

FIRST REGULAR SESSION

SENATE BILL NO. 266

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

0730S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 115.295, RSMo, and to enact in lieu thereof one new section relating to rejected absentee ballots.

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

Section A. Section 115.295, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 115.295,
3 to read as follows:

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

4 2. If the statements on any ballot envelope have not
5 been completed, **or if the voter has failed to sign the oath,**
6 **or if the signature does not appear to be valid, or if the**
7 **oath has not been verified as provided by law, or if the**
8 **absentee ballot has been rejected for any other reason**
9 **provided by law, or if the voter is otherwise found**
10 **disqualified to vote,** the absentee ballot in the envelope
11 shall be rejected **and the election authority shall write**
12 **across the face of the envelope "Rejected", giving the**
13 **reason therefor. The election authority shall promptly**
14 **notify the voter of such rejection, and the deadline and**
15 **procedures that must be followed to cure said rejection, a**
16 **copy of which notification shall be retained in the files of**
17 **the election authority for at least two years. Such voter**
18 **shall have until the end of the period for verifying**

19 provisional ballots as provided by law to cure the problem
20 resulting in the rejection of the absentee ballot. The
21 voter may cure a failure to complete a statement on the
22 ballot envelope, to sign the oath, an invalid signature, or
23 failure to have the signature verified in the manner
24 provided by law, by submitting an affidavit to the election
25 authority, along with a copy of one of the forms of
26 identification provided by law, before the close of such
27 period. The affidavit shall affirm that the ballot was
28 submitted by the voter, is the voter's ballot, and that the
29 voter is registered and qualified to vote in the election in
30 question. Provided that the voter is otherwise qualified to
31 vote or has cured any disqualification as provided by law
32 for voter's casting provisional ballots, if the election
33 authority finds the affidavit and identification to be
34 sufficient, the absentee ballot shall be counted.

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

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