CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 631

AN ACT


BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Sections 36.155, 105.485, 115.277, 115.283,
347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and
417.018, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 36.155, 105.485, 115.277,
115.283, 115.285, 115.291, 115.302, 115.357, 115.621, 115.642,
115.652, 115.761, 347.740, 351.127, 355.023, 356.233, 359.653,
400.9-528, and 417.018, to read as follows:

36.155. 1. An employee may take part in the activities of political parties and political campaigns.

2. An employee may not:

(1) Use the employee's official authority or influence for the purpose of interfering with the results of an election;

(2) Knowingly solicit, accept or receive a political
contribution from any person who is a subordinate employee of the employee;

(3) Run for the nomination, or as a candidate for election, to a partisan political office; or

(4) Knowingly solicit or discourage the participation in any political activity of any person who has an application for any compensation, grant, contract, ruling, license, permit or certificate pending before the employing department of such employee or is the subject of, or a participant in, an ongoing audit, investigation or enforcement action being carried out by the employing department of such employee.

3. An employee retains the right to vote as the employee chooses and to express the employee's opinion on political subjects and candidates.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, any employee that is not subject to the provisions of subsection 1 of section 36.030 or section 36.031 may run for the nomination, or as a candidate for election, to a partisan political office.

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself or herself, his
or her spouse and dependent children at any time during the
period covered by the statement, whether singularly or
collectively; provided, however, that said person, if he or she
does not know and his or her spouse will not divulge any
information required to be reported by this section concerning
the financial interest of his or her spouse, shall state on his
or her financial interest statement that he or she has disclosed
that information known to him or her and that his or her spouse
has refused or failed to provide other information upon his or
her bona fide request, and such statement shall be deemed to
satisfy the requirements of this section for such financial
interest of his or her spouse; and provided further if the spouse
of any person required to file a financial interest statement is
also required by section 105.483 to file a financial interest
statement, the financial interest statement filed by each need
not disclose the financial interest of the other, provided that
each financial interest statement shall state that the spouse of
the person has filed a separate financial interest statement and
the name under which the statement was filed:

(1) The name and address of each of the employers of such
person from whom income of one thousand dollars or more was
received during the year covered by the statement;

(2) The name and address of each sole proprietorship which
he or she owned; the name, address and the general nature of the
business conducted of each general partnership and joint venture
in which he or she was a partner or participant; the name and
address of each partner or coparticipant for each partnership or
joint venture unless such names and addresses are filed by the
partnership or joint venture with the secretary of state; the
name, address and general nature of the business conducted of any
closely held corporation or limited partnership in which the
person owned ten percent or more of any class of the outstanding
stock or limited partners' units; and the name of any publicly
traded corporation or limited partnership which is listed on a
regulated stock exchange or automated quotation system in which
the person owned two percent or more of any class of outstanding
stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported
pursuant to subdivisions (1) and (2) and subdivisions (4) to (9)
of this subsection from which such person received one thousand
dollars or more of income during the year covered by the
statement, including, but not limited to, any income otherwise
required to be reported on any tax return such person is required
by law to file; except that only the name of any publicly traded
corporation or limited partnership which is listed on a regulated
stock exchange or automated quotation system need be reported
pursuant to this subdivision;

(4) The location by county, the subclassification for
property tax assessment purposes, the approximate size and a
description of the major improvements and use for each parcel of
real property in the state, other than the individual's personal
residence, having a fair market value of ten thousand dollars or
more in which such person held a vested interest including a
leasehold for a term of ten years or longer, and, if the property
was transferred during the year covered by the statement, the
name and address of the persons furnishing or receiving
consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his or her services to the state or political subdivision other than reimbursement for his or her actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and
purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or
(d) Expenses which are reported by the campaign committee
or candidate committee of the person filing the statement
pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related
to the person's official duties by a third person who is not a
lobbyist, a lobbyist principal or member, or officer or director
of a member, of any association or entity which employs a
lobbyist. The statement shall include the name and address of
such person who paid the expenses, the date such expenses were
incurred, the amount incurred, the location of the travel and
lodging, and the nature of the services rendered or reason for
the expenses;

(10) The assets in any revocable trust of which the
individual is the settlor if such assets would otherwise be
required to be reported under this section;

(11) The name, position and relationship of any relative
within the first degree of consanguinity or affinity to any other
person who:

(a) Is employed by the state of Missouri, by a political
subdivision of the state or special district, as defined in
section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee,
political committee, candidate committee, or continuing committee
for which such person or any corporation listed on such person's
financial interest statement received payment; and

(13) For members of the general assembly or any statewide
elected public official, their spouses, and their dependent
children, whether any state tax credits were claimed on the
member's, spouse's, or dependent child's most recent state income
tax return.

3. For the purposes of subdivisions (1), (2) and (3) of
subsection 2 of this section, an individual shall be deemed to
have received a salary from his or her employer or income from
any source at the time when he or she shall receive a negotiable
instrument whether or not payable at a later date and at the time
when under the practice of his or her employer or the terms of an
agreement he or she has earned or is entitled to anything of
actual value whether or not delivery of the value is deferred or
right to it has vested. The term income as used in this section
shall have the same meaning as provided in the Internal Revenue
Code of 1986, and amendments thereto, as the same may be or
becomes effective, at any time or from time to time for the
taxable year, provided that income shall not be considered
received or earned for purposes of this section from a
partnership or sole proprietorship until such income is converted
from business to personal use.

4. Each official, officer or employee or candidate of any
political subdivision described in subdivision (11) of section
105.483 shall be required to file a financial interest statement
as required by subsection 2 of this section, unless the political
subdivision biennially adopts an ordinance, order or resolution
at an open meeting by September fifteenth of the preceding year,
which establishes and makes public its own method of disclosing
potential conflicts of interest and substantial interests and
therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;
(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.

5. The name and employer of dependent children under twenty-one years of age of each person required to file a financial interest form under this section shall be redacted and not made publicly available, upon the written request of such person to the commission.

6. Nothing in subsection 5 of this section shall be construed to abate the responsibility of reporting the names and employers of dependent children of each person required to file a financial interest form.

115.277. 1. Except as provided in subsections 2, 3, 4, and 5 of this section, any registered voter of this state may vote by absentee ballot for all candidates and issues for which such voter would be eligible to vote at the polling place if such voter expects to be prevented from going to the polls to vote on election day due to:

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

(2) Incapacity or confinement due to illness or physical
disability, including a person who is primarily responsible for
the physical care of a person who is incapacitated or confined
due to illness or disability;

(3) Religious belief or practice;

(4) Employment as an election authority, as a member of an
election authority, or by an election authority at a location
other than such voter's polling place;

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

(6) Certified participation in the address confidentiality
program established under sections 589.660 to 589.681 because of
safety concerns; or

(7) For an election that occurs during the year 2020, the
voter has contracted or is in an at-risk category for contracting
or transmitting severe acute respiratory syndrome coronavirus 2.
This subdivision shall expire on December 31, 2020.

2. Any covered voter[, as defined in section 115.275,] who
is eligible to register and vote in this state may vote in any
election for federal office, statewide office, state legislative
office, or statewide ballot initiatives by submitting a federal
postcard application to apply to vote by absentee ballot or by
submitting a federal postcard application at the polling place
even though the person is not registered. A federal postcard
application submitted by a covered voter pursuant to this
subsection shall also serve as a voter registration application
under section 115.908 and the election authority shall, if
satisfied that the applicant is entitled to register, place the
voter's name on the voter registration file. Each covered voter
may vote by absentee ballot or, upon submitting an affidavit that
the person is qualified to vote in the election, may vote at the
person's polling place.

3. Any interstate former resident[, as defined in section
115.275,] may vote by absentee ballot for presidential and vice
presidential electors.

4. Any intrastate new resident[, as defined in section
115.275,] may vote by absentee ballot at the election for
presidential and vice presidential electors, United States
senator, representative in Congress, statewide elected officials
and statewide questions, propositions and amendments from such
resident's new jurisdiction of residence after registering to
vote in such resident's new jurisdiction of residence.

5. Any new resident[, as defined in section 115.275,] may
vote by absentee ballot for presidential and vice presidential
electors after registering to vote in such resident's new
jurisdiction of residence.

6. For purposes of this section, the voters who are in an
at-risk category for contracting or transmitting severe acute
respiratory syndrome coronavirus 2 are voters who:

(1) Are sixty-five years of age or older;

(2) Live in a long-term care facility licensed under
chapter 198;

(3) Have chronic lung disease or moderate to severe asthma;

(4) Have serious heart conditions;

(5) Are immunocompromised;
(6) Have diabetes;

(7) Have chronic kidney disease and are undergoing dialysis; or

(8) Have liver disease.

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, the voter's voting address, the voter's mailing address and the voter's reason for voting an absentee ballot. If the reason for the voter voting absentee is due to the reasons established under subdivision (6) of subsection 1 of section 115.277, the voter shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, voting address, and mailing address. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has not previously voted and will not vote again in the election, that the voter has personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the absentee voter shall include a statement on the envelope identifying the person providing assistance under penalties of perjury. Persons authorized to vote only for federal and statewide officers shall also state their former Missouri residence.

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

State of Missouri
County (City) of _____
I, _____ (print name), a registered voter of _____ County (City of St. Louis, Kansas City), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

_____ absence on election day from the jurisdiction of the election authority in which I am registered;

_____ incapacity or confinement due to illness or physical disability, including caring for a person who is incapacitated or confined due to illness or disability;

_____ religious belief or practice;

_____ employment as an election authority or by an election authority at a location other than my polling place;

_____ incarceration, although I have retained all the necessary qualifications for voting;

_____ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

I hereby state under penalties of perjury that I am qualified to vote at this election; I have not voted
and will not vote other than by this ballot at this
election. I further state that I marked the enclosed
ballot in secret or that I 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 Person

Assisting Voter
(if applicable)

Signed _____  Subscribed and sworn
g to before me this
Address of Voter  _____day of _____, _____

_________________________  ________________________
_________________________  ________________________

Mailing addresses  Signature of notary or
(if different)  other officer
authorized to
administer oaths

3. The statement for persons voting absentee ballots
pursuant to the provisions of subsection 2, 3, 4, or 5 of section
115.277 without being registered shall be in substantially the
following form:

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 (check one):

______ a resident of the state of Missouri and a
registered voter in _____ County and moved
from that county to _____ County, Missouri,
after the last day to register to vote in
this election.

_____ 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.

_________________________ Subscribed to and

sworn before me this
Signature of Voter

_____ day of

_____,_____

________________________

________________________

Address of Voter

Signature of notary or
other officer
authorized to
administer oaths

________________________

________________________

Mailing Address (if different)

________________________

________________________

Signature of Person

Address of Last
Assisting Voter
Missouri Residence
(if applicable)

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

State of Missouri

County (City) of _____

I, _____ (print name), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

_____ absence on election day from the jurisdiction of the election authority in which I am directed to vote;

_____ incapacity or confinement due to illness or
physical disability, including caring for a person who is incapacitated or confined due to illness or disability;

___ religious belief or practice;

___ employment as an election authority or by an election authority at a location other than my polling place;

___ incarceration, although I have retained all the necessary qualifications of voting;

___ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

I hereby state under penalties of perjury that I own property in the _____ district and am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and 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

Subscribed and sworn to before me this ____ day of _____, _____.

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

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

Signed under the penalties of perjury.

Reason why voter needed assistance: 

ASSISTING PERSON SIGN HERE

1. _____ (signature of assisting person)
2. _____ (assisting person's name printed)
3. _____ (assisting person's residence)
4. _____ (assisting person's home city or town).
6. The election authority shall, for an election held during 2020, adjust the forms described in this section to account for voters voting absentee due to the reason established pursuant to subdivision (7) of subsection 1 of section 115.277.

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

[7.] 8. Notwithstanding any other provision of this section or section 115.291 to the contrary, the subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the reason for the voter voting absentee is due to the reasons established pursuant to subdivision (2) or (7) of subsection 1 of section 115.277.

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

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

115.285. The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use
in returning ballots shall be printed with business reply permits so that any ballot returned by mail does not require postage. All fees and costs for establishing and maintaining the business reply and postage-free mail for all ballots cast shall be paid by the secretary of state through state appropriations.

Notwithstanding any provision of law to the contrary, a ballot envelope used under section 115.302 shall be the same ballot envelope used for absentee ballots, provided an option shall be listed on the envelope to clearly indicate whether the voter is casting an absentee ballot or a mail-in ballot.

115.291. 1. Upon receiving an absentee ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The affidavit of each person voting an absentee ballot shall be subscribed and sworn to before the election official receiving the ballot, a notary public or other officer authorized by law to administer oaths, unless the voter is voting absentee due to incapacity or confinement due to the provisions of section 115.284, illness or physical disability, for an election that occurs during the year 2020, the voter has contracted or is in an at-risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as defined in section 115.277, or the voter is a covered voter as defined in section 115.902. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting a voter who is not entitled to such assistance, and any person who assists a voter
and in any manner coerces or initiates a request or a suggestion
that the voter vote for or against or refrain from voting on any
question, ticket or candidate, shall be guilty of a class one
election offense. If, upon counting, challenge or election
contest, it is ascertained that any absentee ballot was voted
with unlawful assistance, the ballot shall be rejected. For
purposes of this subsection, the voters who are in an at-risk
category for contracting or transmitting severe acute respiratory
syndrome coronavirus 2 are voters who:

(1) Sixty-five years of age or older;

(2) Live in a long-term care facility licensed under
chapter 198;

(3) Have chronic lung disease or moderate to severe asthma;

(4) Have serious heart conditions;

(5) Are immunocompromised;

(6) Have diabetes;

(7) Have chronic kidney disease and are undergoing
dialysis; or

(8) Have liver disease.

2. Except as provided in subsection 4 of this section, each
absentee ballot that is not cast by the voter in person in the
office of the election authority shall be returned to the
election authority in the ballot envelope and shall only be
returned by the voter in person, or in person by a relative of
the voter who is within the second degree of consanguinity or
affinity, by mail or registered carrier or by a team of deputy
election authorities; except that covered voters, when sent from
a location determined by the secretary of state to be
inaccessible on election day, shall be allowed to return their absentee ballots cast by use of facsimile transmission or under a program approved by the Department of Defense for electronic transmission of election materials.

3. In cases of an emergency declared by the President of the United States or the governor of this state where the conduct of an election may be affected, the secretary of state may provide for the delivery and return of absentee ballots by use of a facsimile transmission device or system. Any rule promulgated pursuant to this subsection shall apply to a class or classes of voters as provided for by the secretary of state.

4. No election authority shall refuse to accept and process any otherwise valid marked absentee ballot submitted in any manner by a covered voter solely on the basis of restrictions on envelope type.

115.302. 1. Any registered voter of this state may cast a mail-in ballot as provided in this section. Nothing in this section shall prevent a voter from casting an absentee ballot, provided such person has not cast a ballot pursuant to this section. Application for a mail-in-ballot may be made by the applicant in person, or by United States mail, or on behalf of the applicant by his or her guardian or relative within the second degree of consanguinity or affinity.

2. Each application for a mail-in-ballot shall be made to the election authority of the jurisdiction in which the person is registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is registered, and the address to which the ballot is to be mailed.
3. All applications for mail-in-ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed under section 115.281. No application for a mail-in-ballot received in the office of the election authority after 5:00 p.m. on the second Wednesday immediately prior to the election shall be accepted by any election authority.

4. Each application for a mail-in-ballot shall be signed by the applicant or, if the application is made by a guardian or relative under this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian, or relative is blind, unable to read or write the English language, or physically incapable of signing the application, he or she shall sign by mark that is witnessed by the signature of an election official or person of his or her choice. Knowingly making, delivering, or mailing a fraudulent mail-in-ballot application is a class one election offense.

5. Not later than the sixth Tuesday prior to each election, or within fourteen days after candidate names or questions are certified under section 115.125, the election authority shall cause to have printed and made available a sufficient quantity of ballots, ballot envelopes, and mailing envelopes. As soon as possible after a proper official calls a special state or county election, the election authority shall cause to have printed and made available a sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes.
6. Each ballot envelope shall bear a statement in substantially the same form described in subsection 9 of this section. In addition, any person providing assistance to the mail-in voter shall include a signature on the envelope identifying the person providing such assistance under penalties of perjury. Persons authorized to vote only for federal and statewide offices shall also state their former Missouri residence.

7. The statement for persons voting mail-in ballots who are registered voters shall be in substantially the following form:

State of Missouri
County (City) of ___
I, ___ (print name), a registered voter of ___ County (City of St. Louis, Kansas City), declare under the penalties of perjury that; I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I 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 Person

Assisting Voter
(If applicable)
Subscribed and sworn to before me this ________

day of ________, ______.

____________________
Signature of notary or other officer authorized to
administer oaths.

____________________

Mailing Addresses
(If different)

8. Upon receipt of a signed application for a mail-in
ballot and if satisfied that the applicant is entitled to vote by
mail-in ballot, the election authority shall, within three
working days after receiving the application, or, if mail-in
ballots are not available at the time the application is
received, within five working days after such ballots become
available, deliver to the voter a mail-in ballot, ballot envelope
and such instructions as are necessary for the applicant to vote.
If the election authority is not satisfied that any applicant is
entitled to vote by mail-in ballot, the authority shall not
deliver a mail-in ballot to the applicant. Within three working
days of receiving such an application, the election authority
shall notify the applicant and state the reason he or she is not
entitled to vote by mail-in ballot. The applicant may file a
complaint with the elections division of the secretary of state's
office under section 115.219.

9. On the mailing and ballot envelopes for each covered
voter, the election authority shall stamp the words "ELECTION
BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C.
Section 3406. 

10. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with a mail-in ballot. 

11. Upon receiving a mail-in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The statement required under subsection 7 of this section shall be subscribed and sworn to before a notary public or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail-in ballot was voted with unlawful assistance, the ballot shall be rejected. 

12. Each mail-in ballot shall be returned to the election authority in the ballot envelope and shall only be returned by the voter by United States mail. 

13. The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use in returning ballots shall be printed with business reply permits
so that any ballot returned by mail does not require postage.
All fees and costs for establishing and maintaining the business
reply and postage-free mail for all ballots cast shall be paid by
the secretary of state through state appropriations.

14. All votes on each mail-in ballot received by an
election authority at or before the time fixed by law for the
closing of the polls on election day shall be counted. No votes
on any mail-in ballot received by an election authority after the
time fixed by law for the closing of the polls on election day
shall be counted.

15. If sufficient evidence is shown to an election
authority that any mail-in voter has died prior to the opening of
the polls on election day, the ballot of the deceased voter shall
be rejected if it is still sealed in the ballot envelope. Any
such rejected ballot, still sealed in its ballot envelope, shall
be sealed with the application and any other papers connected
therewith in an envelope marked "Rejected ballot of _____, a
mail-in voter of _____ voting district". The reason for
rejection shall be noted on the envelope, which shall be kept by
the election authority with the other ballots from the election
until the ballots are destroyed according to law.

16. As each mail-in ballot is received by the election
authority, the election authority shall indicate its receipt on
the list.

17. All mail-in ballot envelopes received by the election
authority shall be kept together in a safe place and shall not be
opened except as provided under this chapter.

18. Mail-in ballots shall be counted using the procedures
set out in sections 115.297, 115.299, 115.300, and 115.303.

19. The false execution of a mail-in ballot is a class one
election offense. The attorney general or any prosecuting or
circuit attorney shall have the authority to prosecute such
offense either in the county of residence of the person or in the
circuit court of Cole County.

20. The provisions of this section shall apply only to an
election that occurs during the year 2020, to avoid the risk of
contracting or transmitting severe acute respiratory syndrome
coronavirus 2.

21. The provisions of this section terminate and shall be
repealed on December 31, 2020, and shall not apply to any
election conducted after that date.

115.357. 1. Except as provided in subsections 3 and 4 of
this section, each candidate for federal, state or county office
shall, before filing his or her declaration of candidacy, pay to
the treasurer of the state or county committee of the political
party upon whose ticket he or she seeks nomination a certain sum
of money as follows:

(1) To the treasurer of the state central committee, [two]
five hundred dollars if he or she is a candidate for statewide
office or for United States senator, [one] three hundred dollars
if he or she is a candidate for representative in Congress,
circuit judge or state senator, and one hundred fifty dollars if
he or she is a candidate for state representative;

(2) To the treasurer of the county central committee,
[fifty] one hundred dollars if he or she is a candidate for
county office.
2. The required sum may be submitted by the candidate to
the official accepting his or her declaration of candidacy,
except that a candidate required to file his or her declaration
of candidacy with the secretary of state shall pay the required
sum directly to the treasurer of the appropriate party committee.
All sums [so] submitted to the official accepting the candidate's
declaration of candidacy shall be forwarded promptly by the
official to the treasurer of the appropriate party committee.

3. Any person who cannot pay the fee required to file as a
candidate may have the fee waived by filing a declaration of
inability to pay and a petition with his declaration of
candidacy. Each such declaration shall be in substantially the
following form:

DECLARATION OF INABILITY TO PAY FILING FEE

I, _____, do hereby swear that I am financially unable
to pay the fee of _____ (amount of fee) to file as a
candidate for nomination to the office of _____ at the
primary election to be held on the _____ day of
_____ , 20_____.

________________________
Signature of candidate

________________________
Residence address

Subscribed and sworn to before
me this _____ day of _____,
20_____.

________________________
Signature of election official
or officer authorized to
administer oaths

If the candidate's declaration of candidacy is to be filed in
person, the declaration of inability to pay shall be subscribed
and sworn to by the candidate before the election official who
witnesses the candidate's declaration of candidacy. If his
declaration of candidacy is to be filed by certified mail
pursuant to subsection 2 of section 115.355, the declaration of
inability to pay shall be subscribed and sworn to by the
candidate before the notary or other officer who witnesses the
candidate's declaration of candidacy. With his declaration of
inability to pay, the candidate shall submit a petition endorsing
his candidacy. Except for the number of signatures required,
each such petition shall, insofar as practicable, be in the form
provided in sections 115.321 and 115.325. If the person filing
declaration of indigence is to be a candidate for statewide
office, his petition shall be signed by the number of registered
voters in the state equal to at least one-half of one percent of
the total number of votes cast in the state for the office at the
last election in which a candidate ran for the office. If the
person filing a declaration of indigence is to be a candidate for
any other office, the petition shall be signed by the number of
registered voters in the district or political subdivision which
is equal to at least one percent of the total number of votes
cast for the office at the last election in which a candidate ran
for the office. The candidate's declaration of inability to pay
and the petition shall be filed at the same time and in the same
manner as his declaration of candidacy is filed. The petition
shall be checked and its sufficiency determined in the same
manner as new party and independent candidate petitions.

4. No filing fee shall be required of any person who
proposes to be an independent candidate, the candidate of a new
party or a candidate for presidential elector.

5. Except as provided in subsections 3 and 4 of this
section, no candidate's name shall be printed on any official
ballot until the required fee has been paid.

115.621. 1. Notwithstanding any other provision of this
section to the contrary, any legislative, senatorial, or judicial
district committee that is wholly contained within a county or a
city not within a county may choose to meet on the same day as
the respective county or city committee. All other committees
shall meet as otherwise prescribed in this section.

2. The members of each county committee shall meet at the
county seat not earlier than two weeks after each primary
election but in no event later than the third Saturday after each
primary election, at the discretion of the chairman at the
committee. In each city not within a county, the city committee
shall meet on the same day at the city hall. In all counties of
the first, second, and third classification, the county
courthouse shall be made available for such meetings and any
other county political party meeting at no charge to the party
committees. In all cities not within a county, the city hall
shall be made available for such meetings and any other city
political party meeting at no charge to the party committees. At
the meeting, each committee shall organize by electing two of its
members, a man and a woman, as chair and vice chair, and a man
and a woman who may or may not be members of the committee as
secretary and treasurer.

3. The members of each congressional district committee
shall meet at some place and time within the district, to be
designated by the current chair of the committee, not earlier
than five weeks after each primary election but in no event later
than the sixth Saturday after each primary election. The county
courthouse in counties of the first, second and third
classification in which the meeting is to take place, as
designated by the chair, shall be made available for such meeting
and any other congressional district political party committee
meeting at no charge to the committee. At the meeting, the
committee shall organize by electing one of its members as chair
and one of its members as vice chair, one of whom shall be a
woman and one of whom shall be a man, and a secretary and a
treasurer, one of whom shall be a woman and one of whom shall be
a man, who may or may not be members of the committee.

4. The members of each legislative district committee shall
meet at some place and date within the legislative district or
within one of the counties in which the legislative district
exists, to be designated by the current chair of the committee,
not earlier than three weeks after each primary election but in
no event later than the fourth Saturday after each primary
election. The county courthouse in counties of the first, second
and third classification in which the meeting is to take place,
as designated by the chair, shall be made available for such
meeting and any other legislative district political party
committee meeting at no charge to the committee. At the meeting,
the committee shall organize by electing two of its members, a
man and a woman, as chair and vice chair, and a man and a woman
who may or may not be members of the committee as secretary and
treasurer.

5. The members of each senatorial district committee shall meet at some place and date within the district, to be designated by the current chair of the committee, if there is one, and if not, by the chair of the congressional district in which the senatorial district is principally located, not earlier than four weeks after each primary election but in no event later than the fifth Saturday after each primary election. The county courthouse in counties of the first, second and third classification in which the meeting is to take place, as so designated pursuant to this subsection, shall be made available for such meeting and any other senatorial district political party committee meeting at no charge to the committee. At the meeting, the committee shall organize by electing one of its members as chair and one of its members as vice chair, one of whom shall be a woman and one of whom shall be a man, and a secretary and a treasurer, one of whom shall be a woman and one of whom shall be a man, who may or may not be members of the committee.

6. The members of each senatorial district shall also meet at some place within the district, to be designated by the current chair of the committee, if there is one, and if not, by the chair of the congressional district in which the senatorial district is principally located, on the Saturday after each general election or concurrently with the election of senatorial officers, if designated or not objected to by the chair of the congressional district where the senatorial district is principally located. At the meeting, the committee shall proceed
to elect two registered voters of the district, one man and one
woman, as members of the party's state committee.

7. The members of each judicial district may meet at some
place and date within the judicial district or within one of the
counties in which the judicial district exists, to be designated
by the current chair of the committee or the chair of the
congressional district committee, not earlier than six weeks
after each primary election but in no event later than the
seventh Saturday after each primary election. The county
courthouse in counties of the first, second and third
classification in which the meeting is to take place, as so
designated pursuant to this subsection, shall be made available
for such meeting and any other judicial district political party
committee meeting at no charge to the committee. At the meeting,
the committee shall organize by electing two of its members, a
man and a woman, as chair and vice chair, and a man and a woman
who may or may not be members of the committee as secretary and
treasurer.

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

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

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

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

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

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

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

115.652. 1. An election shall not be conducted under
sections 115.650 to 115.660 unless:

(1) The officer or agency calling the election submits a
written request that the election be conducted by mail. Such
request shall be submitted not later than the date specified in
section 115.125 for submission of the notice of election and
sample ballot;

(2) The election authority responsible for conducting the
election authorizes the use of mailed ballots for the election;

(3) The election is nonpartisan;

(4) The election is not one at which any candidate is
elected, retained or recalled; and

(5) The election is an issue election at which all of the
qualified voters of any one political subdivision are the only
voters eligible to vote.

2. Notwithstanding the provisions of subsection 1 of this
section or any other provision of law to the contrary, an
election may be conducted by mail as authorized under section
115.302, during the year 2020, to avoid the risk of contracting
or transmitting severe acute respiratory syndrome coronavirus 2.

This subsection shall expire December 31, 2020.

115.761. 1. The official list of presidential candidates for each established political party shall include the names of all constitutionally qualified candidates for whom, on or after 8:00 a.m. on the fifteenth Tuesday prior to the presidential primary, and on or before 5:00 p.m., on the eleventh Tuesday prior to the presidential primary, a written request to be included on the presidential primary ballot is filed with the secretary of state along with:

(1) Receipt of payment to the state committee of the established political party on whose ballot the candidate wishes to appear of a filing fee of [one] five thousand dollars; or

(2) A written statement, sworn to before an officer authorized by law to administer oaths, that the candidate is unable to pay the filing fee and does not have funds in a campaign fund or committee to pay the filing fee and a petition signed by not less than five thousand registered Missouri voters, as determined by the secretary of state, that the candidate's name be placed on the ballot of the specified established political party for the presidential preference primary. The request to be included on the presidential primary ballot shall include each signer's printed name, registered address and signature and shall be in substantially the following form:

I (We) the undersigned, do hereby request that the name of _____ be placed upon the February ______, _____, presidential primary ballot as candidate for nomination as the nominee for President of the United States on
the ____ party ticket.

2. The state or national party organization of an established political party that adopts rules imposing signature requirements to be met before a candidate can be listed as an official candidate shall notify the secretary of state by October first of the year preceding the presidential primary.

3. Any candidate or such candidate's authorized representative may have such candidate's name stricken from the presidential primary ballot by filing with the secretary of state on or before 5:00 p.m. on the eleventh Tuesday prior to the presidential primary election a written statement, sworn to before an officer authorized by law to administer oaths, requesting that such candidate's name not be printed on the official primary ballot. Thereafter, the secretary of state shall not include the name of that candidate in the official list announced pursuant to section 115.758 or in the certified list of candidates transmitted pursuant to section 115.765.

4. The filing times set out in this section shall only apply to presidential preference primaries, and are in lieu of those established in section 115.349.

347.740. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

351.127. The secretary of state may collect an additional fee of five dollars on each and every fee required in this
chapter, provided that the secretary of state may collect an additional fee of ten dollars on each corporate registration report fee filed under section 351.122. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

355.023. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

356.233. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

359.653. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

400.9-528. The secretary of state may collect an additional fee of five dollars on each and every fee paid to the secretary of state as required in chapter 400.9. All fees collected as
provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

417.018. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] 2026.

Section B. Because immediate action is necessary to ensure citizens can safely exercise the right to vote in the 2020 election, the enactment of section 115.302 and the repeal and reenactment of sections 115.277, 115.283, 115.285, 115.291, and 115.652 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 115.302 and the repeal and reenactment of sections 115.277, 115.283, 115.285, 115.291, and 115.652 of this act shall be in full force and effect upon its passage and approval.

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Dan Hegeman

Dan Shaul