

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/Senate Bill No. 812, Page 1, Section 115.277, Line 4,

2 by striking "would be" and inserting in lieu thereof the
 3 following: "is"; and further amend said bill and page, line
 4 5, by inserting an opening bracket "[" immediately before
 5 "if"; and further amend line 19, by striking "or"; and

6 Further amend said bill and section, page 2, line 22,
 7 by striking the opening bracket "["; and

8 Further amend said bill and section, page 3, line 70,
 9 by inserting after all of said line the following:

10 "115.279. 1. Application for an absentee ballot may
 11 be made by the applicant in person, or by mail, or for the
 12 applicant, in person, by his or her guardian or a relative
 13 within the second degree by consanguinity or affinity. The
 14 election authority shall accept applications by facsimile
 15 transmission and by electronic mail within the limits of its
 16 telecommunications capacity.

17 2. Each application shall be made to the election
 18 authority of the jurisdiction in which the person is or
 19 would be registered. Each application shall be in writing
 20 and shall state the applicant's name, address at which he or
 21 she is or would be registered, [his or her reason for voting
 22 an absentee ballot] whether the applicant is incapacitated
 23 or confined due to illness or physical disability or is a
 24 person who is primarily responsible for the physical care of
 25 a person who is incapacitated or confined due to illness or
 26 physical disability, the address to which the ballot is to

27 be mailed, if mailing is requested, and for absent uniformed
28 services and overseas applicants, the applicant's email
29 address if electronic transmission is requested. If the
30 [reason for the applicant voting absentee is due to the
31 reasons established under subdivision (6) of subsection 1 of
32 section 115.277] applicant is a certified participant in the
33 address confidentiality program established under sections
34 589.660 to 589.681, the applicant shall state the voter's
35 identification information provided by the address
36 confidentiality program in lieu of the applicant's name,
37 address at which he or she is or would be registered, and
38 address to which the ballot is to be mailed, if mailing is
39 requested. Each application to vote in a primary election
40 shall also state which ballot the applicant wishes to
41 receive. If any application fails to designate a ballot,
42 the election authority shall, within three working days
43 after receiving the application, notify the applicant by
44 mail that it will be unable to deliver an absentee ballot
45 until the applicant designates which political party ballot
46 he or she wishes to receive. If the applicant does not
47 respond to the request for political party designation, the
48 election authority is authorized to provide the voter with
49 that part of the ballot for which no political party
50 designation is required.

51 3. [Except as provided in subsection 3 of section
52 115.281,] All applications for absentee ballots received
53 prior to the sixth Tuesday before an election shall be
54 stored at the office of the election authority until such
55 time as the applications are processed in accordance with
56 section 115.281. No application for an absentee ballot
57 received in the office of the election authority by mail, by
58 facsimile transmission, by electronic mail, or by a guardian
59 or relative after 5:00 p.m. on the second Wednesday

60 immediately prior to the election shall be accepted by any
61 election authority. No application for an absentee ballot
62 submitted by the applicant in person after 5:00 p.m. on the
63 day before the election shall be accepted by any election
64 authority, except as provided in subsections 6, 8 and 9 of
65 this section.

66 4. Each application for an absentee ballot shall be
67 signed by the applicant or, if the application is made by a
68 guardian or relative pursuant to this section, the
69 application shall be signed by the guardian or relative, who
70 shall note on the application his or her relationship to the
71 applicant. If an applicant, guardian or relative is blind,
72 unable to read or write the English language or physically
73 incapable of signing the application, he or she shall sign
74 by mark, witnessed by the signature of an election official
75 or person of his or her own choosing. Any person who
76 knowingly makes, delivers or mails a fraudulent absentee
77 ballot application shall be guilty of a class one election
78 offense.

79 5. (1) Notwithstanding any law to the contrary, any
80 resident of the state of Missouri who resides outside the
81 boundaries of the United States or who is on active duty
82 with the Armed Forces of the United States or members of
83 their immediate family living with them may request an
84 absentee ballot for both the primary and subsequent general
85 election with one application.

86 (2) The election authority shall provide each absent
87 uniformed services voter and each overseas voter who submits
88 a voter registration application or an absentee ballot
89 request, if the election authority rejects the application
90 or request, with the reasons for the rejection.

91 (3) Notwithstanding any other law to the contrary, if
92 a standard oath regarding material misstatements of fact is

93 adopted for uniformed and overseas voters pursuant to the
94 Help America Vote Act of 2002, the election authority shall
95 accept such oath for voter registration, absentee ballot, or
96 other election-related materials.

97 (4) Not later than sixty days after the date of each
98 regularly scheduled general election for federal office,
99 each election authority which administered the election
100 shall submit to the secretary of state in a format
101 prescribed by the secretary a report on the combined number
102 of absentee ballots transmitted to, and returned by, absent
103 uniformed services voters and overseas voters for the
104 election. The secretary shall submit to the Election
105 Assistance Commission a combined report of such information
106 not later than ninety days after the date of each regularly
107 scheduled general election for federal office and in a
108 standardized format developed by the commission pursuant to
109 the Help America Vote Act of 2002. The secretary shall make
110 the report available to the general public.

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

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

124 "STATE OF _____

125 COUNTY OF _____, ss.

126 I, _____, do solemnly swear that:

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

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

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

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

142 Signed _____

143 (Applicant)

144 _____

145 (Residence Address)

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

148 Signed _____

149 (Title and name of officer authorized to
 150 administer oaths)"

151 7. The election authority in whose office an
 152 application is filed pursuant to subsection 6 of this
 153 section shall immediately send a duplicate of such
 154 application to the appropriate official of the state in
 155 which the new resident applicant last resided and shall file
 156 the original of such application in its office.

157 8. An application for an absentee ballot by an
 158 intrastate new resident shall be made in person by the

159 applicant in the office of the election authority in the
 160 election jurisdiction in which such applicant resides. The
 161 application shall be received by the election authority no
 162 later than 7:00 p.m. on the day of the election. Such
 163 application shall be in the form of an affidavit, executed
 164 in duplicate in the presence of the election authority or an
 165 authorized officer of the election authority, and in
 166 substantially the following form:

167 "STATE OF _____

168 COUNTY OF _____, ss.

169 I, _____, do solemnly swear that:

170 (1) Before becoming a resident of this election
 171 jurisdiction, I resided at _____ (residence
 172 address) in _____ (town, township, village or
 173 city) of _____ county in the state of _____;

174 (2) I moved to this election jurisdiction after the
 175 last day to register to vote in such election;

176 (3) I believe I am entitled pursuant to the laws of
 177 this state to vote in the election to be held
 178 _____ (date);

179 (4) I hereby make application for an absentee
 180 ballot for candidates and issues on which I am
 181 entitled to vote pursuant to the laws of this
 182 state. I have not voted and shall not vote
 183 other than by this ballot at such election.

184 Signed _____

185 (Applicant)

186 _____

187 (Residence Address)

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

190 Signed _____

191 (Title and name of officer authorized to
 192 administer oaths)"

193 9. An application for an absentee ballot by an
194 interstate former resident shall be received in the office
195 of the election authority where the applicant was formerly
196 registered by 5:00 p.m. on the second Wednesday immediately
197 prior to the election, unless the application is made in
198 person by the applicant in the office of the election
199 authority, in which case such application shall be made no
200 later than 7:00 p.m. on the day of the election."; and

201 Further amend said bill, pages 3-10, section 115.283,
202 by striking all of said section from the bill and inserting
203 in lieu thereof the following:

204 "115.283. 1. Each ballot envelope shall bear a
205 statement on which the voter shall state the voter's name,
206 the voter's voting address, and the voter's mailing address
207 [and the voter's reason for voting an absentee ballot]. If
208 the [reason for the voter voting absentee is due to the
209 reasons established under subdivision (6) of subsection 1 of
210 section 115.277] applicant is a certified participant in the
211 address confidentiality program established under sections
212 589.660 to 589.681, the voter shall state the voter's
213 identification information provided by the address
214 confidentiality program in lieu of the applicant's name,
215 voting address, and mailing address. On the form, the voter
216 shall also state under penalties of perjury that the voter
217 is qualified to vote in the election, that the voter has not
218 previously voted and will not vote again in the election,
219 that the voter has personally marked the voter's ballot in
220 secret or supervised the marking of the voter's ballot if
221 the voter is unable to mark it, that the ballot has been
222 placed in the ballot envelope and sealed by the voter or
223 under the voter's supervision if the voter is unable to seal
224 it, and that all information contained in the statement is
225 true. In addition, any person providing assistance to the

226 absentee voter shall include a statement on the envelope
 227 identifying the person providing assistance under penalties
 228 of perjury. Persons authorized to vote only for federal and
 229 statewide officers shall also state their former Missouri
 230 residence.

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

234 State of Missouri

235 County (City) of _____

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

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

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

248 _____ religious belief or practice;

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

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

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

259 I hereby state under penalties of perjury] that I am
 260 qualified to vote at this election; I have not voted
 261 and will not vote other than by this ballot at this
 262 election. I further state that I marked the enclosed

263 ballot in secret or that I am blind, unable to read
 264 or write English, or physically incapable of marking
 265 the ballot, and the person of my choosing indicated
 266 below marked the ballot at my direction; all of the
 267 information on this statement is, to the best of my
 268 knowledge and belief, true.

269	_____	_____
270	Signature of Voter	Signature of Person
271		Assisting Voter
272		(if applicable)
273	Signed _____	Subscribed and sworn
274	Signed _____	to before me this
275	Address of Voter	_____ day of _____,
276		_____
277	_____	_____
278	_____	_____
279	Mailing addresses	Signature of notary
280		or
281	(if different)	other officer
282		authorized to
283		administer oaths

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

288 State of Missouri

289 County (City) of _____

290 I, _____ (print name), declare under the penalties
 291 of perjury that I am a citizen of the United States
 292 and eighteen years of age or older. I am not
 293 adjudged incapacitated by any court of law, and if
 294 I have been convicted of a felony or of a
 295 misdemeanor connected with the right of suffrage, I
 296 have had the voting disabilities resulting from

297 such conviction removed pursuant to law. I hereby
 298 state under penalties of perjury that I am
 299 qualified to vote at this election.

300 I am (check one):

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

306 _____ an interstate former resident of Missouri
 307 and authorized to vote for presidential
 308 and vice presidential electors.

309

310 I further state under penalties of perjury that I
 311 have not voted and will not vote other than by this
 312 ballot at this election; I marked the enclosed
 313 ballot in secret or am blind, unable to read or
 314 write English, or physically incapable of marking
 315 the ballot, and the person of my choosing indicated
 316 below marked the ballot at my direction; all of the
 317 information on this statement is, to the best of my
 318 knowledge and belief, true.

319

320 _____
 321 Signature of Voter

Subscribed to and

sworn before me
 this

322

_____ day of

323

_____, _____

324

325

326 _____
 327 Address of Voter

 Signature of notary

327

or other officer

328

authorized to

329

administer oaths

330

331 _____
 Mailing Address (if different)

332 _____

333 _____
 334 Signature of Person Address of Last
 335 Assisting Voter Missouri Residence
 336 (if applicable)

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

341 State of Missouri

342 County (City) of _____

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

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

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

354 _____ religious belief or practice;

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

358 _____ incarceration, although I have retained
 359 all the necessary qualifications of
 360 voting;

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

365 I hereby state under penalties of perjury] that I
 366 own property in the _____ district and am
 367 qualified to vote at this election; I have not

368 voted and will not vote other than by this ballot
 369 at this election. I further state that I marked the
 370 enclosed ballot in secret or that I am blind,
 371 unable to read and write English, or physically
 372 incapable of marking the ballot, and the person of
 373 my choosing indicated below marked the ballot at my
 374 direction; all of the information on this statement
 375 is, to the best of my knowledge and belief, true.

376 _____ Subscribed and sworn
 377

378 Signature of Voter to before me this
 379

380 _____ day of

381 _____, _____

382 _____

383 _____

384 Address Signature of notary

385 or other officer

386 authorized to

387 administer oaths

388 _____

389 Signature of Person

390 Assisting Voter

391 (if applicable)

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

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

403 and completed the other voter information above.
 404 Signed under the penalties of perjury.

405 Reason why voter needed assistance: _____

406 ASSISTING PERSON SIGN HERE

- 407 1. _____ (signature of assisting person)
 408 2. _____ (assisting person's name printed)
 409 3. _____ (assisting person's residence)
 410 4. _____ (assisting person's home city or town).

411 6. [The election authority shall, for an election held
 412 during 2020, adjust the forms described in this section to
 413 account for voters voting absentee due to the reason
 414 established pursuant to subdivision (7) of subsection 1 of
 415 section 115.277.]

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

422 [8.] 7. Notwithstanding any other provision of this
 423 section or section 115.291 to the contrary, the
 424 subscription, signature and seal of a notary or other
 425 officer authorized to administer oaths shall not be required
 426 on any ballot, ballot envelope, or statement required by
 427 this section if the [reason for the] voter voting absentee
 428 is [due to the reasons established pursuant to subdivision
 429 (2) or (7) of subsection 1 of section 115.277] incapacitated
 430 or confined due to illness or physical disability, including
 431 a person who is primarily responsible for the physical care
 432 of a person who is incapacitated or confined due to illness
 433 or physical disability.

434 [9.] 8. No notary shall charge or collect a fee for
435 notarizing the signature on any absentee ballot or absentee
436 voter registration.

437 [10.] 9. A notary public who charges more than the
438 maximum fee specified or who charges or collects a fee for
439 notarizing the signature on any absentee ballot or absentee
440 voter registration is guilty of official misconduct."; and

441 Further amend said bill, pages 10 to 12, section
442 115.291, by striking all of said section from the bill and
443 inserting in lieu thereof the following:

444 "115.291. 1. Upon receiving an absentee ballot by
445 mail, the voter shall mark the ballot in secret, place the
446 ballot in the ballot envelope, seal the envelope and fill
447 out the statement on the ballot envelope. The affidavit of
448 each person voting an absentee ballot shall be subscribed
449 and sworn to before the election official receiving the
450 ballot, a notary public or other officer authorized by law
451 to administer oaths, unless the voter is voting absentee due
452 to incapacity or confinement due to the provisions of
453 section 115.284, illness or physical disability, [for an
454 election that occurs during the year 2020, the voter has
455 contracted or is in an at-risk category for contracting or
456 transmitting severe acute respiratory syndrome coronavirus
457 2, as defined in section 115.277,] or the voter is a covered
458 voter as defined in section 115.902. If the voter is blind,
459 unable to read or write the English language, or physically
460 incapable of voting the ballot, the voter may be assisted by
461 a person of the voter's own choosing. Any person assisting
462 a voter who is not entitled to such assistance, and any
463 person who assists a voter and in any manner coerces or
464 initiates a request or a suggestion that the voter vote for
465 or against or refrain from voting on any question, ticket or
466 candidate, shall be guilty of a class one election offense.

467 If, upon counting, challenge or election contest, it is
468 ascertained that any absentee ballot was voted with unlawful
469 assistance, the ballot shall be rejected. [For purposes of
470 this subsection, the voters who are in an at-risk category
471 for contracting or transmitting severe acute respiratory
472 syndrome coronavirus 2 are voters who:

- 473 (1) Sixty-five years of age or older;
- 474 (2) Live in a long-term care facility licensed under
475 chapter 198;
- 476 (3) Have chronic lung disease or moderate to severe
477 asthma;
- 478 (4) Have serious heart conditions;
- 479 (5) Are immunocompromised;
- 480 (6) Have diabetes;
- 481 (7) Have chronic kidney disease and are undergoing
482 dialysis; or
- 483 (8) Have liver disease.]

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

498 3. In cases of an emergency declared by the President
499 of the United States or the governor of this state where the

500 conduct of an election may be affected, the secretary of
501 state may provide for the delivery and return of absentee
502 ballots by use of a facsimile transmission device or
503 system. Any rule promulgated pursuant to this subsection
504 shall apply to a class or classes of voters as provided for
505 by the secretary of state.

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

510 Further amend the title and enacting clause accordingly.