Purposefully giving a printed or written sample ballot to any qualified voter which  
15 is intended to mislead the voter;

16 (4) On the part of any candidate for election to any office of honor, trust, or profit,  
17 offering or promising to discharge the duties of such office for a less sum than the salary, fees,  
18 or emoluments as fixed by law or promising to pay back or donate to any public or private  
19 interest any portion of such salary, fees, or emolument as an inducement to voters;

20 (5) On the part of any canvasser appointed to canvass any registration list, willfully  
21 failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to  
22 perform his duties in making such canvass or willfully neglecting any duties lawfully  
23 assigned to him or her;

24 (6) On the part of any employer, making, enforcing, or attempting to enforce any  
25 order, rule, or regulation or adopting any other device or method to prevent an employee from  
26 engaging in political activities, accepting candidacy for nomination to, election to, or the  
27 holding of, political office, holding a position as a member of a political committee, soliciting  
28 or receiving funds for political purpose, acting as chairman or participating in a political  
29 convention, assuming the conduct of any political campaign, signing, or subscribing his or her  
30 name to any initiative, referendum, or recall petition, or any other petition circulated pursuant  
31 to law;

32 (7) On the part of any person authorized or employed to print official ballots, or any  
33 person employed in printing ballots, giving, delivering, or knowingly permitting to be taken  
34 any ballot to or by any person other than the official under whose direction the ballots are  
35 being printed, any ballot in any form other than that prescribed by law, or with unauthorized  
36 names, with names misspelled, or with the names of candidates arranged in any way other  
37 than that authorized by law;

38 (8) On the part of any election authority or official charged by law with the duty of  
39 distributing the printed ballots, or any person acting on his or her behalf, knowingly  
40 distributing or causing to be distributed any ballot in any manner other than that prescribed by  
41 law;

42 (9) Any person having in his or her possession any official ballot, except in the  
43 performance of his or her duty as an election authority or official, or in the act of exercising  
44 his or her individual voting privilege;

45 (10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a  
46 voter;

47 (11) On the part of any election judge, being willfully absent from the polls on  
48 election day without good cause or willfully detaining any election material or equipment and  
49 not causing it to be produced at the voting place at the opening of the polls or within fifteen  
50 minutes thereafter;

51 (12) On the part of any election authority or official, willfully neglecting, refusing, or  
52 omitting to perform any duty required of him or her by law with respect to holding and  
53 conducting an election, receiving and counting out the ballots, or making proper returns;

54 (13) On the part of any election judge, or party watcher or challenger, furnishing any  
55 information tending in any way to show the state of the count to any other person prior to the  
56 closing of the polls;

57 (14) On the part of any voter, except as otherwise provided by law, allowing his or her  
58 ballot to be seen by any person with the intent of letting it be known how he or she is about to  
59 vote or has voted, or knowingly making a false statement as to his or her inability to mark a  
60 ballot;

61 (15) On the part of any election judge, disclosing to any person the name of any  
62 candidate for whom a voter has voted;

63 (16) Interfering, or attempting to interfere, with any voter inside a polling place;

64 (17) On the part of any person at any registration site, polling place, counting location  
65 or verification location, causing any breach of the peace or engaging in disorderly conduct,  
66 violence, or threats of violence whereby such registration, election, count or verification is  
67 impeded or interfered with;

68 (18) Exit polling, surveying, sampling, **circulating initiative or referendum**  
69 **petitions**, electioneering, distributing election literature, posting signs or placing vehicles  
70 bearing signs with respect to any candidate or question to be voted on at an election [~~on~~  
71 ~~election day~~] inside the building in which a polling place is located **on election day or**  
72 **during the absentee voting period** or within twenty-five feet of the building's outer door  
73 closest to the polling place **on election day or during the absentee voting period**, or, on the  
74 part of any person, refusing to remove or permit removal from property owned or controlled  
75 by such person, any such election sign or literature located within such distance on such day  
76 after request for removal by any person;

77 (19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign  
78 on private property, except that this subdivision shall not be construed to interfere with the  
79 right of any private property owner to take any action with regard to campaign yard signs on  
80 the owner's property and this subdivision shall not be construed to interfere with the right of

81 any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from  
82 the owner's private property after the election day.

115.642. 1. Any person may file a complaint with the secretary of state stating the  
2 name of any person who has violated any of the provisions of sections 115.629 to 115.646 and  
3 stating the facts of the alleged offense, sworn to, under penalty of perjury.

4 2. Within thirty days of receiving a complaint, the secretary of state shall notify the  
5 person filing the complaint whether or not the secretary has dismissed the complaint or will  
6 commence an investigation. The secretary of state shall dismiss frivolous complaints. For  
7 purposes of this subsection, "frivolous complaint" shall mean an allegation clearly lacking  
8 any basis in fact or law. Any person who makes a frivolous complaint pursuant to this section  
9 shall be liable for actual and compensatory damages to the alleged violator for holding the  
10 alleged violator before the public in a false light. If reasonable grounds appear that the  
11 alleged offense was committed, the secretary of state may issue a probable cause statement.  
12 If the secretary of state issues a probable cause statement, he or she may refer the offense to  
13 the appropriate prosecuting attorney.

14 3. Notwithstanding the provisions of section 27.060, 56.060, or 56.430 to the  
15 contrary, when requested by the prosecuting attorney or circuit attorney, the secretary of state  
16 or his or her authorized representatives may aid any prosecuting attorney or circuit attorney in  
17 the commencement and prosecution of election offenses as provided in sections 115.629 to  
18 115.646.

19 4. (1) The secretary of state may investigate any suspected violation of any of the  
20 provisions of sections 115.629 to 115.646.

21 (2) (a) The secretary of state or an authorized representative of the secretary of state  
22 shall have the power to require the production of books, papers, correspondence, memoranda,  
23 contracts, agreements, and other records by subpoena or otherwise when necessary to conduct  
24 an investigation under this section. Such powers shall be exercised only at the specific  
25 written direction of the secretary of state or his or her chief deputy.

26 (b) If any person refuses to comply with a subpoena issued under this ~~[subsection]~~  
27 **subdivision**, the secretary of state may seek to enforce the subpoena before a court of  
28 competent jurisdiction to require the production of books, papers, correspondence,  
29 memoranda, contracts, agreements, and other records. The court may issue an order  
30 requiring the person to produce records relating to the matter under investigation or in  
31 question. Any person who fails to comply with the order may be held in contempt of court.

32 ~~[(c) The provisions of this subdivision shall expire on August 28, 2025.]~~

**115.1200. 1. This section shall be known as the "Missouri Elections Sovereignty  
2 Act".**

3           **2. The general assembly finds that regulations placed by Congress on the times,**  
4 **places, and manner of holding elections for representatives and the times and manner of**  
5 **holding elections for senators are limited only to those respective offices and do not**  
6 **extend to state and local elections.**

7           **3. The general assembly of the state of Missouri reserves authority to regulate**  
8 **both voter qualifications and the time, place, and manner for state and local elections to**  
9 **the maximum extent authorized by the Constitution of the United States.**

10           **4. The state of Missouri shall comply with and implement federal laws governing**  
11 **the time, place, and manner of United States representative elections and federal laws**  
12 **governing the time and manner of United States senate elections to the extent necessary**  
13 **to preserve the federal system of government and comply with the Constitution of the**  
14 **United States, but shall reserve the right to protect, preserve, and defend the integrity of**  
15 **state and local elections through lawful regulation of voter qualifications for such state**  
16 **and local elections.**

17           **5. Any differences in the regulations for time, place, and manner of holding**  
18 **elections for federal representatives, the time and manner for the senate elections, and**  
19 **state and local elections shall result in separate election procedures to ensure the**  
20 **sovereignty of the state of Missouri to conduct elections in the manner in which the**  
21 **general assembly shall deem necessary.**

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