

SENATE BILL NO. 587

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

2662S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 115.151, 115.160, and 115.960, RSMo, and to enact in lieu thereof three new sections relating to voter registration.

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

Section A. Sections 115.151, 115.160, and 115.960, RSMo,
2 are repealed and three new sections enacted in lieu thereof, to
3 be known as sections 115.151, 115.160, and 115.960, to read as
4 follows:

115.151. 1. Each qualified applicant who appears
2 before the election authority shall be deemed registered as
3 of the time the applicant's completed, signed and sworn
4 registration application is witnessed by the election
5 authority or deputy registration official.

6 2. Each applicant who registers by mail shall be
7 deemed to be registered as of the date the application is
8 postmarked, if such application is accepted and not rejected
9 by the election authority and the verification notice
10 required pursuant to section 115.155 is not returned as
11 undeliverable by the postal service.

12 3. Each applicant who registers at a voter
13 registration agency or the division of motor vehicle and
14 drivers licensing of the department of revenue shall be
15 deemed to be registered as of the date the application is
16 signed by the applicant, if such application is accepted and
17 not rejected by the election authority and the verification

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 notice required pursuant to section 115.155 is not returned
19 as undeliverable by the postal service. Voter registration
20 agencies [and the division of motor vehicle and drivers
21 licensing of the department of revenue] shall transmit voter
22 registration application forms to the appropriate election
23 authority not later than five business days after the form
24 is completed by the applicant. **The division of motor
25 vehicle and drivers licensing of the department of revenue
26 shall transmit voter registration application forms to the
27 appropriate election authority not later than three business
28 days after the form is completed by the applicant.**

115.160. 1. All Missouri driver's license applicants
2 shall receive a voter registration application form as a
3 simultaneous part of the application for a driver's license,
4 renewal of driver's license, change of address, duplicate
5 request and a nondriver's license. **The director of revenue
6 shall utilize electronic voter registration application
7 forms and provide for secure electronic transfer of voter
8 registration information to election authorities. The
9 secretary of state and the director of revenue shall ensure
10 the confidentiality and integrity of the voter registration
11 data collected, maintained, received, or transmitted under
12 this section.**

13 2. If a single application form is used, the voter
14 registration application portion of any application
15 described in subsection 1 of this section may not require
16 any information that duplicates information required in the
17 driver's license portion of the form, except a second
18 signature or other information required by law.

19 3. After conferring with the secretary of state as the
20 chief state election official responsible for overseeing of
21 the voter registration process, the director of revenue

22 shall adopt rules and regulations pertaining to the format
23 of the voter registration application used by the
24 department.

25 4. No information relating to the failure of an
26 applicant for a driver's license or nondriver's license to
27 sign a voter registration application may be used for any
28 purpose other than voter registration.

29 5. Any voter registration application received
30 pursuant to the provisions of this section shall be
31 forwarded, **in a secure and electronic manner**, to the
32 election authority located within that county or any city
33 not within a county, or if there is more than one election
34 authority within the county, then to the election authority
35 located nearest to the location where the driver's license
36 application was received. **Voter registration information,**
37 **including an electronic image of the signature of the**
38 **applicant, shall be transmitted in a format compatible with**
39 **the Missouri voter registration system established in**
40 **section 115.158 which allows for review by the election**
41 **authority and does not require the election authority to**
42 **manually reenter the information, provided that the election**
43 **authority shall print out a paper copy of the information**
44 **and retain such information in the manner required by**
45 **section 115.145.** The election authority receiving the
46 application forms shall review the applications and forward,
47 **in a secure and electronic manner**, any applications
48 pertaining to a different election authority to that
49 election authority.

50 6. A completed voter registration application accepted
51 in the driver's licensing process shall be transmitted to
52 the election authority described in subsection 5 of this

53 section not later than five business days after the form is
54 completed by the applicant.

55 7. Any person registering to vote when applying for or
56 renewing a Missouri driver's license shall submit with the
57 application form a copy of a birth certificate, a Native
58 American tribal document, or other proof of United States
59 citizenship, a valid Missouri driver's license, or other
60 form of personal identification.

115.960. 1. An election authority is authorized to
2 accept voter registration applications with a signature
3 submitted to the election authority under the provisions of
4 sections 432.200 to 432.295 as provided in this section:

5 (1) Sections 432.200 to 432.295 shall only apply to
6 transactions between parties that have agreed to conduct
7 transactions by electronic means;

8 (2) Except as provided in subsection 2 of this
9 section, as used in this section and sections 432.200 to
10 432.295, the parties who agree to conduct voter registration
11 transactions by electronic means shall be the local election
12 authority who is required to accept or reject a voter
13 registration application and the prospective voter
14 submitting the application;

15 (3) A local election authority is authorized to
16 develop, maintain, and approve systems that transmit voter
17 registration applications electronically under sections
18 432.200 to 432.295;

19 (4) Except as provided in subsection 2 of this section
20 **and section 115.160**, no officer, agency, or organization
21 shall collect or submit a voter registration application
22 with an electronic signature to an election authority
23 without first obtaining approval of the data and signature

24 format from the local election authority and the approval of
25 the voter to collect and store the signature and data; and

26 (5) Local election authorities who maintain a voter
27 registration application system shall direct voter
28 registration applicants from other jurisdictions to the
29 system used by the local election authority for that
30 jurisdiction to accept voter registration applications
31 electronically.

32 2. A system maintained by the secretary of state's
33 office shall be used to accept voter registration
34 applications electronically subsequent to approval from the
35 committee formed as set forth in this subsection:

36 (1) Within thirty days of, but in no event prior to
37 January 1, 2017, the president of the Missouri Association
38 of County Clerks and Election Authorities shall appoint
39 fourteen of its members to serve on a committee to approve
40 and develop uniform standards, systems, and modifications
41 that shall be used by the secretary of state in any
42 electronic voter registration application system offered by
43 that office. The committee may also make recommendations
44 regarding the purchase, maintenance, integration, and
45 operation of electronic databases, software, and hardware
46 used by local election authorities and the secretary of
47 state's office including, but not limited to, systems used
48 for military and overseas voting and for building and
49 conducting election operations. The committee shall have
50 fourteen local election authorities, including
51 representatives of each classification of counties, a
52 representative from an election board, and at least one
53 member who has experience processing online voter
54 registration transactions. In addition, one representative

55 appointed by the secretary of state's office shall serve on
56 the committee;

57 (2) The committee shall immediately meet to approve
58 electronic signature formats and a minimum set of data
59 collection standards for use in a voter registration
60 application system maintained by the secretary of state;

61 (3) Once the format and data collection standards are
62 approved by the committee and implemented for the system
63 maintained by the secretary of state, local election
64 authorities shall accept the transmission of voter
65 registration applications submitted to the approved system
66 under the provisions of sections 432.200 to 432.295;

67 (4) The secretary of state's office shall direct
68 eligible voters to a local election authority's system to
69 accept voter registration applications electronically if the
70 local election authority has a system in place as of August
71 28, 2016, or implements a system that meets the same
72 standards and format that has been approved by the committee
73 for the secretary of state's system;

74 (5) The committee shall meet not less than
75 semiannually through June 30, 2019, to recommend and approve
76 changes and enhancements proposed by the secretary of state
77 or election authorities to the electronic voter registration
78 application system. Vacancies that occur on the committee
79 shall be filled by the president of the Missouri Association
80 of County Clerks and Election Authorities at the time of the
81 vacancy;

82 (6) To improve the accuracy of voter registration
83 application data and reduce costs for local election
84 authorities, the system maintained by the secretary of state
85 shall, as soon as is practical, provide a method where the
86 data entered by the voter registration applicant does not

87 have to be re-entered by the election authority to the state
88 voter registration database.

89 3. Each applicant who registers using an approved
90 electronic voter registration application system shall be
91 deemed to be registered as of the date the signed
92 application is submitted to the system, if such application
93 is accepted and not rejected by the election authority and
94 the verification notice required under section 115.155 is
95 not returned as undeliverable by the postal service.

96 4. This section shall not apply to voter registration
97 and absentee records submitted by voters authorized under
98 federal law, section 115.291, or sections 115.900 to 115.936
99 to submit electronic records and signatures.

100 5. High quality copies, including electronic copies,
101 of signatures made on paper documents may be used for
102 petition signature verification purposes and retained as
103 records.

104 6. Any signature required for petition submission
105 under chapter 116 shall be handwritten on a paper document.

106 7. [Notwithstanding the provisions of section 432.230]
107 **Except as provided under sections 115.160 and 432.230,**
108 nothing in this section shall require the election authority
109 to accept voter registration records or signatures created,
110 generated, sent, communicated, received, stored, or
111 otherwise processed, or used by electronic means or in
112 electronic form from any officer, agency, or organization
113 not authorized under subsection 2 of this section without
114 prior approval from the election authority. **Election**
115 **authorities shall accept and process voter registration**
116 **records, including electronic images of applicant**
117 **signatures, transmitted electronically by the division of**
118 **motor vehicle and drivers licensing of the department of**

119 **revenue under section 115.160.** Except as provided in
120 subsection 2 of this section **and section 115.160,** no
121 officer, agency, or organization shall give the voter the
122 opportunity to submit a voter registration application with
123 an electronic signature without first obtaining the approval
124 of the local election authority.

125 8. An election authority that agrees to conduct a
126 transaction by electronic means may refuse to conduct other
127 transactions by electronic means.

128 9. No election authority or the secretary of state
129 shall furnish to any member of the public any data collected
130 under a voter registration application system except as
131 authorized in subsections 1 to 5 of section 115.157.

132 10. Nothing in this section shall be construed to
133 require the secretary of state to cease operating a voter
134 registration application in place as of the effective date
135 of this act.

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