

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/House Bill No. 850, Page 1, Section A, Line 15,

2 by inserting after all of said line the following:

3 "115.013. As used in this chapter, unless the context
4 clearly implies otherwise, the following terms mean:

5 (1) "Automatic tabulating equipment", the apparatus
6 necessary to examine and automatically count votes, and the
7 data processing machines which are used for counting votes
8 and tabulating results and is air gapped and not connected
9 to a network;

10 (2) "Ballot", the ballot card, paper ballot, or ballot
11 designed for use with an electronic voting system on which
12 each voter may cast all votes to which he or she is entitled
13 at an election;

14 (3) "Ballot card", a ballot which is voted by making a
15 mark which can be tabulated by automatic tabulating
16 equipment;

17 (4) "Ballot label", the card, paper, booklet, page, or
18 other material containing the names of all offices and
19 candidates and statements of all questions to be voted on;

20 (5) "Counting location", a location selected by the
21 election authority for the automatic processing or counting,
22 or both, of ballots;

23 (6) "County", any county in this state or any city not
24 within a county;

25 (7) "Disqualified", a determination made by a court of
26 competent jurisdiction, the Missouri ethics commission, an

27 election authority or any other body authorized by law to
28 make such a determination that a candidate is ineligible to
29 hold office or not entitled to be voted on for office;

30 (8) "District", an area within the state or within a
31 political subdivision of the state from which a person is
32 elected to represent the area on a policy-making body with
33 representatives of other areas in the state or political
34 subdivision;

35 (9) "Electronic voting machine", any part of an
36 electronic voting system on which a voter is able to cast a
37 ballot under this chapter;

38 (10) "Electronic voting system", a system of casting
39 votes by use of marking devices, and counting votes by use
40 of automatic tabulating or data processing equipment,
41 including computerized voting systems;

42 (11) "Established political party" for the state, a
43 political party which, at either of the last two general
44 elections, polled for its candidate for any statewide office
45 more than two percent of the entire vote cast for the
46 office. "Established political party" for any district or
47 political subdivision shall mean a political party which
48 polled more than two percent of the entire vote cast at
49 either of the last two elections in which the district or
50 political subdivision voted as a unit for the election of
51 officers or representatives to serve its area;

52 (12) "Federal office", the office of presidential
53 elector, United States senator, or representative in
54 Congress;

55 (13) "Independent", a candidate who is not a candidate
56 of any political party and who is running for an office for
57 which political party candidates may run;

58 (14) "Major political party", the political party
59 whose candidates received the highest or second highest
60 number of votes at the last general election;

61 (15) "Marking device", any approved device which will
62 enable the votes to be counted by automatic tabulating
63 equipment;

64 (16) "Municipal" or "municipality", a city, village,
65 or incorporated town of this state;

66 (17) "New party", any political group which has filed
67 a valid petition and is entitled to place its list of
68 candidates on the ballot at the next general or special
69 election;

70 (18) "Nonpartisan", a candidate who is not a candidate
71 of any political party and who is running for an office for
72 which party candidates may not run;

73 (19) "Political party", any established political
74 party and any new party;

75 (20) "Political subdivision", a county, city, town,
76 village, or township of a township organization county;

77 (21) "Polling place", the voting place designated for
78 all voters residing in one or more precincts for any
79 election;

80 (22) "Precincts", the geographical areas into which
81 the election authority divides its jurisdiction for the
82 purpose of conducting elections;

83 (23) "Public office", any office established by
84 constitution, statute or charter and any employment under
85 the United States, the state of Missouri, or any political
86 subdivision or special district thereof, but does not
87 include any office in the Missouri state defense force or
88 the National Guard or the office of notary public or city
89 attorney in cities of the third classification or cities of
90 the fourth classification;

91 (24) "Question", any measure on the ballot which can
92 be voted "YES" or "NO";

93 (25) "Relative within the second degree by
94 consanguinity or affinity", a spouse, parent, child,
95 grandparent, brother, sister, grandchild, mother-in-law,
96 father-in-law, daughter-in-law, or son-in-law;

97 (26) "Special district", any school district, water
98 district, fire protection district, hospital district,
99 health center, nursing district, or other districts with
100 taxing authority, or other district formed pursuant to the
101 laws of Missouri to provide limited, specific services;

102 (27) "Special election", elections called by any
103 school district, water district, fire protection district,
104 or other district formed pursuant to the laws of Missouri to
105 provide limited, specific services; and

106 (28) "Voting district", the one or more precincts
107 within which all voters vote at a single polling place for
108 any election."; and

109 Further amend said bill, page 5, Section 115.225, line
110 61, by inserting after all of said line the following:

111 "5. If any election authority uses any touchscreen,
112 direct-recording, electronic vote-counting machine, the
113 election authority may continue to use such machine. Upon
114 the removal of such voting machine from the election
115 authority's inventory because of mechanical malfunction,
116 wear and tear, or any other reason, the machine shall not be
117 replaced and no additional direct-recording electronic
118 voting machine shall be added to the election authority's
119 inventory. Such machines shall not be used beginning
120 January 1, 2022, except that election authorities may allow
121 the machines to be used by voters who are disabled as long
122 as the machines are functional. Replacement of equipment

for use by voters who are disabled shall be with paper
ballot marking devices designed to assist voters.

"115.257. 1. In jurisdictions where electronic voting machines are used, the election authority shall cause the voting machines to be put in order, set, adjusted and made ready for voting before they are delivered to polling places.

2. At least five days before preparing electronic voting machines for any election, notice of the time and place of such preparation shall be mailed to each independent candidate and the chairman of the county committee of each established political party named on the ballot. The preparation shall be watched by two observers designated by the election authority, one from each major political party, and shall be open to representatives of the political parties, candidates, the news media and the public.

3. When an electronic voting machine has been examined by such observers and shown to be in good working order, the machine shall be locked against voting. The observers shall certify the vote count on each machine is set at zero.

4. After an electronic voting machine has been properly prepared and locked, its keys shall be retained by the election authority and delivered to the election judges along with the other election supplies.

5. For the purpose of processing absentee ballots, cast by voters in person in the office of the election authority that is deemed a designated polling place, the election authority **[may]** shall cause voting machines, if used, to be put in order, set, adjusted, tested, and made ready for voting within one business day of the printing of absentee ballots as provided in section 115.281. The election authority shall have the recording counter except for the protective counter on the voting machine set to zero (000). After the voting machines have been made ready for

156 voting, the election authority shall not permit any person
157 to handle any voting machine, except voters while they are
158 voting and others expressly authorized by the election
159 authority. The election authority shall neither be nor
160 permit any other person to be in any position or near any
161 position that enables the authority or person to see how any
162 absentee voter votes or has voted.

163 6. Nothing in this section shall prohibit the on-site
164 storage of electronic voting machines and the preparation of
165 the electronic machines for voting, provided the electronic
166 voting machines are put in order, set, adjusted and made
167 ready for voting as provided in subsections 1, 2, 3, 4, and
168 5 of this section.

169 115.275. As used in sections 115.275 to 115.304,
170 unless the context clearly indicates otherwise, the
171 following terms shall mean:

172 (1) "Absentee ballot", any [of the ballots] ballot a
173 person is authorized to cast away from a polling place or in
174 the office of the election authority or other authorized
175 location designated as a polling place by the election
176 authority pursuant to the provisions of sections 115.275 to
177 115.304;

178 (2) "Covered voter":

179 (a) A uniformed services voter who is registered to
180 vote in this state;

181 (b) A uniformed services voter defined in this section
182 whose voting residence is in this state and who otherwise
183 satisfies this state's voter eligibility requirements;

184 (c) An overseas voter;

185 (d) Civilian employees of the United States government
186 working outside the boundaries of the United States, and
187 their spouses and dependents;

188 (e) Active members of religious or welfare
189 organizations assisting servicemen, and their spouses and
190 dependents; or

191 (f) Persons who have been honorably discharged from
192 the Armed Forces, including the Space Force, or who have
193 terminated their service or employment in any group
194 mentioned in this section within sixty days of an election,
195 and their spouses and dependents;

196 (3) "Interstate former resident", a former resident
197 and registered voter in this state who moves from Missouri
198 to another state after the deadline to register to vote in
199 any presidential election in the new state and who otherwise
200 possesses the qualifications to register and vote in such
201 state;

202 (4) "Intrastate new resident", a registered voter of
203 this state who moves from one election authority's
204 jurisdiction in the state to another election authority's
205 jurisdiction in the state after the last day authorized in
206 this chapter to register to vote in an election and
207 otherwise possesses the qualifications to vote;

208 (5) "New resident", a person who moves to this state
209 after the last date authorized in this chapter to register
210 to vote in any presidential election;

211 (6) "Overseas voter":

212 (a) A person who resides outside the United States and
213 is qualified to vote in the last place in which the person
214 was domiciled before leaving the United States; or

215 (b) A person who resides outside the United States
216 and, but for such residence, would be qualified to vote in
217 the last place in which the person was domiciled before
218 leaving the United States;

219 (7) "Uniformed services":

(a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard of the United States;

(b) The Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or

(c) The Missouri National Guard;

(8) "Uniformed services voter", an individual who is qualified to vote and is:

(a) A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard of the United States who is on active duty;

(b) A member of the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States;

(c) A member on activated status of the National Guard; or

(d) A spouse or dependent of a member referred to in this subdivision;

(9) "United States", used in the territorial sense, the several states, the District of Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

115.276. 1. An election authority may conduct absentee voting in person pursuant to subdivision (1) of subsection 1 of section 115.277 only at locations as provided in this section.

2. Beginning on the sixth Tuesday prior to the election the election authority may only conduct absentee voting in person at the office of the election authority.

253 3. Beginning on the third Tuesday prior to the
254 election the election authority may only conduct absentee
255 voting in person at the office of the election authority and
256 at no more than one additional site in the jurisdiction of
257 the election authority as determined by the election
258 authority.

259 115.277. 1. (1) Except as provided in subsections 2,
260 3, 4, and 5 of this section, any registered voter of this
261 state may vote by absentee ballot in person at a location
262 designated by the election authority for all candidates and
263 issues for which such voter is eligible to vote at the
264 polling place without providing a reason for the need to
265 vote absentee. Absentee ballots may be cast in person
266 pursuant to this subdivision beginning on the sixth Tuesday
267 prior to an election and ending at 5:00 p.m. on the day
268 before the election. Any registered voter casting an
269 absentee ballot pursuant to this subdivision shall comply
270 with section 115.427, prior to receiving the ballot.

271 (2) (a) Except as provided in subsections 2, 3, and
272 4[, and 5] of this section, any registered voter of this
273 state may vote by absentee ballot for all candidates and
274 issues for which such voter [would be] is eligible to vote
275 at the polling place if such voter expects to be prevented
276 from going to the polls to vote on election day due to:

277 [(1)] a. Absence on election day from the jurisdiction
278 of the election authority in which such voter is registered
279 to vote;

280 [(2)] b. Incapacity or confinement due to illness or
281 physical disability on election day, including a person who
282 is primarily responsible for the physical care of a person
283 who is incapacitated or confined due to illness or
284 disability and resides at the same address;

285 [(3)] c. Religious belief or practice;

286 [(4)] d. Employment as an election authority, as a
 287 member of an election authority, or by an election authority
 288 at a location other than such voter's polling place;

289 [(5)] e. Incarceration, provided all qualifications
 290 for voting are retained; or

291 [(6)] f. Certified participation in the address
 292 confidentiality program established under sections 589.660
 293 to 589.681 because of safety concerns[; or

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

299 (b) This subdivision shall only apply in the case of
 300 absentee ballots that are not cast in person but that are
 301 returned to the election authority:

302 a. By the voter in person;

303 b. In person by a relative of the voter who is within
 304 the second degree of consanguinity or affinity;

305 c. By mail or registered carrier; or

306 d. By a team of deputy election authorities.

307 2. Any covered voter who is eligible to register and
 308 vote in this state may vote in any election for federal
 309 office, statewide office, state legislative office, or
 310 statewide ballot initiatives by submitting a federal
 311 postcard application to apply to vote by absentee ballot or
 312 by submitting a federal postcard application at the polling
 313 place even though the person is not registered. A federal
 314 postcard application submitted by a covered voter pursuant
 315 to this subsection shall also serve as a voter registration
 316 application under section 115.908 and the election authority
 317 shall, if satisfied that the applicant is entitled to
 318 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 may vote by absentee ballot for presidential and vice presidential electors.

4. Any intrastate new resident 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 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.]

115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by mail, or for the

applicant, in person, by his or her guardian or a relative within the second degree by consanguinity or affinity. The election authority shall accept applications by facsimile transmission and by electronic mail within the limits of its telecommunications capacity.

2. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot, if casting an absentee ballot pursuant to subdivision (2) of subsection 1 of section 115.277, the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed services and overseas applicants, the applicant's email address if electronic transmission is requested. If the reason for the applicant voting absentee is due to the reasons established under subparagraph f of paragraph (a) of subdivision [(6)] (2) of subsection 1 of section 115.277, the applicant shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, address at which he or she is or would be registered, and address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which political party ballot he or she wishes to receive. If the applicant does not respond to the request for political party designation, the election authority is authorized to provide the voter with

385 that part of the ballot for which no political party
386 designation is required.

387 3. [Except as provided in subsection 3 of section
388 115.281,] All applications for absentee ballots received
389 prior to the sixth Tuesday before an election shall be
390 stored at the office of the election authority until such
391 time as the applications are processed in accordance with
392 section 115.281. No application for an absentee ballot
393 received in the office of the election authority by mail, by
394 facsimile transmission, by electronic mail, or by a guardian
395 or relative after 5:00 p.m. on the second Wednesday
396 immediately prior to the election shall be accepted by any
397 election authority. No application for an absentee ballot
398 submitted by the applicant in person after 5:00 p.m. on the
399 day before the election shall be accepted by any election
400 authority, except as provided in subsections 6, 8 and 9 of
401 this section.

402 4. Each application for an absentee ballot shall be
403 signed by the applicant or, if the application is made by a
404 guardian or relative pursuant to this section, the
405 application shall be signed by the guardian or relative, who
406 shall note on the application his or her relationship to the
407 applicant. If an applicant, guardian or relative is blind,
408 unable to read or write the English language or physically
409 incapable of signing the application, he or she shall sign
410 by mark, witnessed by the signature of an election official
411 or person of his or her own choosing. Any person who
412 knowingly makes, delivers or mails a fraudulent absentee
413 ballot application shall be guilty of a class one election
414 offense.

415 5. (1) Notwithstanding any law to the contrary, any
416 resident of the state of Missouri who resides outside the
417 boundaries of the United States or who is on active duty

418 with the Armed Forces of the United States, including the
419 Space Force, or members of their immediate family living
420 with them may request an absentee ballot for both the
421 primary and subsequent general election with one application.

422 (2) The election authority shall provide each absent
423 uniformed services voter and each overseas voter who submits
424 a voter registration application or an absentee ballot
425 request, if the election authority rejects the application
426 or request, with the reasons for the rejection.

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

433 (4) Not later than sixty days after the date of each
434 regularly scheduled general election for federal office,
435 each election authority which administered the election
436 shall submit to the secretary of state in a format
437 prescribed by the secretary a report on the combined number
438 of absentee ballots transmitted to, and returned by, absent
439 uniformed services voters and overseas voters for the
440 election. The secretary shall submit to the Election
441 Assistance Commission a combined report of such information
442 not later than ninety days after the date of each regularly
443 scheduled general election for federal office and in a
444 standardized format developed by the commission pursuant to
445 the Help America Vote Act of 2002. The secretary shall make
446 the report available to the general public.

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

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

"STATE OF _____

COUNTY OF _____, ss.

I, _____, do solemnly swear that:

(1) Before becoming a resident of this state, I resided at _____ (residence address) in _____ (town, township, village or city) of _____ County in the state of _____;

(2) I moved to this state after the last day to register to vote in such general presidential election and I am now residing in the county of _____, state of Missouri;

(3) I believe I am entitled pursuant to the laws of this state to vote in the presidential election to be held November _____, _____ (year);

(4) I hereby make application for a presidential and vice presidential ballot. I have not voted and shall not vote other than by this ballot at such election.

Signed _____

(Applicant)

(Residence Address)

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

484 Signed _____
 485 (Title and name of officer authorized to
 486 administer oaths)"

487 7. The election authority in whose office an
 488 application is filed pursuant to subsection 6 of this
 489 section shall immediately send a duplicate of such
 490 application to the appropriate official of the state in
 491 which the new resident applicant last resided and shall file
 492 the original of such application in its office.

493 8. An application for an absentee ballot by an
 494 intrastate new resident shall be made in person by the
 495 applicant in the office of the election authority in the
 496 election jurisdiction in which such applicant resides. The
 497 application shall be received by the election authority no
 498 later than 7:00 p.m. on the day of the election. Such
 499 application shall be in the form of an affidavit, executed
 500 in duplicate in the presence of the election authority or an
 501 authorized officer of the election authority, and in
 502 substantially the following form:

503 "STATE OF _____
 504 COUNTY OF _____, ss.

505 I, _____, do solemnly swear that:

- 506 (1) Before becoming a resident of this election
 507 jurisdiction, I resided at _____ (residence
 508 address) in _____ (town, township, village or
 509 city) of _____ county in the state of _____;
 510 (2) I moved to this election jurisdiction after the
 511 last day to register to vote in such election;
 512 (3) I believe I am entitled pursuant to the laws of
 513 this state to vote in the election to be held
 514 _____ (date);
 515 (4) I hereby make application for an absentee
 516 ballot for candidates and issues on which I am
 517 entitled to vote pursuant to the laws of this

518 state. I have not voted and shall not vote
519 other than by this ballot at such election.

520 Signed _____

521 (Applicant)

522 _____

523 (Residence Address)

524 Subscribed and sworn to before me this _____ day
525 of _____, _____

526 Signed _____

527 (Title and name of officer authorized to
528 administer oaths)"

529 9. An application for an absentee ballot by an
530 interstate former resident shall be received in the office
531 of the election authority where the applicant was formerly
532 registered by 5:00 p.m. on the second Wednesday immediately
533 prior to the election, unless the application is made in
534 person by the applicant in the office of the election
535 authority, in which case such application shall be made no
536 later than 7:00 p.m. on the day of the election.

537 115.283. 1. Each ballot envelope shall bear a
538 statement on which the voter shall state the voter's name,
539 the voter's voting address, the voter's mailing address and,
540 if casting an absentee ballot pursuant to subdivision (2) of
541 subsection 1 of section 115.277, the voter's reason for
542 voting an absentee ballot. If the reason for the voter
543 voting absentee is due to the reasons established under
544 subparagraph f of paragraph (a) of subdivision [(6)] (2) of
545 subsection 1 of section 115.277, the voter shall state the
546 voter's identification information provided by the address
547 confidentiality program in lieu of the applicant's name,
548 voting address, and mailing address. On the form, the voter
549 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 pursuant to subdivision (1) of subsection 1 of section 115.277 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), 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

585 Assisting Voter
 586 (if applicable)
 587 Signed Subscribed and sworn
 588 Signed to before me this
 589 Address of Voter day of ,
 590 _____
 591 _____
 592 Mailing address Signature of notary or
 593 (if different) other officer
 594 authorized to
 595 administer oaths

596 3. The statement for persons voting absentee ballots
 597 pursuant to subdivision (2) of subsection 1 of section
 598 115.277 who are registered voters shall be in substantially
 599 the following form:

600 State of Missouri

601 County (City) of _____

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

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

610 _____ incapacity or confinement due to illness
 611 or physical disability on election day,
 612 including caring for a person who is
 613 incapacitated or confined due to illness
 614 or disability and resides at the same
 615 address;

616 _____ religious belief or practice;

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

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

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

627 I hereby state under penalties of perjury that I am
 628 qualified to vote at this election; I have not
 629 voted and will not vote other than by this ballot
 630 at this election. I further state that I marked the
 631 enclosed ballot in secret or that I am blind,
 632 unable to read or write English, or physically
 633 incapable of marking the ballot, and the person of
 634 my choosing indicated below marked the ballot at my
 635 direction; all of the information on this statement
 636 is, to the best of my knowledge and belief, true.
 637

638 _____
 639 Signature of Voter Signature of Person

640 _____
 641 Assisting Voter
 (if applicable)

642 Signed _____ Subscribed and sworn

643 Signed _____ to before me this

644 Address of Voter _____ day of _____,
 645 _____

646 _____

647 _____

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

652 [3.] 4. The statement for persons voting absentee
 653 ballots pursuant to the provisions of subsection 2, 3, 4, or
 654 5 of section 115.277 without being registered shall be in
 655 substantially the following form:

656 State of Missouri

657 County (City) of _____

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

668 I am (check one):

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

674 _____ an interstate former resident of Missouri
 675 and authorized to vote for presidential
 676 and vice presidential electors.

677 I further state under penalties of perjury that I
 678 have not voted and will not vote other than by this
 679 ballot at this election; I marked the enclosed
 680 ballot in secret or am blind, unable to read or
 681 write English, or physically incapable of marking
 682 the ballot, and the person of my choosing indicated
 683 below marked the ballot at my direction; all of the
 684 information on this statement is, to the best of my
 685 knowledge and belief, true.

686	_____	Subscribed to and
687	Signature of Voter	sworn before me this
688		_____ day of
689		_____, _____

690 _____
 691 _____
 692 Address of Voter Signature of notary or
 693 other officer
 694 authorized to
 695 administer oaths
 696 _____
 697 Mailing Address (if
 698 different)
 699 _____
 700 _____
 701 Signature of Person Address of Last
 702 Assisting Voter Missouri Residence
 703 (if applicable)

704 [4.] 5. The statement for persons voting absentee
 705 ballots who are entitled to vote at the election pursuant to
 706 the provisions of subsection 2 of section 115.137 shall be
 707 in substantially the following form:

708 State of Missouri

709 County (City) of _____

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

713

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

717 _____ incapacity or confinement due to illness
 718 or physical disability on election day,
 719 including caring for a person who is
 720 incapacitated or confined due to illness
 721 or disability and resides at the same
 722 address;

723 _____ religious belief or practice;
 724 _____ employment as an election authority or by
 725 an election authority at a location other
 726 than my polling place;
 727 _____ incarceration, although I have retained
 728 all the necessary qualifications of
 729 voting;
 730 _____ certified participation in the address
 731 confidentiality program established under
 732 sections 589.660 to 589.681 because of
 733 safety concerns.

734 I hereby state under penalties of perjury that I
 735 own property in the _____ district and am
 736 qualified to vote at this election; I have not
 737 voted and will not vote other than by this ballot
 738 at this election. I further state that I marked the
 739 enclosed ballot in secret or that I am blind,
 740 unable to read and write English, or physically
 741 incapable of marking the ballot, and the person of
 742 my choosing indicated below marked the ballot at my
 743 direction; all of the information on this statement
 744 is, to the best of my knowledge and belief, true.

745	_____	Subscribed and sworn
746	Signature of Voter	to before me this
747		_____ day of
748		_____, _____
749	_____	
750	_____	_____
751	Address	Signature of notary or
752		other officer
753		authorized to
754		administer oaths
755	_____	
756	Signature of Person	
757	Assisting Voter	
758		

759 (if applicable)

760 [5.] 6. The statement for persons providing assistance
761 to absentee voters shall be in substantially the following
762 form:

763 The voter needed assistance in marking the ballot
764 and signing above, because of blindness, other
765 physical disability, or inability to read or to
766 read English. I marked the ballot enclosed in this
767 envelope at the voter's direction, when I was
768 alone with the voter, and I had no other
769 communication with the voter as to how he or she
770 was to vote. The voter swore or affirmed the voter
771 affidavit above and I then signed the voter's name
772 and completed the other voter information above.
773 Signed under the penalties of perjury.

774 Reason why voter needed assistance: _____

775 ASSISTING PERSON SIGN HERE

- 776 1. _____ (signature of assisting person)
- 777 2. _____ (assisting person's name printed)
- 778 3. _____ (assisting person's residence)
- 779 4. _____ (assisting person's home city or town).

780 [6. The election authority shall, for an election
781 held during 2020, adjust the forms described in this section
782 to account for voters voting absentee due to the reason
783 established pursuant to subdivision (7) of subsection 1 of
784 section 115.277.]

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

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 subparagraph f of paragraph (a) of subdivision (2) [or (7)] of subsection 1 of section 115.277.

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

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.]

823 115.286. Absentee ballots under sections 115.275 to
824 115.304 received by the election authority in person at the
825 office of the election authority or other authorized
826 location designated as a polling place by the election
827 authority are deemed cast when received prior to election
828 day. Absentee ballots received by the election authority
829 through a common carrier such as the United States Postal
830 Service or through an authorized drop box provided by the
831 election authority are deemed cast when received prior to
832 the time fixed by law for the closing of the polls on
833 election day.

834 115.287. 1. Upon receipt of a signed application for
835 an absentee ballot and if satisfied the applicant is
836 entitled to vote by absentee ballot, the election authority
837 shall, within three working days after receiving the
838 application, or if absentee ballots are not available at the
839 time the application is received, within five working days
840 after they become available, deliver to the voter an
841 absentee ballot, ballot envelope and such instructions as
842 are necessary for the applicant to vote. Delivery shall be
843 made to the voter personally in the office of the election
844 authority or by bipartisan teams appointed by the election
845 authority, or by first class, registered, or certified mail
846 at the discretion of the election authority, or in the case
847 of a covered voter as defined in section 115.902, the method
848 of transmission prescribed in section 115.914. Where the
849 election authority is a county clerk, the members of
850 bipartisan teams representing the political party other than
851 that of county clerk shall be selected from a list of
852 persons submitted to the county clerk by the county chairman
853 of that party. If no list is provided by the time that
854 absentee ballots are to be made available, the county clerk
855 may select a person or persons from lists provided in

856 accordance with section 115.087. If the election authority
857 is not satisfied that any applicant is entitled to vote by
858 absentee ballot, it shall not deliver an absentee ballot to
859 the applicant. Within three working days of receiving such
860 an application, the election authority shall notify the
861 applicant and state the reason he or she is not entitled to
862 vote by absentee ballot. The applicant may file a complaint
863 with the elections division of the secretary of state's
864 office under and pursuant to section 115.219.

865 2. If, after 5:00 p.m. on the second Wednesday before
866 an election, any voter from the jurisdiction has become
867 hospitalized, becomes confined due to illness or injury, or
868 is confined in an intermediate care facility, residential
869 care facility, or skilled nursing facility, as such terms
870 are defined in section 198.006, in the county in which the
871 jurisdiction is located or in the jurisdiction of an
872 adjacent election authority within the same county, the
873 election authority shall appoint a team to deliver, witness
874 the signing of and return the voter's application and
875 deliver, witness the voting of and return the voter's
876 absentee ballot. [In counties with a charter form of
877 government and in cities not within a county, and in each
878 city which has over three hundred thousand inhabitants, and
879 is situated in more than one county,] If the election
880 authority receives ten or more applications for absentee
881 ballots from the same address it [may] shall appoint a team
882 to deliver and witness the voting and return of absentee
883 ballots by voters residing at that address, except when such
884 addresses are for an apartment building or other structure
885 wherein individual living units are located, each of which
886 has its own separate cooking facilities. Each team
887 appointed pursuant to this subsection shall consist of two
888 registered voters, one from each major political party.

Both members of any team appointed pursuant to this subsection shall be present during the delivery, signing or voting and return of any application or absentee ballot signed or voted pursuant to this subsection.

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

4. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with an absentee 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 on election day, [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."; and

Further amend said bill, pages 24-31, Section 115.427, lines 1-241, by striking all of said section and inserting in lieu thereof the following:

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

- (1) Nonexpired Missouri driver's license;
- (2) Nonexpired or nonexpiring Missouri nondriver's license;
- (3) A document that satisfies all of the following requirements:

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

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

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

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

998 (4) Any identification containing a photograph of the
999 individual which is issued by the Missouri National Guard,
1000 the United States Armed Forces, including the Space Force,
1001 or the United States Department of Veteran Affairs to a
1002 member or former member of the Missouri National Guard or
1003 the United States Armed Forces, including the Space Force,
1004 and that is not expired or does not have an expiration date.

1005 2. (1) An individual who appears at a polling place,
1006 or other authorized location designated as a polling place
1007 by the election authority, without a form of personal photo
1008 identification described in subsection 1 of this section and
1009 who is otherwise qualified to vote at that polling place or
1010 other authorized location may [execute a statement, under
1011 penalty of perjury, averring that the individual is the
1012 person listed in the precinct register; averring that the
1013 individual does not possess a form of personal
1014 identification described in subsection 1 of this section;
1015 acknowledging that the individual is eligible to receive a
1016 Missouri nondriver's license free of charge if desiring it
1017 in order to vote; and acknowledging that the individual is
1018 required to present a form of personal identification, as
1019 described in subsection 1 of this section, in order to

vote. Such statement shall be executed and sworn to before the election official receiving the statement. Upon executing such statement, the individual may cast a regular ballot, provided such individual presents one of the following forms of identification:

(a) Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;

(b) Identification issued by the United States government or agency thereof;

(c) Identification issued by an institution of higher education, including a university, college, vocational and technical school, located within the state of Missouri;

(d) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that contains the name and address of the individual;

(e) Other identification approved by the secretary of state under rules promulgated pursuant to this section.

(2) For any individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place, the election authority may take a picture of such individual and keep it as part of that individual's voter registration file at the election authority.

(3) Any individual who chooses not to execute the statement described in subdivision (1) of this subsection may cast a provisional ballot. Such provisional ballot shall be counted, provided that it meets the requirements of subsection 4 of this section.

(4) For the purposes of this section, the term "election official" shall include any person working under the authority of the election authority.

1053 3. The statement to be used for voting under
 1054 subdivision (1) of subsection 2 of this section shall be
 1055 substantially in the following form:

1056 "State of _____

1057 County of _____

1058 I do solemnly swear (or affirm) that my name is
 1059 _____; that I reside at _____; that I am the
 1060 person listed in the precinct register under this
 1061 name and at this address; and that, under penalty
 1062 of perjury, I do not possess a form of personal
 1063 identification approved for voting. As a person
 1064 who does not possess a form of personal
 1065 identification approved for voting, I acknowledge
 1066 that I am eligible to receive free of charge a
 1067 Missouri nondriver's license at any fee office if
 1068 desiring it in order to vote. I furthermore
 1069 acknowledge that I am required to present a form
 1070 of personal identification, as prescribed by law,
 1071 in order to vote.

1072 I understand that knowingly providing false
 1073 information is a violation of law and subjects me
 1074 to possible criminal prosecution.

1075 _____

1076 Signature of voter

1077 Subscribed and affirmed before me this _____ day
 1078 of _____, 20_____

1079 _____

1080 Signature of election official"

1081 4. A voter shall be allowed to cast a provisional
 1082 ballot under section 115.430 even if the election judges
 1083 cannot establish the voter's identity under this section.
 1084 The election judges shall make a notation on the provisional
 1085 ballot envelope to indicate that the voter's identity was
 1086 not verified. The provisional ballot cast by such voter
 1087 shall not be counted unless:

(1) (a) The voter returns to the polling place during the uniform polling hours established by section 115.407 and provides a form of personal identification that allows the election judges to verify the voter's identity as provided in subsection 1 of this section; or

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

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

5. The secretary of state shall provide advance notice of the personal identification requirements of subsection 1 of this section in a manner calculated to inform the public generally of the requirement for forms of personal identification as provided in this section. Such advance notice shall include, at a minimum, the use of advertisements and public service announcements in print, broadcast television, radio, and cable television media, as well as the posting of information on the opening pages of the official state internet websites of the secretary of state and governor.] cast a regular ballot. Upon completing such ballot, the voter shall insert the ballot into a verification envelope with an affidavit attached to the front to be completed by the voter. Each affidavit shall include a personal identification number that allows the voter to track whether the ballot has been verified and counted and if the ballot was deemed not verifiable the tracking system shall indicate the reason that the ballot could not be verified.

(2) The affidavit shall be in substantially the following form:

1121 I do solemnly swear or affirm that the following is
 1122 correct:

1123	<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>
1124			
1125	<u>Residential Address</u>	<u>City</u>	<u>Zip Code</u> <u>Telephone</u>
1126			
1127	<u>Mailing Address</u>	<u>City</u>	<u>Zip Code</u> <u>Telephone</u>
1128			
1129	<u>Date of Birth</u>	<u>Last 4 digits of SSN# (if exists)</u>	
1130			

1131 I further swear or affirm that:

- 1132 • I am a registered voter in:
- 1133 ☐ County
- 1134 ☐ City of St. Louis
- 1135 ☐ City of Kansas City
- 1136 • I am a qualified voter in said county or city;
- 1137 • I am eligible to vote at this polling place;
- 1138 • I am a citizen of the United States of America and
 1139 a resident of the state of Missouri;
- 1140 • I am at least 18 years of age;
- 1141 • I have not been adjudged incapacitated by any
 1142 court of law; and
- 1143 • I have not voted in this election.

1144 I understand if the above-provided information is not
 1145 correct and the election authority determines that I am
 1146 not registered and eligible to vote, my vote will not
 1147 be counted. I further understand knowingly providing
 1148 false information is a violation of law and subjects me
 1149 to possible criminal prosecution.

1150 If I have been convicted of a felony or a misdemeanor
1151 connected with the right of suffrage, I have had the
1152 voting disabilities from such conviction removed
1153 pursuant to law.

1154 I swear under penalty of perjury that all statements
1155 made on this affidavit are true to the best of my
1156 knowledge.

1157 _____
1158 Signature of Voter

1159 (3) Upon completing the verification envelope
1160 affidavit the voter shall insert the envelope in a
1161 verification ballot box.

1162 (4) (a) All ballots cast pursuant to this subsection
1163 shall be verified and counted only as provided in this
1164 subdivision.

1165 (b) One judge from each major political party shall,
1166 together, verify the ballots by verifying the signature on
1167 the verification envelope affidavit with the signature on
1168 file with the election authority. If the signature of the
1169 voter cannot be verified, the election authority shall
1170 notify the voter by mail of such fact.

1171 (c) If the election judges cannot verify a ballot as
1172 provided in paragraph (b) of this subdivision, the voter may
1173 appeal the decision to such judges at any time prior to the
1174 certification of the election by providing a form of
1175 personal photo identification described in subsection 1 of
1176 this section.

1177 (5) All ballots cast by voters whose eligibility has
1178 been verified as provided in this subsection shall be
1179 counted in accordance with the rules governing ballot
1180 tabulation. Ballots verified under this subsection shall
1181 not be counted until all such ballots are determined either
1182 eligible or ineligible and all such ballots shall have a

1183 determination of eligibility or ineligibility made before
1184 the election is certified.

1185 [6.] 3. (1) Notwithstanding the provisions of section
1186 136.055 and section 302.181 to the contrary, the state and
1187 all fee offices shall provide one nondriver's license at no
1188 cost to any otherwise qualified voter who does not already
1189 possess such identification and who desires the
1190 identification [in order to vote] for voting.

1191 (2) This state and its agencies shall provide one copy
1192 of each of the following, free of charge, if needed by an
1193 individual seeking to obtain a form of personal photo
1194 identification described in subsection 1 of this section [in
1195 order to vote] for voting:

- 1196 (a) A birth certificate;
1197 (b) A marriage license or certificate;
1198 (c) A divorce decree;
1199 (d) A certificate of decree of adoption;
1200 (e) A court order changing the person's name;
1201 (f) A Social Security card reflecting an updated name;

1202 and

1203 (g) Naturalization papers or other documents from the
1204 United States Department of State proving citizenship.

1205 Any individual seeking one of the above documents in order
1206 to obtain a form of personal photo identification described
1207 in subsection 1 of this section [in order to vote] for
1208 voting may request the secretary of state to facilitate the
1209 acquisition of such documents. The secretary of state shall
1210 pay any fee or fees charged by another state or its
1211 agencies, or any court of competent jurisdiction in this
1212 state or any other state, or the federal government or its
1213 agencies, in order to obtain any of the above documents from
1214 such state or the federal government.

1215 (3) All costs associated with the implementation of
1216 this section shall be reimbursed from the general revenue of
1217 this state by an appropriation for that purpose. If there
1218 is not a sufficient appropriation of state funds, then the
1219 personal identification requirements of subsection 1 of this
1220 section shall not be enforced.

1221 (4) Any applicant who requests a nondriver's license
1222 for the purpose of voting shall not be required to pay a fee
1223 if the applicant executes a statement, under penalty of
1224 perjury, averring that the applicant does not have any other
1225 form of personal identification that meets the requirements
1226 of this section. The state of Missouri shall pay the
1227 legally required fees for any such applicant. The director
1228 of the department of revenue shall design a statement to be
1229 used for this purpose. The total cost associated with
1230 nondriver's license photo identification under this
1231 subsection shall be borne by the state of Missouri from
1232 funds appropriated to the department of revenue for that
1233 specific purpose. The department of revenue and a local
1234 election authority may enter into a contract that allows the
1235 local election authority to assist the department in issuing
1236 nondriver's license photo identifications.

1237 [7.] 4. The director of the department of revenue
1238 shall, by January first of each year, prepare and deliver to
1239 each member of the general assembly a report documenting the
1240 number of individuals who have requested and received a
1241 nondriver's license photo identification for the purposes of
1242 voting under this section. The report shall also include
1243 the number of persons requesting a nondriver's license for
1244 purposes of voting under this section, but not receiving
1245 such license, and the reason for the denial of the
1246 nondriver's license.

1247 [8.] 5. The precinct register shall serve as the voter
1248 identification certificate. The following form shall be
1249 printed at the top of each page of the precinct register:

1250 VOTER'S IDENTIFICATION CERTIFICATE

1251 Warning: It is against the law for anyone to vote,
1252 or attempt to vote, without having a lawful right
1253 to vote.

1254 PRECINCT

1255 WARD OR TOWNSHIP _____

1256 GENERAL (SPECIAL, JUNE PRIMARY, AUGUST PRIMARY)
1257 ELECTION

1258 Held _____, 20_____

1259 Date

1260 I hereby certify that I am qualified to vote at
1261 this election by signing my name and verifying my
1262 address by signing my initials next to my address.

1263 [9.] 6. The secretary of state shall promulgate rules
1264 to effectuate the provisions of this section.

1265 [10.] 7. Any rule or portion of a rule, as that term
1266 is defined in section 536.010, that is created under the
1267 authority delegated in this section shall become effective
1268 only if it complies with and is subject to all of the
1269 provisions of chapter 536 and, if applicable, section
1270 536.028. This section and chapter 536 are nonseverable and
1271 if any of the powers vested with the general assembly
1272 pursuant to chapter 536 to review, to delay the effective
1273 date or to disapprove and annul a rule are subsequently held
1274 unconstitutional, then the grant of rulemaking authority and
1275 any rule proposed or adopted after August 28, 2002, shall be
1276 invalid and void.

1277 [11.] 8. If any voter is unable to sign his name at
1278 the appropriate place on the certificate or computer

printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

[12. This section shall become effective only upon the passage and approval by the voters of a constitutional amendment submitted to them by the general assembly regarding the authorization of photo identification requirements for elections by general law. If such constitutional amendment is approved by the voters, this section shall become effective June 1, 2017.]; and

Further amend said bill, page 41, Section 115.430, line 320, by inserting after all of said line the following:

"115.435. After initialing the voter's identification certificate and after completing any procedures required by section 115.433, the election judges shall allow the voter to proceed to the voting booth and vote. Once the ballot has been completed by the voter and he or she successfully submits the ballot into the ballot box, the ballot is deemed cast."; and

Further amend said bill, page 48, Section 115.593, line 22, by inserting after all of said line the following:

"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;

1312 (3) The election is nonpartisan;
 1313 (4) The election is not one at which any candidate is
 1314 elected, retained or recalled; and

1315 (5) The election is an issue election at which all of
 1316 the qualified voters of any one political subdivision are
 1317 the only voters eligible to vote.

1318 [2. Notwithstanding the provisions of subsection 1 of
 1319 this section or any other provision of law to the contrary,
 1320 an election may be conducted by mail as authorized under
 1321 section 115.302, during the year 2020, to avoid the risk of
 1322 contracting or transmitting severe acute respiratory
 1323 syndrome coronavirus 2. This subsection shall expire
 1324 December 31, 2020.]

1325 115.902. As used in sections 115.900 to 115.936, the
 1326 following terms shall mean:

1327 (1) "Covered voter":

1328 (a) A uniformed services voter who is registered to
 1329 vote in this state;

1330 (b) A uniformed services voter defined in this section
 1331 whose voting residence is in this state and who otherwise
 1332 satisfies this state's voter eligibility requirements; or

1333 (c) An overseas voter;

1334 (2) "Dependent", an individual recognized as a
 1335 dependent by a uniformed service;

1336 (3) "Federal postcard application", the application
 1337 prescribed under Section 101(b)(2) of the Uniformed and
 1338 Overseas Citizens Absentee Voting Act, 42 U.S.C. Section
 1339 1973ff(b)(2);

1340 (4) "Federal write-in absentee ballot", the ballot
 1341 described in Section 103 of the Uniformed and Overseas
 1342 Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

1343 (5) "Military-overseas ballot":

1344 (a) A federal write-in absentee ballot;

1345 (b) A ballot specifically prepared or distributed for
1346 use by a covered voter in accordance with sections 115.900
1347 to 115.936; and

1348 (c) A ballot cast by a covered voter in accordance
1349 with sections 115.900 to 115.936;

1350 (6) "Overseas voter":

1351 (a) A person who resides outside the United States and
1352 is qualified to vote in the last place in which the person
1353 was domiciled before leaving the United States; or

1354 (b) A person who resides outside the United States
1355 and, but for such residence, would be qualified to vote in
1356 the last place in which the person was domiciled before
1357 leaving the United States;

1358 (7) "State", a state of the United States, the
1359 District of Columbia, Puerto Rico, the United States Virgin
1360 Islands, or any territory or insular possession subject to
1361 the jurisdiction of the United States;

1362 (8) "Uniformed services":

1363 (a) Active and reserve components of the Army, Navy,
1364 Air Force, Marine Corps, Space Force, or Coast Guard of the
1365 United States;

1366 (b) The Merchant Marine, the commissioned corps of the
1367 Public Health Service, or the commissioned corps of the
1368 National Oceanic and Atmospheric Administration of the
1369 United States; or

1370 (c) The Missouri National Guard;

1371 (9) "Uniformed services voter", an individual who is
1372 qualified to vote and is:

1373 (a) A member of the active or reserve components of
1374 the Army, Navy, Air Force, Marine Corps, Space Force, or
1375 Coast Guard of the United States who is on active duty;

1376 (b) A member of the Merchant Marine, the commissioned
1377 corps of the Public Health Service, or the commissioned

1378 corps of the National Oceanic and Atmospheric Administration
1379 of the United States;

1380 (c) A member on activated status of the National
1381 Guard; or

1382 (d) A spouse or dependent of a member referred to in
1383 this subdivision;

1384 (10) "United States", used in the territorial sense,
1385 the several states, the District of Columbia, Puerto Rico,
1386 the United States Virgin Islands, and any territory or
1387 insular possession subject to the jurisdiction of the United
1388 States."; and

1389 Further amend said bill, page 52, Section 116.225, line
1390 24, by inserting after all of said line the following:

1391 "[115.302. 1. Any registered voter of
1392 this state may cast a mail-in ballot as provided
1393 in this section. Nothing in this section shall
1394 prevent a voter from casting an absentee ballot,
1395 provided such person has not cast a ballot
1396 pursuant to this section. Application for a
1397 mail-in ballot may be made by the applicant in
1398 person, or by United States mail, or on behalf
1399 of the applicant by his or her guardian or
1400 relative within the second degree of
1401 consanguinity or affinity.

1402 2. Each application for a mail-in ballot
1403 shall be made to the election authority of the
1404 jurisdiction in which the person is registered.
1405 Each application shall be in writing and shall
1406 state the applicant's name, address at which he
1407 or she is registered, the address to which the
1408 ballot is to be mailed.

1409 3. All applications for mail-in ballots
1410 received prior to the sixth Tuesday before an
1411 election shall be stored at the office of the
1412 election authority until such time as the
1413 applications are processed under section
1414 115.281. No application for a mail-in ballot
1415 received in the office of the election authority
1416 after 5:00 p.m. on the second Wednesday
1417 immediately prior to the election shall be
1418 accepted by any election authority.

1419 4. Each application for a mail-in ballot
1420 shall be signed by the applicant or, if the
1421 application is made by a guardian or relative
1422 under this section, the application shall be
1423 signed by the guardian or relative, who shall
1424 note on the application his or her relationship

1425 to the applicant. If an applicant, guardian, or
 1426 relative is blind, unable to read or write the
 1427 English language, or physically incapable of
 1428 signing the application, he or she shall sign by
 1429 mark that is witnessed by the signature of an
 1430 election official or person of his or her
 1431 choice. Knowingly making, delivering, or
 1432 mailing a fraudulent mail-in-ballot application
 1433 is a class one election offense.

1434 5. Not later than the sixth Tuesday prior
 1435 to each election, or within fourteen days after
 1436 candidate names or questions are certified under
 1437 section 115.125, the election authority shall
 1438 cause to have printed and made available a
 1439 sufficient quantity of ballots, ballot
 1440 envelopes, and mailing envelopes. As soon as
 1441 possible after a proper official calls a special
 1442 state or county election, the election authority
 1443 shall cause to have printed and made available a
 1444 sufficient quantity of mail-in ballots, ballot
 1445 envelopes, and mailing envelopes.

1446 6. Each ballot envelope shall bear a
 1447 statement in substantially the same form
 1448 described in subsection 9 of this section. In
 1449 addition, any person providing assistance to the
 1450 mail-in voter shall include a signature on the
 1451 envelope identifying the person providing such
 1452 assistance under penalties of perjury. Persons
 1453 authorized to vote only for federal and
 1454 statewide offices shall also state their former
 1455 Missouri residence.

1456 7. The statement for persons voting mail-
 1457 in ballots who are registered voters shall be in
 1458 substantially the following form:

1459 State of Missouri

1460 County (City) of _____

1461 I, _____ (print name), a registered voter of
 1462 _____ County (City of St. Louis, Kansas City),
 1463 declare under the penalties of perjury that: I am
 1464 qualified to vote at this election; I have not
 1465 voted and will not vote other than by this ballot
 1466 at this election. I further state that I marked
 1467 the enclosed ballot in secret or that I am blind,
 1468 unable to read or write English, or physically
 1469 incapable of marking the ballot, and the person of
 1470 my choosing indicated below marked the ballot at my
 1471 direction; all of the information on this statement
 1472 is, to the best of my knowledge and belief, true.

1473 _____
 1474

1475 Signature of Voter

1476 _____
 1477

Signature of
 Person
 Assisting Voter

1478 (if applicable)

1479 Subscribed and sworn to before me this _____
 1480 day of _____ , _____ .
 1481 _____

1482 Signature of notary or other officer authorized to
 1483 administer oaths.
 1484 _____

1485 _____

1486 Mailing addresses

1487 (if different)

1488 8. Upon receipt of a signed application
 1489 for a mail-in ballot and if satisfied that the
 1490 applicant is entitled to vote by mail-in ballot,
 1491 the election authority shall, within three
 1492 working days after receiving the application,
 1493 or, if mail-in ballots are not available at the
 1494 time the application is received, within five
 1495 working days after such ballots become
 1496 available, deliver to the voter a mail-in
 1497 ballot, ballot envelope and such instructions as
 1498 are necessary for the applicant to vote. If the
 1499 election authority is not satisfied that any
 1500 applicant is entitled to vote by mail-in ballot,
 1501 the authority shall not deliver a mail-in ballot
 1502 to the applicant. Within three working days of
 1503 receiving such an application, the election
 1504 authority shall notify the applicant and state
 1505 the reason he or she is not entitled to vote by
 1506 mail-in ballot. The applicant may file a
 1507 complaint with the elections division of the
 1508 secretary of state's office under section
 1509 115.219.

1510 9. On the mailing and ballot envelopes for
 1511 each covered voter, the election authority shall
 1512 stamp the words "ELECTION BALLOT, STATE OF
 1513 MISSOURI" and "U.S. Postage Paid, 39 U.S.C.
 1514 Section 3406".

1515 10. No information which encourages a vote
 1516 for or against a candidate or issue shall be
 1517 provided to any voter with a mail-in ballot.

1518 11. Upon receiving a mail-in ballot by
 1519 mail, the voter shall mark the ballot in secret,
 1520 place the ballot in the ballot envelope, seal
 1521 the envelope and fill out the statement on the
 1522 ballot envelope. The statement required under
 1523 subsection 7 of this section shall be subscribed
 1524 and sworn to before a notary public or other
 1525 officer authorized by law to administer oaths.
 1526 If the voter is blind, unable to read or write
 1527 the English language, or physically incapable of
 1528 voting the ballot, the voter may be assisted by
 1529 a person of the voter's own choosing. Any

1530 person who assists a voter and in any manner
1531 coerces or initiates a request or suggestion
1532 that the voter vote for or against, or refrain
1533 from voting on, any question or candidate, shall
1534 be guilty of a class one election offense. If,
1535 upon counting, challenge, or election contest,
1536 it is ascertained that any mail-in ballot was
1537 voted with unlawful assistance, the ballot shall
1538 be rejected.

1539 12. Each mail-in ballot shall be returned
1540 to the election authority in the ballot envelope
1541 and shall only be returned by the voter by
1542 United States mail.

1543 13. The secretary of state may prescribe
1544 uniform regulations with respect to the printing
1545 of ballot envelopes and mailing envelopes, which
1546 shall comply with standards established by
1547 federal law or postal regulations. Mailing
1548 envelopes for use in returning ballots shall be
1549 printed with business reply permits so that any
1550 ballot returned by mail does not require
1551 postage. All fees and costs for establishing
1552 and maintaining the business reply and postage-
1553 free mail for all ballots cast shall be paid by
1554 the secretary of state through state
1555 appropriations.

1556 14. All votes on each mail-in ballot
1557 received by an election authority at or before
1558 the time fixed by law for the closing of the
1559 polls on election day shall be counted. No
1560 votes on any mail-in ballot received by an
1561 election authority after the time fixed by law
1562 for the closing of the polls on election day
1563 shall be counted.

1564 15. If sufficient evidence is shown to an
1565 election authority that any mail-in voter has
1566 died prior to the opening of the polls on
1567 election day, the ballot of the deceased voter
1568 shall be rejected if it is still sealed in the
1569 ballot envelope. Any such rejected ballot,
1570 still sealed in its ballot envelope, shall be
1571 sealed with the application and any other papers
1572 connected therewith in an envelope marked
1573 "Rejected ballot of _____, a mail-in voter
1574 of _____ voting district". The reason for
1575 rejection shall be noted on the envelope, which
1576 shall be kept by the election authority with the
1577 other ballots from the election until the
1578 ballots are destroyed according to law.

1579 16. As each mail-in ballot is received by
1580 the election authority, the election authority
1581 shall indicate its receipt on the list.

1582 17. All mail-in ballot envelopes received
1583 by the election authority shall be kept together
1584 in a safe place and shall not be opened except
1585 as provided under this chapter.

1586 18. Mail-in ballots shall be counted using
1587 the procedures set out in sections 115.297,
1588 115.299, 115.300, and 115.303.

1589 19. The false execution of a mail-in
1590 ballot is a class one election offense. The
1591 attorney general or any prosecuting or circuit
1592 attorney shall have the authority to prosecute
1593 such offense either in the county of residence
1594 of the person or in the circuit court of Cole
1595 County.

1596 20. The provisions of this section shall
1597 apply only to an election that occurs during the
1598 year 2020, to avoid the risk of contracting or
1599 transmitting severe acute respiratory syndrome
1600 coronavirus 2.

1601 21. The provisions of this section
1602 terminate and shall be repealed on December 31,
1603 2020, and shall not apply to any election
1604 conducted after that date.]; and

1605 Further amend said bill, page 52, Section 116.220, line
1606 16, by inserting after all of said line the following:

1607 "Section B. Notwithstanding the provisions of section
1608 1.140 to the contrary, the provisions of this act shall be
1609 nonseverable, and if any provision is for any reason held to
1610 be invalid or temporarily enjoined, such decision shall
1611 invalidate or temporarily enjoin all of the remaining
1612 provisions of this act."; and

1613 Further amend the title and enacting clause accordingly.

1614