

SECOND REGULAR SESSION

# HOUSE BILL NO. 2371

## 102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MERIDETH.

5046H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal sections 115.133, 115.135, 115.205, 115.277, 115.279, 115.283, 115.293, 115.295, and 115.427, RSMo, and to enact in lieu thereof ten new sections relating to elections.

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

Section A. Sections 115.133, 115.135, 115.205, 115.277, 115.279, 115.283, 115.293, 115.295, and 115.427, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 115.133, 115.135, 115.277, 115.279, 115.283, 115.293, 115.295, 115.298, 115.427, and 115.972, to read as follows:

115.133. 1. Except as provided in subsection 2 of this section, any citizen of the United States who is a resident of the state of Missouri and seventeen years and six months of age or older shall be entitled to register and to vote in any election which is held on or after his eighteenth birthday.

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

(1) ~~While confined under a sentence of imprisonment;~~

(2) ~~While on probation or parole after conviction of a felony, until finally discharged from such probation or parole; or~~

(3) after conviction of a felony or misdemeanor connected with the right of suffrage.

3. Except as provided in federal law or federal elections and in **[section] sections 115.135 and 115.277**, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to **[the deadline to register to vote] voting**.

115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within

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.

3 which he or she resides. In order to vote in any election for which registration is required, a  
4 person must be registered to vote ~~[in the state of Missouri no later than 5:00 p.m., or the~~  
5 ~~normal closing time of any public building where the registration is being held if such time is~~  
6 ~~later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an~~  
7 ~~interstate former resident, a new resident, or a covered voter, as defined in section 115.275]~~  
8 **on or before the day of the election. The person registering to vote may register to vote**  
9 **via any state-approved online voter registration system, at any location for voter**  
10 **registration established by the secretary of state, or any election authority or polling**  
11 **place in the state of Missouri on or before the day of the election.** Any person registering  
12 after such date shall be eligible to vote in subsequent elections.

13 2. A person applying to register with an election authority or a deputy registration  
14 official shall identify himself or herself by presenting a copy of a birth certificate, a Native  
15 American tribal document, other proof of United States citizenship, a valid Missouri drivers  
16 license or other form of personal identification at the time of registration.

17 3. Except as provided in federal law or federal elections and in section 115.277, no  
18 person shall be entitled to vote ~~[if the person has not registered to vote in the jurisdiction of~~  
19 ~~his or her residence]~~ **in an election unless such person is eligible and properly registered**  
20 **to vote prior to casting the person's ballot in such election.**

21 ~~[4. A covered voter as defined in section 115.275 who has been discharged from~~  
22 ~~military service, has returned from a military deployment or activation, or has separated from~~  
23 ~~employment outside the territorial limits of the United States after the deadline to register to~~  
24 ~~vote, and who is otherwise qualified to register to vote, may register to vote in an election in~~  
25 ~~person before the election authority until 5:00 p.m. on the Friday before such election. Such~~  
26 ~~persons shall produce sufficient documentation showing evidence of qualifying for late~~  
27 ~~registration pursuant to this section.]~~

115.277. 1. A registered voter of this state may cast an absentee ballot in person at a  
2 location designated by the election authority for all candidates and issues for which such voter  
3 is eligible to vote at the polling place if such voter ~~[expects to be]~~ **believes the voter may be**  
4 prevented from going to the polls to vote on election day ~~[due to one of the reasons listed in~~  
5 ~~subsection 3 of this section]~~. A registered voter casting a ballot under the provisions of this  
6 subsection shall provide a form of personal photo identification that is consistent with  
7 subsection 1 of section 115.427. ~~[Beginning on the second Tuesday prior to an election, a~~  
8 ~~reason listed under subsection 3 of this section shall not be required, provided that, the~~  
9 ~~provisions of section 1.140 to the contrary notwithstanding, this sentence and section 115.427~~  
10 ~~shall be nonseverable, and if any provision of section 115.427 is for any reason held to be~~  
11 ~~invalid, such decision shall invalidate this sentence.]~~

12           2. ~~[Except as provided in subsections 4, 5, and 6 of this section, a registered voter of~~  
13 ~~this state may cast an absentee ballot not in person at a location designated by the election~~  
14 ~~authority for all candidates and issues for which such voter would be eligible to vote at the~~  
15 ~~polling place if such voter expects to be prevented from going to the polls to vote on election~~  
16 ~~day due to one of the reasons listed in subsection 3 of this section. An absentee ballot that is~~  
17 ~~not requested and completed in person at the office of the election authority with a form of~~  
18 ~~personal photo identification that is consistent with subsection 1 of section 115.427 shall have~~  
19 ~~the statement on the ballot envelope notarized as required under section 115.283, except that~~  
20 ~~absentee ballots requested under subdivisions (2) and (5) of subsection 3 of this section shall~~  
21 ~~not require notarization. This subsection shall apply only in the case of absentee ballots that~~  
22 ~~are not cast in person.~~

23           3. ~~A voter may request an absentee ballot for any of the following reasons:~~

24           (1) ~~Absence on election day from the jurisdiction of the election authority in which~~  
25 ~~such voter is registered to vote;~~

26           (2) ~~Incapacity or confinement due to illness or physical disability on election day,~~  
27 ~~including a person who is primarily responsible for the physical care of a person who is~~  
28 ~~incapacitated or confined due to illness or disability and resides at the same address;~~

29           (3) ~~Religious belief or practice;~~

30           (4) ~~Employment as:~~

31           (a) ~~An election authority, as a member of an election authority, or by an election~~  
32 ~~authority at a location other than such voter's polling place;~~

33           (b) ~~A first responder;~~

34           (c) ~~A health care worker; or~~

35           (d) ~~A member of law enforcement;~~

36           (5) ~~Incarceration, provided all qualifications for voting are retained;~~

37           (6) ~~Certified participation in the address confidentiality program established under~~  
38 ~~sections 589.660 to 589.681 because of safety concerns.~~

39           4.] Any covered voter who is eligible to register and vote in this state may vote in any  
40 election for federal office, statewide office, state legislative office, or statewide ballot  
41 initiatives by submitting a federal postcard application to apply to vote by absentee ballot or  
42 by submitting a federal postcard application at the polling place even though the person is not  
43 registered. A federal postcard application submitted by a covered voter pursuant to this  
44 subsection shall also serve as a voter registration application under section 115.908 and the  
45 election authority shall, if satisfied that the applicant is entitled to register, place the voter's  
46 name on the voter registration file. Each covered voter may vote by absentee ballot or, upon  
47 submitting an affidavit that the person is qualified to vote in the election, may vote at the  
48 person's polling place.

49           ~~[5-]~~ 3. Any interstate former resident may vote by absentee ballot for presidential and  
50 vice presidential electors.

51           ~~[6. Any new resident may vote by absentee ballot for presidential and vice~~  
52 ~~presidential electors after registering to vote in such resident's new jurisdiction of residence.]~~

115.279. 1. Application for an absentee ballot may be made by the applicant in  
2 person, or by mail, or for the applicant, in person, by his or her guardian or a relative within  
3 the second degree by consanguinity or affinity. The election authority shall accept  
4 applications by facsimile transmission, ~~[and]~~ by electronic mail ~~[within the limits of its~~  
5 ~~telecommunications capacity]~~, **and through the website of the secretary of state or the**  
6 **election authority, if available.**

7           2. ~~[Notwithstanding section 115.284, no individual, group, or party shall solicit a~~  
8 ~~voter into obtaining an absentee ballot application. Absentee ballot applications shall not~~  
9 ~~have the information prefilled prior to it being provided to a voter. Nothing in this section~~  
10 ~~shall be interpreted to prohibit a state or local election authority from assisting an individual~~  
11 ~~voter.~~

12           ~~3-]~~ Each application shall be made to the election authority of the jurisdiction in  
13 which the person is or would be registered. Each application shall be in writing and shall  
14 state the applicant's name, address at which he or she is or would be registered, ~~[his or her~~  
15 ~~reason for voting an absentee ballot,]~~ the address to which the ballot is to be mailed, if  
16 mailing is requested, and ~~[for absent uniformed services and overseas applicants,]~~ the  
17 applicant's email address if electronic transmission is requested. If the ~~[reason for the~~  
18 ~~applicant voting absentee is due to the reasons established under subdivision (6) of subsection~~  
19 ~~3 of section 115.277]~~ **applicant is a certified participant in the address confidentiality**  
20 **program established under sections 589.660 to 589.681**, the applicant shall state the voter's  
21 identification information provided by the address confidentiality program in lieu of the  
22 applicant's name, address at which he or she is or would be registered, and address to which  
23 the ballot is to be mailed, if mailing is requested. Each application to vote in a primary  
24 election shall also state which ballot the applicant wishes to receive. If any application fails  
25 to designate a ballot **or fails to provide any other necessary information**, the election  
26 authority shall, within three working days after receiving the application, notify the applicant  
27 by mail **and email, if an email address was provided**, that it will be unable to deliver an  
28 absentee ballot until the applicant designates which political party ballot he or she wishes to  
29 receive **or provides the necessary information that was missing on the initial application.**  
30 If the applicant does not respond to the request for political party designation, the election  
31 authority ~~[is authorized to]~~ **shall** provide the voter with that part of the ballot for which no  
32 political party designation is required.

33           ~~[4.]~~ **3.** All applications for absentee ballots received prior to the sixth Tuesday before  
34 an election shall be stored at the office of the election authority until such time as the  
35 applications are processed in accordance with section 115.281. No application for an  
36 absentee ballot received in the office of the election authority by mail, by facsimile  
37 transmission, **or** by electronic mail~~[, or by a guardian or relative]~~ after 5:00 p.m. on the  
38 second Wednesday immediately prior to the election shall be accepted by any election  
39 authority. ~~[No application for an absentee ballot submitted by the applicant in person after~~  
40 ~~5:00 p.m. on the day before the election shall be accepted by any election authority, except as~~  
41 ~~provided in subsections 7, 8, and 9 of this section.~~

42           ~~5.]~~ **4.** Each application for an absentee ballot shall be signed by the applicant or, if the  
43 application is made by a guardian or relative pursuant to this section, the application shall be  
44 signed by the guardian or relative, who shall note on the application his or her relationship to  
45 the applicant. If an applicant, guardian or relative is blind, unable to read or write the English  
46 language or physically incapable of signing the application, he or she shall sign by mark,  
47 witnessed by the signature of an election official or person of his or her own choosing. Any  
48 person who knowingly makes, delivers or mails a fraudulent absentee ballot application shall  
49 be guilty of a class one election offense.

50           **5. The secretary of state shall establish a system for electronic signatures on**  
51 **applications submitted electronically and shall maintain IP address records and any**  
52 **other security protocols necessary for identity verification.**

53           6. (1) Notwithstanding any law to the contrary, any resident of the state of Missouri  
54 ~~[who resides outside the boundaries of the United States or who is on active duty with the~~  
55 ~~Armed Forces of the United States or members of their immediate family living with them]~~  
56 may request an absentee ballot for both the primary and subsequent general election with one  
57 application.

58           (2) The election authority shall provide each ~~[absent uniformed services voter and~~  
59 ~~each overseas]~~ voter who submits a voter registration application or an absentee ballot  
60 request, if the election authority rejects the application or request, with the reasons for the  
61 rejection.

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

66           (4) Not later than sixty days after the date of each regularly scheduled general  
67 election for federal office, each election authority which administered the election shall  
68 submit to the secretary of state in a format prescribed by the secretary a report on the  
69 combined number of absentee ballots transmitted to, and returned by, absent uniformed

70 services voters and overseas voters for the election. The secretary shall submit to the Election  
 71 Assistance Commission a combined report of such information not later than ninety days after  
 72 the date of each regularly scheduled general election for federal office and in a standardized  
 73 format developed by the commission pursuant to the Help America Vote Act of 2002. The  
 74 secretary shall make the report available to the general public.

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

77 ~~[7. An application for an absentee ballot by a new resident shall be submitted in~~  
 78 ~~person by the applicant in the office of the election authority in the election jurisdiction in~~  
 79 ~~which such applicant resides. The application shall be received by the election authority no~~  
 80 ~~later than 7:00 p.m. on the day of the election. Such application shall be in the form of an~~  
 81 ~~affidavit, executed in duplicate in the presence of the election authority or any authorized~~  
 82 ~~officer of the election authority, and in substantially the following form:]~~

83 ~~["STATE OF \_\_\_\_\_]~~  
 84 ~~[COUNTY OF \_\_\_\_\_, ss:]~~  
 85 ~~[I, \_\_\_\_\_, do solemnly swear that:]~~  
 86 ~~1) [Before becoming a resident of this state, I resided at \_\_\_\_\_~~  
 87 ~~(residence address) in \_\_\_\_\_ (town, township, village or city) of~~  
 88 ~~\_\_\_\_\_ County in the state of \_\_\_\_\_;]~~  
 89 ~~2) [I moved to this state after the last day to register to vote in such~~  
 90 ~~general presidential election and I am now residing in the county~~  
 91 ~~of \_\_\_\_\_, state of Missouri;]~~  
 92 ~~3) [I believe I am entitled pursuant to the laws of this state to vote in~~  
 93 ~~the presidential election to be held November \_\_\_\_\_, \_\_\_\_\_~~  
 94 ~~(year);]~~  
 95 ~~4) [I hereby make application for a presidential and vice presidential~~  
 96 ~~ballot. I have not voted and shall not vote other than by this ballot~~  
 97 ~~at such election.]~~  
 98 ~~[Signed \_\_\_\_\_]~~  
 99 ~~[(Applicant)]~~  
 100 ~~\_\_\_\_\_~~  
 101 ~~—]~~  
 102 ~~[(Residence Address)]~~  
 103 ~~[Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_~~  
 104 ~~—]~~  
 105 ~~[Signed \_\_\_\_\_]~~  
 106 ~~[(Title and name of officer authorized to administer oaths)"]~~

107 ~~[8.—The election authority in whose office an application is filed pursuant to~~  
 108 ~~subsection 7 of this section shall immediately send a duplicate of such application to the~~  
 109 ~~appropriate official of the state in which the new resident applicant last resided and shall file~~  
 110 ~~the original of such application in its office.~~

111 ~~9.—An application for an absentee ballot by an interstate former resident shall be~~  
 112 ~~received in the office of the election authority where the applicant was formerly registered by~~  
 113 ~~5:00 p.m. on the second Wednesday immediately prior to the election, unless the application~~  
 114 ~~is made in person by the applicant in the office of the election authority, in which case such~~  
 115 ~~application shall be made no later than 7:00 p.m. on the day of the election.]~~

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state  
 2 the voter's name[;]; the voter's voting address[;]; the voter's mailing address [~~and the voter's~~  
 3 ~~reason for voting an absentee ballot~~], **if different than the voter's voting address; and the**  
 4 **voter's email address if the voter wishes to be contacted by email regarding any**  
 5 **deficiencies in the voter's ballot under section 115.298.** If the [~~reason for the voter voting~~  
 6 ~~absentee is due to the reasons established under subdivision (6) of subsection 3 of section~~  
 7 ~~115.277;~~] **applicant is a certified participant in the address confidentiality program**  
 8 **established under sections 589.660 to 589.681,** the voter shall state the voter's identification  
 9 information provided by the address confidentiality program in lieu of the applicant's name,  
 10 voting address, and mailing address. On the form, the voter shall also state under penalties of  
 11 perjury that the voter is qualified to vote in the election, that the voter has not previously  
 12 voted and will not vote again in the election, that the voter has personally marked the voter's  
 13 ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it,  
 14 that the ballot has been placed in the ballot envelope and sealed by the voter or under the  
 15 voter's supervision if the voter is unable to seal it, and that all information contained in the  
 16 statement is true. In addition, any person providing assistance to the absentee voter shall  
 17 include a statement on the envelope identifying the person providing assistance under  
 18 penalties of perjury. Persons authorized to vote only for federal and statewide officers shall  
 19 also state their former Missouri residence.

20 2. The statement for persons voting absentee ballots who are registered voters shall be  
 21 in substantially the following form:

22 State of Missouri

23 County (City) of \_\_\_\_\_

24 I, \_\_\_\_\_ (print name), a registered voter of \_\_\_\_\_ County (City of  
 25 St. Louis, Kansas City), declare under the penalties of perjury that I am  
 26 voting in person at a location designated by the local election authority  
 27 or I ~~[expect to]~~ **believe I may** be prevented from going to the polls on  
 28 election day [~~due to (check one):~~]

- 29 ~~\_\_\_\_\_ [absence on election day from the jurisdiction of the election~~
- 30 ~~—] authority in which I am registered;]~~
- 31 ~~\_\_\_\_\_ [incapacity or confinement due to illness or physical disability~~
- 32 ~~—] on election day, including caring for a person who is~~
- 33 ~~incapacitated or confined due to illness or disability and~~
- 34 ~~resides at the same address;]~~
- 35 ~~\_\_\_\_\_~~
- 36 ~~—] [religious belief or practice;]~~
- 37 ~~\_\_\_\_\_ [employment as an election authority, by an election authority~~
- 38 ~~—] at a location other than my polling place, as a first responder,~~
- 39 ~~as a health care worker, or as a member of law enforcement;]~~
- 40 ~~\_\_\_\_\_ [incarceration, although I have retained all the necessary~~
- 41 ~~—] qualifications for voting;]~~
- 42 ~~\_\_\_\_\_ [certified participation in the address confidentiality program~~
- 43 ~~—] established under sections 589.660 to 589.681 because of~~
- 44 ~~safety concerns.]~~

45 ~~[I hereby state under penalties of perjury];~~ that I am qualified to vote at  
 46 this election; **and that** I have not voted and will not vote other than by  
 47 this ballot at this election. I further state that I marked the enclosed  
 48 ballot in secret or that I am blind, unable to read or write English, or  
 49 physically incapable of marking the ballot, and the person of my  
 50 choosing indicated below marked the ballot at my direction; all of the  
 51 information on this statement is, to the best of my knowledge and  
 52 belief, true.

53 _____ 54 _____ 55 Signature of Voter 56 _____ 57 Signed _____ 58 [Signed _____] 59 _____ 60 _____ 61 Address of Voter 62 _____ 63 _____ 64 _____	_____ _____ Signature of Person Assisting Voter (if applicable) [Subscribed and sworn] [to before me this] [_____ day of _____ _____] _____ _____ _____]
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Mailing Addresses  
(if different)

State of Missouri  
County (City) of \_\_\_\_\_

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

I am an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors.

I further state under penalties of perjury that I have not voted and will not vote other than by this ballot at this election; I marked the enclosed ballot in secret or 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 notary  
or]  
[other officer]  
[authorized to]  
[administer oaths]

3. The statement for persons voting absentee ballots pursuant to the provisions of subsection 3, 4, ~~5,~~ or 6 of section 115.277 without being registered shall be in substantially the following form:

[Subscribed to and-]  
[sworn before me this-]  
[\_\_\_\_ day of]  
[\_\_\_\_, \_\_\_\_]

\_\_\_\_\_  
\_\_\_\_\_

100		<del>[Signature of notary</del>
101	Address of Voter	<del>or]</del>
102		<del>[other officer]</del>
103		<del>[authorized to]</del>
104		<del>[administer oaths]</del>
105		<del>[_____</del>
106	_____	<del>—]</del>
107	Mailing Address (if different)	_____
108		_____
109	_____	_____
110	Signature of Person	Address of Last
111	Assisting Voter	Missouri Residence
112		(if applicable)

113 4. The statement for persons voting absentee ballots who are entitled to vote at the  
 114 election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially  
 115 the following form:

116 State of Missouri  
 117 County (City) of \_\_\_\_\_  
 118 I, \_\_\_\_\_ (print name), declare under the penalties of perjury that I  
 119 ~~[expect to]~~ **believe I may** be prevented from going to the polls on  
 120 election day ~~[due to (check one):]~~  
 121 ~~[\_\_\_\_\_ [absence on election day from the jurisdiction of the election~~  
 122 ~~—] authority in which I am directed to vote;]~~  
 123 ~~[\_\_\_\_\_ [incapacity or confinement due to illness or physical disability~~  
 124 ~~—] on election day, including caring for a person who is~~  
 125 ~~incapacitated or confined due to illness or disability and~~  
 126 ~~resides at the same address;]~~  
 127 ~~[\_\_\_\_\_~~  
 128 ~~—] [religious belief or practice;]~~  
 129 ~~[\_\_\_\_\_ [employment as an election authority, by an election authority~~  
 130 ~~—] at a location other than my polling place, as a first responder,~~  
 131 ~~as a health care worker, or as a member of law enforcement;]~~  
 132 ~~[\_\_\_\_\_ [incarceration, although I have retained all the necessary~~  
 133 ~~—] qualifications of voting;]~~

134 ~~[\_\_\_\_\_ [certified participation in the address confidentiality program~~  
 135 ~~]]~~ established under sections 589.660 to 589.681 because of  
 136 ~~safety concerns.]~~  
 137 ~~[I hereby state under penalties of perjury];~~ that I own property in the \_\_  
 138 \_\_\_\_ district and am qualified to vote at this election; I have not voted  
 139 and will not vote other than by this ballot at this election. I further state  
 140 that I marked the enclosed ballot in secret or that I am blind, unable to  
 141 read and write English, or physically incapable of marking the ballot,  
 142 and the person of my choosing indicated below marked the ballot at my  
 143 direction; all of the information on this statement is, to the best of my  
 144 knowledge and belief, true.

145		<del>[Subscribed and</del>
146		<del>sworn]</del>
147	_____ Signature of Voter	<del>[to before me this]</del>
148		<del>[_____ day of]</del>
149		<del>[_____, _____]</del>
150	_____	
151		<del>[_____</del>
152	_____	<del>]]</del>
153		<del>[Signature of notary</del>
154	Address	<del>or]</del>
155		<del>[other officer]</del>
156		<del>[authorized to]</del>
157		<del>[administer oaths]</del>
158	_____	
159	Signature of Person	
160	Assisting Voter	
161	(if applicable)	

162 5. The statement for persons providing assistance to absentee voters shall be in  
 163 substantially the following form:

164 The voter needed assistance in marking the ballot and signing above,  
 165 because of blindness, other physical disability, or inability to read or to  
 166 read English. I marked the ballot enclosed in this envelope at the  
 167 voter's direction, when I was alone with the voter, and I had no other  
 168 communication with the voter as to how he or she was to vote. The  
 169 voter swore or affirmed the voter affidavit above and I then signed the

170 voter's name and completed the other voter information above. Signed  
 171 under the penalties of perjury.

172 Reason why voter needed assistance: \_\_\_\_\_

173 ASSISTING PERSON SIGN HERE

- 174 1. \_\_\_\_\_ (signature of assisting person)
- 175 2. \_\_\_\_\_ (assisting person's name printed)
- 176 3. \_\_\_\_\_ (assisting person's residence)
- 177 4. \_\_\_\_\_ (assisting person's home city or town).

178 6. Notwithstanding any other provision of this section, any covered voter as defined  
 179 in section 115.902 or persons who have declared themselves to be permanently disabled  
 180 pursuant to section 115.284, otherwise entitled to vote, shall not be required to obtain a notary  
 181 seal or signature on his or her absentee ballot.

182 7. Notwithstanding any other provision of this section or section 115.291 to the  
 183 contrary, the subscription, signature and seal of a notary or other officer authorized to  
 184 administer oaths shall not be required on any ballot, ballot envelope, or statement required by  
 185 this section if the ~~[reason for the]~~ voter is voting absentee ~~[is due to the reasons established~~  
 186 ~~pursuant to subdivision (2) of subsection 3 of section 115.277].~~

187 ~~[8. No notary shall charge or collect a fee for notarizing the signature on any absentee~~  
 188 ~~ballot or absentee voter registration.~~

189 9. A notary public who charges more than the maximum fee specified or who charges  
 190 or collects a fee for notarizing the signature on any absentee ballot or absentee voter  
 191 registration is guilty of official misconduct.]

115.293. 1. All proper votes on each absentee ballot received by an election authority  
 2 ~~[at or before the time fixed by law for the closing of the polls on election day]~~ **within seven**  
 3 **days after an election and postmarked by the day of the election** shall be counted. Except  
 4 as provided in section 115.920, no votes on any absentee ballot received by an election  
 5 authority ~~[after the time fixed by law for the closing of the polls on election day]~~ **more than**  
 6 **seven days after the election** shall be counted, **even if the absentee ballot was postmarked**  
 7 **by the day of the election.**

8 2. If sufficient evidence is shown to an election authority that any absentee voter has  
 9 died prior to the opening of the polls on election day, the ballot of the deceased voter shall be  
 10 rejected if it is still sealed in the ballot envelope. Any ballot so rejected, still sealed in its  
 11 ballot envelope, shall be sealed with the application and any other papers connected therewith  
 12 in an envelope marked "Rejected ballot of \_\_\_\_\_, an absentee voter of \_\_\_\_\_ voting  
 13 district". The reason for rejection shall be noted on the envelope, which shall be kept by the

14 election authority with the other ballots from the election until the ballots are destroyed  
15 according to law.

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~~] **the election authority shall notify the applicant as**  
5 **provided in section 115.279.**

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

**115.298. 1. The secretary of state shall provide, subject to appropriation, an**  
2 **online absentee ballot tracking system. Any person eligible to vote an absentee ballot by**  
3 **mail shall be entitled to register for the absentee ballot tracking system to receive**  
4 **information on the current status of the person's absentee ballot.**

5 **2. The absentee ballot tracking system shall, at a minimum:**

6 **(1) Be easily accessible from the main page of the secretary of state's website**  
7 **from the time that absentee ballots are available until results are certified for each**  
8 **election;**

9 **(2) Indicate to a voter if the voter's ballot has been received, if the ballot has**  
10 **been counted, and, if the ballot has not been counted, the reason it has not been counted;**  
11 **and**

12 **(3) If the ballot has not been counted, provide instructions to the voter on how**  
13 **and where to correct the voter's ballot so it may be counted within seven days after the**  
14 **election.**

15 **3. The secretary of state may require any personal information necessary for**  
16 **verification and tracking in order to register for the absentee ballot tracking system,**  
17 **such as an email address or telephone number where the voter may be contacted and**  
18 **notified of the status of the voter's ballot via email, text message, or phone call. The**  
19 **secretary of state shall coordinate with local election authorities to track absentee**  
20 **ballots in the most efficient manner.**

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) Nonexpired Missouri driver's license;

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

10 **(3) A photo identification card issued by a school or employer;**

11 ~~[(3)]~~ (4) A document that satisfies all of the following requirements:

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

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

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

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

19 ~~[(4)]~~ (5) Any identification containing a photograph of the individual which is issued  
20 by the Missouri National Guard, the United States Armed Forces, including the Space Force,  
21 or the United States Department of Veteran Affairs to a member or former member of the  
22 Missouri National Guard or the United States Armed Forces, including the Space Force, and  
23 that is not expired or does not have an expiration date.

24 2. (1) An individual who appears at a polling place without a form of personal  
25 identification described in subsection 1 of this section and who is otherwise qualified to vote  
26 at that polling place shall be allowed to cast a provisional ballot. The election judges shall  
27 make a notation on the provisional ballot envelope to indicate that the voter's identity was not  
28 verified.

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

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

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

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

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

43 a. Nonexpired Missouri driver's license;

44 b. Nonexpired or nonexpiring Missouri nondriver's license;

45 **c. A photo identification card issued by a school or employer;**



82           5. The secretary of state shall provide notice of the personal photo identification  
83 requirements described in subsection 1 of this section on the official state internet website of  
84 the secretary of state. **Such notice shall clearly state that a voter without such photo**  
85 **identification may still vote a provisional ballot, which shall be counted upon**  
86 **verification of the voter's signature.**

87           6. (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the  
88 contrary, the state and all fee offices shall provide one nondriver's license at no cost to any  
89 otherwise qualified voter who does not already possess such identification and who desires  
90 the identification for voting.

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

94           (a) A birth certificate;

95           (b) A marriage license or certificate;

96           (c) A divorce decree;

97           (d) A certificate of decree of adoption;

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

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

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

102

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

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

114           7. The director of the department of revenue shall, by January first of each year,  
115 prepare and deliver to each member of the general assembly a report documenting the number  
116 of individuals who have requested and received a nondriver's license photo identification for  
117 the purposes of voting under this section. The report shall also include the number of persons



118 requesting a nondriver's license for purposes of voting under this section, but not receiving  
 119 such license, and the reason for the denial of the nondriver's license.

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

122 VOTER'S IDENTIFICATION CERTIFICATE

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

125 PRECINCT

126 WARD OR TOWNSHIP \_\_\_\_\_

127 GENERAL (SPECIAL, PRIMARY) ELECTION

128 Held \_\_\_\_\_, 20 \_\_\_\_\_

129 Date

130 I hereby certify that I am qualified to vote at this election by signing  
 131 my name and verifying my address by signing my initials next to my  
 132 address.

133 9. The secretary of state shall promulgate rules to effectuate the provisions of this  
 134 section.

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

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

**115.972. 1. Notwithstanding any other provision of law, the secretary of state  
 2 shall establish a process to conduct automatic voter registration based on driver's  
 3 license information, nondriver's license information, tax records, or other records that  
 4 are practicable for determining voter eligibility and shall provide recommendations to  
 5 local election authorities for the automatic registration of eligible voters. The secretary  
 6 of state shall also consult available government records including, but not limited to,  
 7 school enrollment records, to automatically register voters upon reaching eighteen years  
 8 of age.**

9           **2. The department of revenue and the motor vehicle and driver licensing division**  
10 **shall, periodically as required by rule or policy, provide the secretary of state with such**  
11 **information as the secretary of state specifies is necessary to conduct recommendations**  
12 **for automatic voter registration.**

13           **3. The secretary of state shall provide lists of nonbinding recommendations for**  
14 **inclusion on voter registration lists to local election authorities and such authorities shall**  
15 **include such recommendations on voter registration lists subject to existing verification**  
16 **procedures for determining whether an individual is eligible to register to vote and**  
17 **eligible to vote. Local election authorities shall retain full jurisdiction and power to**  
18 **decline to register individuals not verified to be eligible to vote and to remove the names**  
19 **of individuals who are no longer eligible to vote from voter registration lists.**

20           **4. Within two months of receipt of a proposed voter registration list, but prior to**  
21 **including a recommended individual on a voter registration list, the local election**  
22 **authority shall send notice of potential automatic registration that shall include a**  
23 **postage-paid postcard for purposes of declining registration. If, after a period of one**  
24 **month, the postcard is not returned to the local election authority, the individual's name**  
25 **shall be added to the voter registration list, except that any time a postcard is received,**  
26 **the individual's name shall be removed from the voter registration list. This subsection**  
27 **shall not be construed to prevent removal from voter registration lists by any other**  
28 **method allowed under this chapter.**

29           **5. The provisions of this section allow for automatic voter registration in**  
30 **addition to any other method of registration allowed under this chapter and shall not be**  
31 **interpreted to invalidate any other method for voter registration.**

32           **6. The provisions of this section with regard to the secretary of state, the**  
33 **department of revenue, and local election authorities shall be subject to the**  
34 **appropriation and payment of funds necessary to conduct automatic voter**  
35 **registration and verification procedures.**

36           **7. The secretary of state may promulgate all necessary rules for the**  
37 **administration of this section. Any rule or portion of a rule, as that term is defined**  
38 **in section 536.010, that is created under the authority delegated in this section shall**  
39 **become effective only if it complies with and is subject to all of the provisions of chapter**  
40 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**  
41 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**  
42 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
43 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
44 **adopted after August 28, 2024, shall be invalid and void.**

2 ~~[115.205. 1. No person shall be paid or otherwise compensated for~~  
3 ~~soliciting voter registration applications, other than a governmental entity or a~~  
4 ~~person who is paid or compensated by a governmental entity for such~~  
5 ~~solicitation. A voter registration solicitor who solicits more than ten voter~~  
6 ~~registration applications shall register for every election cycle that begins on~~  
7 ~~the day after the general election and ends on the day of the general election~~  
8 ~~two years later. A voter registration solicitor shall be at least eighteen years of~~  
9 ~~age and shall be a registered voter in the state of Missouri.~~

10 ~~2. Each voter registration solicitor shall provide the following~~  
11 ~~information in writing to the secretary of state's office:~~

12 ~~(1) The name of the voter registration solicitor;~~

13 ~~(2) The residential address, including street number, city, state, and zip~~  
14 ~~code;~~

15 ~~(3) The mailing address, if different from the residential address;-~~  
16 ~~and~~

17 ~~(4) The signature of the voter registration solicitor.~~

18 ~~3. The solicitor information required in subsection 2 of this section~~  
19 ~~shall be submitted to the secretary of state's office with the following oath and~~  
20 ~~affirmation:~~

21 ~~"I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF~~  
22 ~~PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND~~  
23 ~~CORRECT.".~~

24 ~~4. Any voter registration solicitor who knowingly fails to register with~~  
25 ~~the secretary of state is guilty of a class three election offense. Voter~~  
26 ~~registration applications shall be accepted by the election authority if such~~  
27 ~~applications are otherwise valid, even if the voter registration solicitor who~~  
28 ~~procured the applications fails to register with or submits false information to~~  
~~the secretary of state.]~~

✓