

FIRST REGULAR SESSION

HOUSE BILL NO. 385

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ALDRIDGE.

1039H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 115.133, RSMo, and to enact in lieu thereof two new sections relating to suffrage of individuals confined in jails.

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

Section A. Section 115.133, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 115.133 and 115.280, to read as follows: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 **after conviction of a felony**;

(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 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.

4. **Nothing in this section shall prohibit any defendant who is otherwise eligible to vote and is confined in a jail from voting in an election if he or she has not yet been convicted of a crime.**

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.

115.280. 1. Any defendant who is confined in a jail and is otherwise entitled to
2 vote shall be allowed the opportunity to vote absentee in any election in which he or she
3 is eligible to vote. For purposes of this section, the defendant's address shall be his or
4 her residential address immediately prior to confinement.

5 2. Jails that confine defendants who are eligible to vote shall provide applications
6 for absentee ballots and assist any eligible defendant in mailing the application to the
7 correct local election authority. The jail shall be responsible for the costs of mailing the
8 application.

9 3. Local election authorities that receive applications from defendants confined
10 in a jail shall verify the defendant's eligibility to vote in the same manner as other
11 applications to vote absentee are verified and shall mail the appropriate ballot,
12 including a postage-paid return envelope, to the defendant.

13 4. Upon receipt of a ballot, the defendant shall be provided with a safe location
14 and all materials necessary to exercise his or her right to vote. The jail shall provide a
15 notary for the ballot, if required, and mail the ballot back to the local election authority
16 before the deadline.

17 5. Upon request, jails shall provide articles from a neutral news source, such as a
18 local newspaper, that identify the candidates and their positions on the issues, if
19 available.

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