

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1878  
AN ACT

To repeal sections 115.013, 115.045, 115.051, 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.157, 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277, 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755, 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776, 115.785, 115.902, 115.904, and 115.960, RSMo, and to enact in lieu thereof forty new sections relating to elections, with penalty provisions.

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

Section A. Sections 115.013, 115.045, 115.051, 115.081,  
 2 115.085, 115.105, 115.123, 115.135, 115.151, 115.157, 115.160,  
 3 115.165, 115.205, 115.225, 115.237, 115.257, 115.275, 115.277,  
 4 115.279, 115.283, 115.285, 115.287, 115.291, 115.302, 115.349,  
 5 115.351, 115.417, 115.427, 115.435, 115.447, 115.652, 115.755,  
 6 115.758, 115.761, 115.765, 115.767, 115.770, 115.773, 115.776,  
 7 115.785, 115.902, 115.904, and 115.960, RSMo, are repealed and  
 8 forty new sections enacted in lieu thereof, to be known as  
 9 sections 28.960, 115.004, 115.013, 115.022, 115.045, 115.051,  
 10 115.081, 115.085, 115.105, 115.123, 115.135, 115.151, 115.157,  
 11 115.160, 115.165, 115.205, 115.225, 115.237, 115.257, 115.275,  
 12 115.277, 115.279, 115.283, 115.285, 115.286, 115.287, 115.291,  
 13 115.302, 115.349, 115.351, 115.417, 115.427, 115.435, 115.447,  
 14 115.652, 115.776, 115.902, 115.904, 115.960, and 1, to read as  
 15 follows:

28.960. 1. The secretary of state shall have the authority to, at his or her discretion, audit the list of registered voters for any local election authority to ensure accuracy.

2. Any audit conducted by the secretary of state shall, at least quarterly, determine whether the local election authority has performed the following voter registration list maintenance activities, as required by law:

(1) Sending verification notices in accordance with section 115.155; and

(2) Registering voters and removing names from the voter registration system in accordance with section 115.158.

3. After completing the audit, the secretary of state shall notify the local election authority in writing of any maintenance updates that are required and shall advise the local election authority they have ninety days to make required updates. If, after ninety days, the secretary of state determines that the local election authority has not performed the required maintenance of voter registration lists as required by law, the secretary of state's office may withhold transaction funds associated with maintenance of the voter registration lists from the local election authority.

115.004. The sections of this chapter and all related rules and regulations shall not be amended or modified in any manner in the twenty-six weeks preceding any presidential election.

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

(1) "Air-gap" or "air-gapped", a security measure in which equipment is physically and technically isolated from any network and is not directly connected to the internet

6 nor is it connected to any other system that is connected to  
7 the internet. Data can only be passed to an air-gapped  
8 device physically via a USB or other removable media;

9 (2) "Automatic tabulating equipment", the apparatus  
10 necessary to examine and automatically count votes, and the  
11 data processing machines which are used for counting votes  
12 and tabulating results and which are air-gapped and not  
13 physically able to be connected to a network;

14 [(2)] (3) "Ballot", the [ballot card,] paper ballot,  
15 or ballot designed for use with an electronic voting system  
16 on which each voter may cast all votes to which he or she is  
17 entitled at an election;

18 [(3) "Ballot card", a ballot which is voted by making a  
19 mark which can be tabulated by automatic tabulating  
20 equipment; ]

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

24 (5) "Counting location", a location selected by the  
25 election authority for the automatic processing or counting,  
26 or both, of ballots;

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

29 (7) "Disqualified", a determination made by a court of  
30 competent jurisdiction, the Missouri ethics commission, an  
31 election authority or any other body authorized by law to  
32 make such a determination that a candidate is ineligible to  
33 hold office or not entitled to be voted on for office;

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

39           (9) "Electronic voting machine", any part of an air-  
40 gapped electronic voting system on which a voter is able to  
41 cast a ballot under this chapter;

42           (10) "Electronic voting system", a system of casting  
43 votes by use of marking devices, and counting votes by use  
44 of automatic air-gapped tabulating or air-gapped data  
45 processing equipment, including computerized voting systems  
46 that mark or tabulate ballots;

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

57           (12) "Federal office", the office of presidential  
58 elector, United States senator, or representative in  
59 Congress;

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

63           (14) "Major political party", the political party  
64 whose candidates received the highest or second highest  
65 number of votes at the last general election;

66           (15) "Marking device", any [approved] device approved  
67 by the secretary of state under section 115.225 which will  
68 enable the votes to be counted by automatic tabulating  
69 equipment;

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

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

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

79 (19) "Political party", any established political  
80 party and any new party;

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

83 (21) "Polling place", the voting place designated for  
84 all voters residing in one or more precincts for any  
85 election;

86 (22) "Precincts", the geographical areas into which  
87 the election authority divides its jurisdiction for the  
88 purpose of conducting elections;

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

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

99 (25) "Relative within the second degree by  
100 consanguinity or affinity", a spouse, parent, child,  
101 grandparent, brother, sister, grandchild, mother-in-law,  
102 father-in-law, daughter-in-law, or son-in-law;

103 (26) "Special district", any school district, water  
104 district, fire protection district, hospital district,

105 health center, nursing district, or other districts with  
106 taxing authority, or other district formed pursuant to the  
107 laws of Missouri to provide limited, specific services;

108 (27) "Special election", elections called by any  
109 school district, water district, fire protection district,  
110 or other district formed pursuant to the laws of Missouri to  
111 provide limited, specific services; and

112 (28) "Voting district", the one or more precincts  
113 within which all voters vote at a single polling place for  
114 any election.

115.022. 1. Notwithstanding any other law to the  
2 contrary, neither the state of Missouri nor any political  
3 subdivision thereof that conducts elections shall receive or  
4 expend private moneys, excluding in-kind donations, for  
5 preparing, administering, or conducting an election,  
6 including registering voters. If there is not sufficient  
7 appropriation of state funds to proportionally compensate  
8 counties pursuant to section 115.063 and 115.065, this  
9 section shall not be enforced.

10 2. Notwithstanding subsection 1 of this section to the  
11 contrary, in-kind donations shall not be received from any  
12 candidate, candidate committee, campaign committee, or  
13 continuing committee, as such terms are defined in chapter  
14 130.

115.045. Each election authority shall have the  
2 authority to employ such attorneys and other employees as  
3 may be necessary to promptly and correctly perform the  
4 duties of the election authority. Where an electronic  
5 voting system or voting machines are used, the election  
6 authority shall designate competent employees to have  
7 custody of and supervise maintenance of the voting  
8 equipment. Board of election commissioners' employees shall  
9 be subject to the same restrictions and subscribe the same

10 oath as members of the board of election commissioners,  
11 except that no employee of a board of election commissioners  
12 shall be required to post bond or reside and be a registered  
13 voter within the jurisdiction of the election authority  
14 unless directed to do so by the board. Employee oaths and  
15 any bonds shall be filed and preserved in the office of the  
16 board.

115.051. 1. In each county which does not have a  
2 board of election commissioners, the county clerk shall have  
3 the right to employ such deputies and assistants as are  
4 necessary to promptly and correctly register voters and  
5 conduct elections. Where an electronic voting system or  
6 voting machines are used, the county clerk shall designate  
7 competent employees to have custody of and supervise  
8 maintenance of the voting equipment. Each deputy shall be  
9 subject to the same restrictions and subscribe the same oath  
10 as the county clerk, except that no employee shall be  
11 required to post bond or reside and be a registered voter  
12 within the jurisdiction of the election authority unless  
13 directed to do so by the clerk. Employee oaths and any  
14 bonds shall be filed and preserved in the office of the  
15 county clerk.

16 2. Within the total amount for deputies and assistants  
17 approved by the county commission, the salary of each deputy  
18 and assistant shall be set by the county clerk.

115.081. 1. Each election authority shall appoint  
2 election judges for each polling place within its  
3 jurisdiction in accordance with the provisions of this  
4 section.

5 2. In all primary and general elections, the election  
6 authority shall appoint at least two judges from each major  
7 political party to serve at each polling place. The  
8 committee of each major political party within the

9 jurisdiction of an election authority is authorized to  
10 provide the election authority with a list of election judge  
11 candidates who meet the requirements under section 115.085.  
12 The candidates shall not be required to reside within the  
13 jurisdiction of the election authority, as authorized under  
14 section 115.085. If a committee of a major political party  
15 within the jurisdiction of an election authority fails to  
16 provide the prescribed number of qualified names to fill all  
17 election judge positions before the date established by the  
18 election authority, the election authority may select judges  
19 to fill the positions as provided by law. If the election  
20 authority determines that a name submitted by a committee of  
21 a major political party is not qualified to serve as an  
22 election judge, the election authority shall allow the party  
23 to submit another name before filling the position as  
24 provided by law. No major political party shall have a  
25 majority of the judges at any polling place. No established  
26 party shall have a greater number of judges at any polling  
27 place than any major political party.

28 3. In any election that is not a primary or general  
29 election, the election authority shall appoint at least one  
30 judge from each major political party to serve at each  
31 polling place. No major political party shall have a  
32 majority of the judges at any polling place. No established  
33 party shall have a greater number of judges at any polling  
34 place than any major political party.

35 4. The election authority shall designate two of the  
36 judges appointed for each polling place, one from each major  
37 political party, as supervisory judges. Supervisory judges  
38 shall be responsible for the return of election supplies  
39 from the polling place to the election authority and shall  
40 have any additional duties prescribed by the election  
41 authority.



42           5. Election judges may be employed to serve for the  
43 first half or last half of any election day. Such judges  
44 shall be paid one-half the regular rate of pay. If part-  
45 time judges are employed, the election authority shall  
46 employ such judges and shall see that a sufficient number  
47 for each period are present at all times so as to have the  
48 proper total number of judges present at each polling place  
49 throughout each election day. The election authority shall  
50 require that at each polling place at least one election  
51 judge from each political party serve a full day and that at  
52 all times during the day there be an equal number of  
53 election judges from each political party.

54           6. An election authority may appoint additional  
55 election judges representing other established political  
56 parties and additional election judges who do not claim a  
57 political affiliation. Any question which requires a  
58 decision by the majority of judges shall only be made by the  
59 judges from the major political parties.

          115.085. No person shall be appointed to serve as an  
2 election judge who is not a registered voter in this state[;  
3 provided that, before any election authority may appoint  
4 judges who are registered voters of another election  
5 authority's jurisdiction, the election authority shall  
6 obtain the written consent of the election authority for the  
7 jurisdiction where the prospective judges are registered to  
8 vote]. Each election judge shall be a person of good repute  
9 and character who can speak, read, and write the English  
10 language. No person shall serve as an election judge at any  
11 polling place in which his or her name or the name of a  
12 relative within the second degree, by consanguinity or  
13 affinity, appears on the ballot. However, no relative of  
14 any unopposed candidate shall be disqualified from serving  
15 as an election judge in any election jurisdiction of the

16 state. No election judge shall, during his or her term of  
17 office, hold any other elective public office, other than as  
18 a member of a political party committee or township office,  
19 except any person who is elected to a board or commission of  
20 a political subdivision or special district may serve as an  
21 election judge except at a polling place where such  
22 political subdivision or special district has an issue or  
23 candidate on the ballot. In any county having a population  
24 of less than two hundred fifty thousand inhabitants, any  
25 candidate for the county committee of a political party who  
26 is not a candidate for any other office and who is unopposed  
27 for election as a member of the committee shall not be  
28 disqualified from serving as an election judge.

115.105. 1. The chair of the county committee of each  
2 political party named on the ballot shall have the right to  
3 designate a challenger for each polling place, who may be  
4 present until all ballots are cast on the day of election,  
5 and a challenger for each location at which absentee ballots  
6 are counted, who may be present while the ballots are being  
7 prepared for counting and counted. No later than four  
8 business days before the election, the chair of each county  
9 committee of each political party named on the ballot shall  
10 provide signed official designation forms with the names of  
11 the designated challengers and substitutes to the local  
12 election authority for confirmation of eligibility to serve  
13 as a challenger. The local election authority, after  
14 verifying the eligibility of each designated and substitute  
15 challenger, shall sign off on the official designation  
16 forms, unless the challenger is found not to have the  
17 qualifications established by subsection 5 of this section.  
18 If the election authority determines that a challenger does  
19 not meet the qualifications of subsection 5 of this section,  
20 the designating party chair may designate a replacement

21 challenger and provide the local election authority with the  
22 name of the replacement challenger before 5:00 p.m. of the  
23 Monday preceding the election. The designating chair may  
24 substitute challengers at his or her discretion during such  
25 hours.

26 2. Challenges may only be made when the challenger  
27 believes the election laws of this state have been or will  
28 be violated, and each challenger shall report any such  
29 belief to the election judges, or to the election authority  
30 if not satisfied with the decision of the election judges.

31 3. Prior to the close of the polls, challengers may  
32 list and give out the names of those who have voted. The  
33 listing and giving out of names of those who have voted by a  
34 challenger shall not be considered giving information  
35 tending to show the state of the count.

36 4. [In a presidential primary election, challengers  
37 may collect information about the party ballot selected by  
38 the voter and may disclose party affiliation information  
39 after the polls close.

40 5.] All persons selected as challengers shall have the  
41 same qualifications required by section 115.085 for election  
42 judges, except that such challenger shall be a registered  
43 voter in the jurisdiction of the election authority for  
44 which the challenger is designated as a challenger.

45 [6.] 5. Any challenge by a challenger to a voter's  
46 identification for validity shall be made only to the  
47 election judges or other election authority. If the poll  
48 challenger is not satisfied with the decision of the  
49 election judges, then he or she may report his or her belief  
50 that the election laws of this state have been or will be  
51 violated to the election authority as allowed under this  
52 section.

115.123. 1. All public elections shall be held on  
2 Tuesday. Except as provided in subsections 2 and 3 of this  
3 section, and section 247.180, all public elections shall be  
4 held on the general election day, the primary election day,  
5 the general municipal election day, the first Tuesday after  
6 the first Monday in November, or on another day expressly  
7 provided by city or county charter, and in nonprimary years  
8 on the first Tuesday after the first Monday in August. Bond  
9 elections may be held on the first Tuesday after the first  
10 Monday in February but no other issue shall be included on  
11 the ballot for such election.

12 2. [Notwithstanding the provisions of subsection 1 of  
13 this section, an election for a presidential primary held  
14 pursuant to sections 115.755 to 115.785 shall be held on the  
15 second Tuesday after the first Monday in March of each  
16 presidential election year.

17 3.] The following elections shall be exempt from the  
18 provisions of subsection 1 of this section:

19 (1) Bond elections necessitated by fire, vandalism or  
20 natural disaster;

21 (2) Elections for which ownership of real property is  
22 required by law for voting;

23 (3) Special elections to fill vacancies and to decide  
24 tie votes or election contests; and

25 (4) Tax elections necessitated by a financial hardship  
26 due to a five percent or greater decline in per-pupil state  
27 revenue to a school district from the previous year.

28 [4.] 3. Nothing in this section prohibits a charter  
29 city or county from having its primary election in March if  
30 the charter provided for a March primary before August 28,  
31 1999.

32 [5.] 4. Nothing in this section shall prohibit  
33 elections held pursuant to section 65.600, but no other

34 issues shall be on the March ballot except pursuant to this  
35 chapter.

115.135. 1. Any person who is qualified to vote, or  
2 who shall become qualified to vote on or before the day of  
3 election, shall be entitled to register in the jurisdiction  
4 within which he or she resides. In order to vote in any  
5 election for which registration is required, a person must  
6 be registered to vote in the [jurisdiction of his or her  
7 residence] state of Missouri no later than 5:00 p.m., or the  
8 normal closing time of any public building where the  
9 registration is being held if such time is later than 5:00  
10 p.m., on the fourth Wednesday prior to the election, unless  
11 the voter is an interstate former resident, [an intrastate  
12 new resident,] a new resident, or a covered voter, as  
13 defined in section 115.275. [Except as provided in  
14 subsection 4 of this section, in no case shall registration  
15 for an election extend beyond 10:00 p.m. on the fourth  
16 Wednesday prior to the election.] Any person registering  
17 after such date shall be eligible to vote in subsequent  
18 elections.

19 2. A person applying to register with an election  
20 authority or a deputy registration official shall identify  
21 himself or herself by presenting a copy of a birth  
22 certificate, a Native American tribal document, other proof  
23 of United States citizenship, a valid Missouri drivers  
24 license or other form of personal identification at the time  
25 of registration.

26 3. Except as provided in federal law or federal  
27 elections and in section 115.277, no person shall be  
28 entitled to vote if the person has not registered to vote in  
29 the jurisdiction of his or her residence [prior to the  
30 deadline to register to vote].

31           4. A covered voter as defined in section 115.275 who  
32 has been discharged from military service, has returned from  
33 a military deployment or activation, or has separated from  
34 employment outside the territorial limits of the United  
35 States after the deadline to register to vote, and who is  
36 otherwise qualified to register to vote, may register to  
37 vote in an election in person before the election authority  
38 until 5:00 p.m. on the Friday before such election. Such  
39 persons shall produce sufficient documentation showing  
40 evidence of qualifying for late registration pursuant to  
41 this section.

          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  
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.

115.157. 1. The election authority may place all  
2 information on any registration cards in computerized form  
3 in accordance with section 115.158. No election authority  
4 or secretary of state shall furnish to any member of the  
5 public electronic media or printout showing any registration  
6 information, except as provided in this section. Except as  
7 provided in subsection 2 of this section, the election  
8 authority or secretary of state shall make available  
9 electronic media or printouts showing only unique voter  
10 identification numbers, voters' names, [dates] year of  
11 birth, addresses, townships or wards, and precincts.  
12 Electronic data shall be maintained in at least the  
13 following separate fields:

- 14 (1) Voter identification number;
- 15 (2) First name;
- 16 (3) Middle initial;
- 17 (4) Last name;
- 18 (5) Suffix;
- 19 (6) Street number;
- 20 (7) Street direction;
- 21 (8) Street name;
- 22 (9) Street suffix;
- 23 (10) Apartment number;
- 24 (11) City;
- 25 (12) State;
- 26 (13) Zip code;
- 27 (14) Township;

- 28 (15) Ward;
- 29 (16) Precinct;
- 30 (17) Senatorial district;
- 31 (18) Representative district;
- 32 (19) Congressional district.

33 2. All election authorities shall enter voter history  
34 in their computerized registration systems and shall, not  
35 more than ~~six~~ three months after the election, forward  
36 such data to the Missouri voter registration system  
37 established in section 115.158. In addition, election  
38 authorities shall forward registration and other data in a  
39 manner prescribed by the secretary of state to comply with  
40 the Help America Vote Act of 2002.

41 3. Except as provided in subsection 6 of this section,  
42 the election authority shall furnish, for a fee, electronic  
43 media or a printout showing only the names, ~~dates~~ year of  
44 birth and addresses of voters, or any part thereof, within  
45 the jurisdiction of the election authority who voted in any  
46 specific election, including primary elections, by township,  
47 ward or precinct, provided that nothing in this chapter  
48 shall require such voter information to be released to the  
49 public over the internet and shall not be used for  
50 commercial purposes.

51 4. ~~Except as provided in subsection 6 of this~~  
52 ~~section, upon a request by a candidate, a duly authorized~~  
53 ~~representative of a campaign committee, or a political party~~  
54 ~~committee, the secretary of state shall furnish, for a fee~~  
55 ~~determined by the secretary of state and in compliance with~~  
56 ~~section 610.026, media in an electronic format or, if so~~  
57 ~~requested, in a printed format, showing the names,~~  
58 ~~addresses, and voter identification numbers of voters within~~  
59 ~~the jurisdiction of a specific election authority who~~  
60 ~~applied for an absentee ballot under section 115.279 for any~~



61 specific election involving a ballot measure or an office  
62 for which the declaration of candidacy is required to be  
63 filed with the secretary of state pursuant to section  
64 115.353, including primary elections, by township, ward, or  
65 precinct. Nothing in this section shall require such voter  
66 information to be released to the public over the internet.  
67 For purposes of this section, the terms "candidate",  
68 "campaign committee", and "political party committee" shall  
69 have the same meaning given to such terms in section 130.011.

70 5.] The amount of fees charged for information  
71 provided in this section shall be established pursuant to  
72 chapter 610. All revenues collected by the secretary of  
73 state pursuant to this section shall be deposited in the  
74 state treasury and credited to the secretary of state's  
75 technology trust fund account established pursuant to  
76 section 28.160. [In even-numbered years, each election  
77 authority shall, upon request, supply the voter registration  
78 list for its jurisdiction to all candidates and party  
79 committees for a charge established pursuant to chapter  
80 610. Except as provided in subsection 6 of this section,  
81 all election authorities shall make the information  
82 described in this section available pursuant to chapter  
83 610. Any election authority who fails to comply with the  
84 requirements of this section shall be subject to the  
85 provisions of chapter 610.

86 6.] 5. Any person working as an undercover officer of  
87 a local, state or federal law enforcement agency, persons in  
88 witness protection programs, and victims of domestic  
89 violence and abuse who have received orders of protection  
90 pursuant to chapter 455 shall be entitled to apply to the  
91 circuit court having jurisdiction in his or her county of  
92 residence to have the residential address on his or her  
93 voter registration records closed to the public if the

94 release of such information could endanger the safety of the  
95 person. Any person working as an undercover agent or in a  
96 witness protection program shall also submit a statement  
97 from the chief executive officer of the agency under whose  
98 direction he or she is serving. The petition to close the  
99 residential address shall be incorporated into any petition  
100 for protective order provided by circuit clerks pursuant to  
101 chapter 455. If satisfied that the person filing the  
102 petition meets the qualifications of this subsection, the  
103 circuit court shall issue an order to the election authority  
104 to keep the residential address of the voter a closed record  
105 and the address may be used only for the purposes of  
106 administering elections pursuant to this chapter. The  
107 election authority may require the voter who has a closed  
108 residential address record to verify that his or her  
109 residential address has not changed or to file a change of  
110 address and to affirm that the reasons contained in the  
111 original petition are still accurate prior to receiving a  
112 ballot. A change of address within an election authority's  
113 jurisdiction shall not require that the voter file a new  
114 petition. Any voter who no longer qualifies pursuant to  
115 this subsection to have his or her residential address as a  
116 closed record shall notify the circuit court. Upon such  
117 notification, the circuit court shall void the order closing  
118 the residential address and so notify the election authority.

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.

6 2. If a single application form is used, the voter  
7 registration application portion of any application  
8 described in subsection 1 of this section may not require

9 any information that duplicates information required in the  
10 driver's license portion of the form, except a second  
11 signature or other information required by law.

12 3. After conferring with the secretary of state as the  
13 chief state election official responsible for overseeing of  
14 the voter registration process, the director of revenue  
15 shall adopt rules and regulations pertaining to the format  
16 of the voter registration application used by the  
17 department. The director of revenue shall utilize  
18 electronic voter registration application forms and provide  
19 for secure electronic transfer of voter registration  
20 information to election authorities. The secretary of state  
21 and the director of revenue shall ensure the confidentiality  
22 and integrity of the voter registration data collected,  
23 maintained, received, or transmitted under this section.

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

28 5. Any voter registration application received  
29 pursuant to the provisions of this section shall be  
30 forwarded, in a secure and electronic manner, to the  
31 election authority located within that county or any city  
32 not within a county, or if there is more than one election  
33 authority within the county, then to the election authority  
34 located nearest to the location where the driver's license  
35 application was received. Voter registration information,  
36 including an electronic image of the signature of the  
37 applicant, shall be transmitted in a format compatible with  
38 the Missouri voter registration system established in  
39 section 115.158 which allows for review by the election  
40 authority and does not require the election authority to  
41 manually reenter the information, provided that the election

42 authority shall print out a paper copy of the information  
43 and retain such information in the manner required by  
44 section 115.145. The election authority receiving the  
45 application forms shall review the applications and forward,  
46 in a secure and electronic manner, any applications  
47 pertaining to a different election authority to that  
48 election authority.

49 6. A completed voter registration application accepted  
50 in the driver's licensing process shall be transmitted to  
51 the election authority described in subsection 5 of this  
52 section not later than **[five]** three business days after the  
53 form is completed by the applicant.

54 7. Any person registering to vote when applying for or  
55 renewing a Missouri driver's license shall submit with the  
56 application form a copy of a birth certificate, a Native  
57 American tribal document, or other proof of United States  
58 citizenship, a valid Missouri driver's license, or other  
59 form of personal identification. Any person who, at the  
60 time of a transaction with the division of motor vehicle and  
61 driver licensing of the department of revenue, provides a  
62 document that establishes noncitizenship shall not be  
63 offered the opportunity to register to vote as part of the  
64 transaction.

115.165. 1. If the voter files a change of address  
2 application in person at the office of the election  
3 authority, at the polling place, or pursuant to section  
4 115.159, 115.160, 115.162 or 115.193, or otherwise provides  
5 signed written notice of the move, including notice by  
6 facsimile, electronic, or online transmission, an election  
7 authority may change the address on a voter registration  
8 record for a voter who moves within the election authority's  
9 jurisdiction after comparing and verifying the signature.  
10 Before changing the address on a voter record, the election

11 authority shall be satisfied that the record is that of the  
12 person providing the change of address information.

13 2. A registered voter who has changed his or her  
14 residence within an election authority's jurisdiction and  
15 has not been removed from the list of registered voters  
16 pursuant to this chapter shall be permitted to file a change  
17 of address with the election authority or before an election  
18 judge at a polling place and vote at a central polling place  
19 or at the polling place that serves his or her new address  
20 upon written or oral affirmation by the voter of the new  
21 address.

22 3. A registered voter who has changed his or her  
23 residence within the state and has not been removed from the  
24 list of registered voters under this chapter shall be  
25 permitted to file a change of address in person at the  
26 office of the election authority on election day. In order  
27 to change an address in person on election day under this  
28 subsection, a registered voter shall provide a form of  
29 personal photo identification required under subsection 1 of  
30 section 115.427.

31 4. If the applicant for registration was last  
32 registered in another jurisdiction within this state or  
33 another state, the election authority shall send notice of  
34 the registration to the election authority where the  
35 applicant was previously registered. The election authority  
36 sending the notice shall provide identifying information to  
37 assist the election authority receiving the notice to  
38 determine whether the person named was previously registered  
39 in such jurisdiction and whether, based on the identifying  
40 information provided, the application can be removed from  
41 the voting record in the former jurisdiction.

42 [4.] 5. Upon receipt of a notice from another election  
43 authority that a voter has registered in another

44 jurisdiction in this state or another state, the election  
45 authority shall determine whether sufficient information is  
46 provided in the notice to identify the person named in such  
47 notice as previously registered in the election authority's  
48 jurisdiction and presently removable from the voting records  
49 in the election authority's jurisdiction. Every election  
50 authority is authorized to examine the information provided  
51 in a notice of duplicate registration provided by the  
52 Missouri voter registration system authorized pursuant to  
53 section 115.158 to determine if a voter in one election  
54 authority's voter registration records has subsequently  
55 registered in another jurisdiction. If, after reviewing the  
56 information provided, the election authority is satisfied  
57 that the person identified in the notice is listed as a  
58 registered voter in the election authority's jurisdiction  
59 but has subsequently registered in another jurisdiction, the  
60 election authority may remove the person's registration from  
61 the list of registered voters.

115.205. 1. [Any] No person [who is] shall be paid or  
2 otherwise compensated for soliciting [more than ten] voter  
3 registration applications, other than a governmental entity  
4 or a person who is paid or compensated by a governmental  
5 entity for such solicitation[, shall be registered with the  
6 secretary of state as a voter registration solicitor]. A  
7 voter registration solicitor who solicits more than ten  
8 voter registration applications shall register for every  
9 election cycle that begins on the day after the general  
10 election and ends on the day of the general election two  
11 years later. A voter registration solicitor shall be at  
12 least eighteen years of age and shall be a registered voter  
13 in the state of Missouri.

14           2. Each voter registration solicitor shall provide the  
15 following information in writing to the secretary of state's  
16 office:

17           (1) The name of the voter registration solicitor;

18           (2) The residential address, including street number,  
19 city, state, and zip code;

20           (3) The mailing address, if different from the  
21 residential address; and

22           (4) [Whether the voter registration solicitor expects  
23 to be paid for soliciting voter registrations;

24           (5) If the voter registration solicitor expects to be  
25 paid, the identity of the payor; or

26           (6)] The signature of the voter registration solicitor.

27           3. The solicitor information required in subsection 2  
28 of this section shall be submitted to the secretary of  
29 state's office with the following oath and affirmation:

30           "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT  
31 ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

32           4. Any voter registration solicitor who knowingly  
33 fails to register with the secretary of state is guilty of a  
34 class three election offense. Voter registration  
35 applications shall be accepted by the election authority if  
36 such applications are otherwise valid, even if the voter  
37 registration solicitor who procured the applications fails  
38 to register with or submits false information to the  
39 secretary of state.

115.225. 1. Before use by election authorities in  
2 this state, the secretary of state shall approve the marking  
3 devices and the automatic tabulating equipment used in  
4 electronic voting systems and may promulgate rules and  
5 regulations to implement the intent of sections 115.225 to  
6 115.235.

7           2. No electronic voting system shall be approved  
8 unless it:

9           (1) Permits voting in absolute secrecy;

10          (2) Permits each voter to vote for as many candidates  
11 for each office as a voter is lawfully entitled to vote for;

12          (3) Permits each voter to vote for or against as many  
13 questions as a voter is lawfully entitled to vote on, and no  
14 more;

15          (4) Provides facilities for each voter to cast as many  
16 write-in votes for each office as a voter is lawfully  
17 entitled to cast;

18          (5) Permits each voter in a primary election to vote  
19 for the candidates of only one party announced by the voter  
20 in advance;

21          (6) Permits each voter at a presidential election to  
22 vote by use of a single mark for the candidates of one party  
23 or group of petitioners for president, vice president and  
24 their presidential electors;

25          (7) Accurately counts all proper votes cast for each  
26 candidate and for and against each question;

27          (8) Is set to reject all votes, except write-in votes,  
28 for any office and on any question when the number of votes  
29 exceeds the number a voter is lawfully entitled to cast;

30          (9) Permits each voter, while voting, to clearly see  
31 the ballot label;

32          (10) Has been tested and is certified by an  
33 independent authority that meets the voting system standards  
34 developed by the Federal Election Commission or its  
35 successor agency. The provisions of this subdivision shall  
36 not be required for any system purchased prior to August 28,  
37 2002.

38          3. The secretary of state shall promulgate rules and  
39 regulations to allow the use of a computerized voting



40 system. The procedures shall provide for the use of a  
41 computerized voting system with the ability to provide a  
42 paper audit trail. Notwithstanding any provisions of this  
43 chapter to the contrary, such a system may allow for the  
44 storage of processed ballot materials in an electronic form.

45 4. Any rule or portion of a rule, as that term is  
46 defined in section 536.010, that is created under the  
47 authority delegated in this section shall become effective  
48 only if it complies with and is subject to all of the  
49 provisions of chapter 536 and, if applicable, section  
50 536.028. This section and chapter 536 are nonseverable and  
51 if any of the powers vested with the general assembly  
52 pursuant to chapter 536 to review, to delay the effective  
53 date or to disapprove and annul a rule are subsequently held  
54 unconstitutional, then the grant of rulemaking authority and  
55 any rule proposed or adopted after August 28, 2002, shall be  
56 invalid and void.

57 5. If any election authority uses any touchscreen  
58 direct-recording electronic vote-counting machine, the  
59 election authority may continue to use such machine. Upon  
60 the removal of such voting machine from the election  
61 authority's inventory because of mechanical malfunction,  
62 wear and tear, or any other reason, the machine shall not be  
63 replaced and no additional direct-recording electronic vote  
64 counting machine shall be added to the election authority's  
65 inventory. Such machines shall not be used beginning  
66 January 1, 2024. Equipment that is designed for  
67 accessibility shall provide a paper ballot audit trail.

68 6. The secretary of state shall have authority to  
69 require cyber security testing, including penetration  
70 testing, of vendor machines, programs, and systems. Failure  
71 to participate in such testing shall result in a revocation  
72 of vendor certification. Upon notice from another

73 jurisdiction of cyber security failures or certification  
74 withholds or revocation, the secretary of state shall have  
75 authority to revoke or withhold certification for vendors.  
76 The requirements of this section shall be subject to  
77 appropriation for the purpose of cyber security testing.

78 7. All election authorities and the secretary of state  
79 shall be members of the Elections Infrastructure Information  
80 Sharing and Analysis Center (EI-ISAC). If the EI-ISAC  
81 ceases to exist, the secretary of state may designate a new  
82 organization of which each election authority shall be a  
83 member, provided such organization shall have substantially  
84 the same purpose and mission as the EI-ISAC.

115.237. 1. Each ballot printed or designed for use  
2 with an electronic voting system for any election pursuant  
3 to this chapter shall contain all questions and the names of  
4 all offices and candidates certified or filed pursuant to  
5 this chapter and no other. Beginning January 1, 2024, the  
6 official ballot shall be a paper ballot that is hand marked  
7 by the voter, or in such other manner as is permitted  
8 pursuant to chapter 115 and federal law. As far as  
9 practicable, all questions and the names of all offices and  
10 candidates for which each voter is entitled to vote shall be  
11 printed on one page except for the ballot for political  
12 party committee persons in polling places not utilizing an  
13 electronic voting system which may be printed separately and  
14 in conformity with the requirements contained in this  
15 section. As far as practicable, ballots containing only  
16 questions and the names of nonpartisan offices and  
17 candidates shall be printed in accordance with the  
18 provisions of this section, except that the ballot  
19 information may be listed in vertical or horizontal rows.  
20 The names of candidates for each office shall be listed in  
21 the order in which they are filed.

22           2. In polling places using electronic voting systems,  
23 the ballot information may be arranged in vertical or  
24 horizontal rows or on a number of separate pages or  
25 screens. In any event, the name of each candidate, the  
26 candidate's party, the office for which he or she is a  
27 candidate, and each question shall be indicated clearly on  
28 the ballot.

29           3. Nothing in this subchapter shall be construed as  
30 prohibiting the use of a separate paper ballot for questions  
31 [or for the presidential preference primary] in any polling  
32 place using an electronic voting system.

33           4. Where electronic voting systems are used and when  
34 write-in votes are authorized by law, a write-in ballot,  
35 which may be in the form of a separate paper ballot, card,  
36 or envelope, may be provided by the election authority to  
37 permit each voter to write in the names of persons whose  
38 names do not appear on the ballot.

39           5. No ballot printed or designed for use with an  
40 electronic voting system for any partisan election held  
41 under this chapter shall allow a person to vote a straight  
42 political party ticket. For purposes of this subsection, a  
43 "straight political party ticket" means voting for all of  
44 the candidates for elective office who are on the ballot  
45 representing a single political party by a single selection  
46 on the ballot.

47           6. The secretary of state shall promulgate rules that  
48 specify uniform standards for ballot layout for each  
49 electronic or computerized ballot counting system approved  
50 under the provisions of section 115.225 so that the ballot  
51 used with any counting system is, where possible, consistent  
52 with the intent of this section. Nothing in this section  
53 shall be construed to require the format specified in this

54 section if it does not meet the requirements of the ballot  
55 counting system used by the election authority.

56 7. Any rule or portion of a rule, as that term is  
57 defined in section 536.010, that is created under the  
58 authority delegated in this section shall become effective  
59 only if it complies with and is subject to all of the  
60 provisions of chapter 536 and, if applicable, section  
61 536.028. This section and chapter 536 are nonseverable and  
62 if any of the powers vested with the general assembly  
63 pursuant to chapter 536 to review, to delay the effective  
64 date or to disapprove and annul a rule are subsequently held  
65 unconstitutional, then the grant of rulemaking authority and  
66 any rule proposed or adopted after August 28, 2002, shall be  
67 invalid and void.

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

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

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

18 4. After an electronic voting machine has been  
19 properly prepared and locked, its keys shall be retained by

20 the election authority and delivered to the election judges  
21 along with the other election supplies.

22 5. For the purpose of processing absentee ballots,  
23 cast by voters in person in the office of the election  
24 authority that is deemed designated as a polling place, the  
25 election authority may cause voting machines, if used, to be  
26 put in order, set, adjusted, tested, and made ready for  
27 voting within one business day of the printing of absentee  
28 ballots as provided in section 115.281. The election  
29 authority shall have the recording counter except for the  
30 protective counter on the voting machine set to zero (000).  
31 After the voting machines have been made ready for voting,  
32 the election authority shall not permit any person to handle  
33 any voting machine, except voters while they are voting and  
34 others expressly authorized by the election authority. The  
35 election authority shall neither be nor permit any other  
36 person to be in any position or near any position that  
37 enables the authority or person to see how any absentee  
38 voter votes or has voted.

39 6. Nothing in this section shall prohibit the on-site  
40 storage of electronic voting machines and the preparation of  
41 the electronic machines for voting, provided the electronic  
42 voting machines are put in order, set, adjusted and made  
43 ready for voting as provided in subsections 1, 2, 3, 4, and  
44 5 of this section.

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

4 (1) "Absentee ballot", any [of the ballots] ballot a  
5 person is authorized to cast [away from a polling place] in  
6 the office of the election authority, by mail, or at another  
7 authorized location designated by the election authority  
8 pursuant to the provisions of sections 115.275 to 115.304;

9 (2) "Covered voter":

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

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

15 (c) An overseas voter;

16 (d) Civilian employees of the United States government  
17 working outside the boundaries of the United States, and  
18 their spouses and dependents;

19 (e) Active members of religious or welfare  
20 organizations assisting servicemen, and their spouses and  
21 dependents; or

22 (f) Persons who have been honorably discharged from  
23 the Armed Forces, including the Space Force, or who have  
24 terminated their service or employment in any group  
25 mentioned in this section within sixty days of an election,  
26 and their spouses and dependents;

27 (3) "Interstate former resident", a former resident  
28 and registered voter in this state who moves from Missouri  
29 to another state after the deadline to register to vote in  
30 any presidential election in the new state and who otherwise  
31 possesses the qualifications to register and vote in such  
32 state;

33 (4) ["Intrastate new resident", a registered voter of  
34 this state who moves from one election authority's  
35 jurisdiction in the state to another election authority's  
36 jurisdiction in the state after the last day authorized in  
37 this chapter to register to vote in an election and  
38 otherwise possesses the qualifications to vote;

39 (5)] "New resident", a person who moves to this state  
40 after the last date authorized in this chapter to register  
41 to vote in any presidential election;

42 [(6)] (5) "Overseas voter":

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

46 (b) A person who resides outside the United States  
47 and, but for such residence, would be qualified to vote in  
48 the last place in which the person was domiciled before  
49 leaving the United States;

50 [(7)] (6) "Uniformed services":

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

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

58 (c) The Missouri National Guard;

59 [(8)] (7) "Uniformed services voter", an individual  
60 who is qualified to vote and is:

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

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

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

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

72 [(9)] (8) "United States", used in the territorial  
73 sense, the several states, the District of Columbia, Puerto  
74 Rico, the United States Virgin Islands, and any territory or

75 insular possession subject to the jurisdiction of the United  
76 States.

115.277. 1. A registered voter of this state may cast  
2 an absentee ballot in person at a location designated by the  
3 election authority for all candidates and issues for which  
4 such voter is eligible to vote at the polling place if such  
5 voter expects to be prevented from going to the polls to  
6 vote on election day due to one of the reasons listed in  
7 subsection 3 of this section. A registered voter casting a  
8 ballot under the provisions of this subsection shall provide  
9 a form of personal photo identification that is consistent  
10 with subsection 1 of section 115.427.

2. Except as provided in subsections [2, 3,] 4, [and]  
12 5, and 6 of this section, [any] a registered voter of this  
13 state may [vote by] cast an absentee ballot for all  
14 candidates and issues for which such voter would be eligible  
15 to vote at the polling place if such voter expects to be  
16 prevented from going to the polls to vote on election day  
17 due to[:] one of the reasons listed in subsection 3 of this  
18 section. An absentee ballot that is not requested and  
19 completed in person at the office of the election authority  
20 with a form of personal photo identification that is  
21 consistent with subsection 1 of section 115.427 shall have  
22 the statement on the ballot envelope notarized as required  
23 under section 115.283, except that absentee ballots  
24 requested under subdivisions (2) and (5) of subsection 3 of  
25 this section shall not require notarization. This  
26 subsection shall apply only in the case of absentee ballots  
27 that are not cast in person.

3. A voter may request an absentee ballot for any of  
29 the following reasons:



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

33 (2) Incapacity or confinement due to illness or  
34 physical disability on election day, including a person who  
35 is primarily responsible for the physical care of a person  
36 who is incapacitated or confined due to illness or  
37 disability and resides at the same address;

38 (3) Religious belief or practice;

39 (4) Employment as:

40 (a) An election authority, as a member of an election  
41 authority, or by an election authority at a location other  
42 than such voter's polling place;

43 (b) A first responder;

44 (c) A health care worker; or

45 (d) A member of law enforcement;

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

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

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

56 [2.] 4. Any covered voter who is eligible to register  
57 and vote in this state may vote in any election for federal  
58 office, statewide office, state legislative office, or  
59 statewide ballot initiatives by submitting a federal  
60 postcard application to apply to vote by absentee ballot or  
61 by submitting a federal postcard application at the polling  
62 place even though the person is not registered. A federal

63 postcard application submitted by a covered voter pursuant  
64 to this subsection shall also serve as a voter registration  
65 application under section 115.908 and the election authority  
66 shall, if satisfied that the applicant is entitled to  
67 register, place the voter's name on the voter registration  
68 file. Each covered voter may vote by absentee ballot or,  
69 upon submitting an affidavit that the person is qualified to  
70 vote in the election, may vote at the person's polling place.

71 [3.] 5. Any interstate former resident may vote by  
72 absentee ballot for presidential and vice presidential  
73 electors.

74 [4. Any intrastate new resident may vote by absentee  
75 ballot at the election for presidential and vice  
76 presidential electors, United States senator, representative  
77 in Congress, statewide elected officials and statewide  
78 questions, propositions and amendments from such resident's  
79 new jurisdiction of residence after registering to vote in  
80 such resident's new jurisdiction of residence.

81 5.] 6. Any new resident may vote by absentee ballot  
82 for presidential and vice presidential electors after  
83 registering to vote in such resident's new jurisdiction of  
84 residence.

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

- 89 (1) Are sixty-five years of age or older;
- 90 (2) Live in a long-term care facility licensed under  
91 chapter 198;
- 92 (3) Have chronic lung disease or moderate to severe  
93 asthma;
- 94 (4) Have serious heart conditions;
- 95 (5) Are immunocompromised;

- 96 (6) Have diabetes;
- 97 (7) Have chronic kidney disease and are undergoing
- 98 dialysis; or
- 99 (8) Have liver disease.]

115.279. 1. Application for an absentee ballot may be  
2 made by the applicant in person, or by mail, or for the  
3 applicant, in person, by his or her guardian or a relative  
4 within the second degree by consanguinity or affinity. The  
5 election authority shall accept applications by facsimile  
6 transmission and by electronic mail within the limits of its  
7 telecommunications capacity.

8 2. Notwithstanding section 115.284, no individual,  
9 group, or party shall solicit a voter into obtaining an  
10 absentee ballot application. Absentee ballot applications  
11 shall not have the information pre-filled prior to it being  
12 provided to a voter. Nothing in this section shall be  
13 interpreted to prohibit a state or local election authority  
14 from assisting an individual voter.

15 3. Each application shall be made to the election  
16 authority of the jurisdiction in which the person is or  
17 would be registered. Each application shall be in writing  
18 and shall state the applicant's name, address at which he or  
19 she is or would be registered, his or her reason for voting  
20 an absentee ballot, the address to which the ballot is to be  
21 mailed, if mailing is requested, and for absent uniformed  
22 services and overseas applicants, the applicant's email  
23 address if electronic transmission is requested. If the  
24 reason for the applicant voting absentee is due to the  
25 reasons established under subdivision (6) of subsection 1 of  
26 section 115.277, the applicant shall state the voter's  
27 identification information provided by the address  
28 confidentiality program in lieu of the applicant's name,  
29 address at which he or she is or would be registered, and

30 address to which the ballot is to be mailed, if mailing is  
31 requested. Each application to vote in a primary election  
32 shall also state which ballot the applicant wishes to  
33 receive. If any application fails to designate a ballot,  
34 the election authority shall, within three working days  
35 after receiving the application, notify the applicant by  
36 mail that it will be unable to deliver an absentee ballot  
37 until the applicant designates which political party ballot  
38 he or she wishes to receive. If the applicant does not  
39 respond to the request for political party designation, the  
40 election authority is authorized to provide the voter with  
41 that part of the ballot for which no political party  
42 designation is required.

43 [3. Except as provided in subsection 3 of section  
44 115.281,] 4. All applications for absentee ballots received  
45 prior to the sixth Tuesday before an election shall be  
46 stored at the office of the election authority until such  
47 time as the applications are processed in accordance with  
48 section 115.281. No application for an absentee ballot  
49 received in the office of the election authority by mail, by  
50 facsimile transmission, by electronic mail, or by a guardian  
51 or relative after 5:00 p.m. on the second Wednesday  
52 immediately prior to the election shall be accepted by any  
53 election authority. No application for an absentee ballot  
54 submitted by the applicant in person after 5:00 p.m. on the  
55 day before the election shall be accepted by any election  
56 authority, except as provided in subsections [6, 8] 7, 8,  
57 and 9 of this section.

58 [4.] 5. Each application for an absentee ballot shall  
59 be signed by the applicant or, if the application is made by  
60 a guardian or relative pursuant to this section, the  
61 application shall be signed by the guardian or relative, who  
62 shall note on the application his or her relationship to the

63 applicant. If an applicant, guardian or relative is blind,  
64 unable to read or write the English language or physically  
65 incapable of signing the application, he or she shall sign  
66 by mark, witnessed by the signature of an election official  
67 or person of his or her own choosing. Any person who  
68 knowingly makes, delivers or mails a fraudulent absentee  
69 ballot application shall be guilty of a class one election  
70 offense.

71 **[5.]** 6. (1) Notwithstanding any law to the contrary,  
72 any resident of the state of Missouri who resides outside  
73 the boundaries of the United States or who is on active duty  
74 with the Armed Forces of the United States or members of  
75 their immediate family living with them may request an  
76 absentee ballot for both the primary and subsequent general  
77 election with one application.

78 (2) The election authority shall provide each absent  
79 uniformed services voter and each overseas voter who submits  
80 a voter registration application or an absentee ballot  
81 request, if the election authority rejects the application  
82 or request, with the reasons for the rejection.

83 (3) Notwithstanding any other law to the contrary, if  
84 a standard oath regarding material misstatements of fact is  
85 adopted for uniformed and overseas voters pursuant to the  
86 Help America Vote Act of 2002, the election authority shall  
87 accept such oath for voter registration, absentee ballot, or  
88 other election-related materials.

89 (4) Not later than sixty days after the date of each  
90 regularly scheduled general election for federal office,  
91 each election authority which administered the election  
92 shall submit to the secretary of state in a format  
93 prescribed by the secretary a report on the combined number  
94 of absentee ballots transmitted to, and returned by, absent  
95 uniformed services voters and overseas voters for the

96 election. The secretary shall submit to the Election  
97 Assistance Commission a combined report of such information  
98 not later than ninety days after the date of each regularly  
99 scheduled general election for federal office and in a  
100 standardized format developed by the commission pursuant to  
101 the Help America Vote Act of 2002. The secretary shall make  
102 the report available to the general public.

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

106 [6.] 7. An application for an absentee ballot by a new  
107 resident shall be submitted in person by the applicant in  
108 the office of the election authority in the election  
109 jurisdiction in which such applicant resides. The  
110 application shall be received by the election authority no  
111 later than 7:00 p.m. on the day of the election. Such  
112 application shall be in the form of an affidavit, executed  
113 in duplicate in the presence of the election authority or  
114 any authorized officer of the election authority, and in  
115 substantially the following form:

116 "STATE OF \_\_\_\_\_

117 COUNTY OF \_\_\_\_\_ , ss.

118 I, \_\_\_\_\_, do solemnly swear that:

119 (1) Before becoming a resident of this state, I  
120 resided at \_\_\_\_\_ (residence address) in \_\_\_\_\_  
121 (town, township, village or city) of \_\_\_\_\_  
122 County in the state of \_\_\_\_\_;

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

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

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

134 Signed \_\_\_\_\_

135 (Applicant)

136 \_\_\_\_\_

137 (Residence  
138 Address)

139 Subscribed and sworn to before me this \_\_\_\_\_ day  
140 of \_\_\_\_\_, \_\_\_\_\_

141 Signed \_\_\_\_\_

142 (Title and name of officer authorized to  
143 administer oaths)"

144 [7.] 8. The election authority in whose office an  
145 application is filed pursuant to subsection [6] 7 of this  
146 section shall immediately send a duplicate of such  
147 application to the appropriate official of the state in  
148 which the new resident applicant last resided and shall file  
149 the original of such application in its office.

150 [8. An application for an absentee ballot by an  
151 intrastate new resident shall be made in person by the  
152 applicant in the office of the election authority in the  
153 election jurisdiction in which such applicant resides. The  
154 application shall be received by the election authority no  
155 later than 7:00 p.m. on the day of the election. Such  
156 application shall be in the form of an affidavit, executed  
157 in duplicate in the presence of the election authority or an  
158 authorized officer of the election authority, and in  
159 substantially the following form:

160 "STATE OF \_\_\_\_\_

161 COUNTY OF \_\_\_\_\_, ss.

162 I, \_\_\_\_\_, do solemnly swear that:  
163 (1) Before becoming a resident of this election  
164 jurisdiction, I resided at \_\_\_\_\_ (residence  
165 address) in \_\_\_\_\_ (town, township, village or  
166 city) of \_\_\_\_\_ county in the state of \_\_\_\_\_ ;  
167 (2) I moved to this election jurisdiction after the  
168 last day to register to vote in such election;  
169 (3) I believe I am entitled pursuant to the laws of  
170 this state to vote in the election to be held  
171 \_\_\_\_\_ (date) ;  
172 (4) I hereby make application for an absentee  
173 ballot for candidates and issues on which I am  
174 entitled to vote pursuant to the laws of this  
175 state. I have not voted and shall not vote  
176 other than by this ballot at such election.

177 Signed \_\_\_\_\_

178 (Applicant)

179 \_\_\_\_\_

180 (Residence Address)

181 Subscribed and sworn to before me this \_\_\_\_\_ day  
182 of \_\_\_\_\_ , \_\_\_\_\_

183 Signed \_\_\_\_\_

184 (Title and name of officer authorized to  
185 administer oaths)"

1

186 9. An application for an absentee ballot by an  
187 interstate former resident shall be received in the office  
188 of the election authority where the applicant was formerly  
189 registered by 5:00 p.m. on the second Wednesday immediately  
190 prior to the election, unless the application is made in  
191 person by the applicant in the office of the election  
192 authority, in which case such application shall be made no  
193 later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a  
2 statement on which the voter shall state the voter's name,



3 the voter's voting address, the voter's mailing address and  
4 the voter's reason for voting an absentee ballot. If the  
5 reason for the voter voting absentee is due to the reasons  
6 established under subdivision (6) of subsection [1] 3 of  
7 section 115.277, the voter shall state the voter's  
8 identification information provided by the address  
9 confidentiality program in lieu of the applicant's name,  
10 voting address, and mailing address. On the form, the voter  
11 shall also state under penalties of perjury that the voter  
12 is qualified to vote in the election, that the voter has not  
13 previously voted and will not vote again in the election,  
14 that the voter has personally marked the voter's ballot in  
15 secret or supervised the marking of the voter's ballot if  
16 the voter is unable to mark it, that the ballot has been  
17 placed in the ballot envelope and sealed by the voter or  
18 under the voter's supervision if the voter is unable to seal  
19 it, and that all information contained in the statement is  
20 true. In addition, any person providing assistance to the  
21 absentee voter shall include a statement on the envelope  
22 identifying the person providing assistance under penalties  
23 of perjury. Persons authorized to vote only for federal and  
24 statewide officers shall also state their former Missouri  
25 residence.

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

29 State of Missouri

30 County (City) of \_\_\_\_\_

31 I, \_\_\_\_\_ (print name), a registered voter of  
32 \_\_\_\_\_ County (City of St. Louis, Kansas City),  
33 declare under the penalties of perjury that I am  
34 voting in person at a location designated by the  
35 local election authority or I expect to be

36 prevented from going to the polls on election day  
37 due to (check one):

38 \_\_\_\_\_ absence on election day from the  
39 jurisdiction of the election authority in  
40 which I am registered;

41 \_\_\_\_\_ incapacity or confinement due to illness or  
42 physical disability on election day,  
43 including caring for a person who is  
44 incapacitated or confined due to illness or  
45 disability and resides at the same address;

46 \_\_\_\_\_ religious belief or practice;

47 \_\_\_\_\_ employment as an election authority [or], by  
48 an election authority at a location other  
49 than my polling place, as a first responder,  
50 as a health care worker, or as a member of  
51 law enforcement;

52 \_\_\_\_\_ incarceration, although I have retained all  
53 the necessary qualifications for voting;

54 \_\_\_\_\_ certified participation in the address  
55 confidentiality program established under  
56 sections 589.660 to 589.681 because of  
57 safety concerns.

58 I hereby state under penalties of perjury that I  
59 am qualified to vote at this election; I have not  
60 voted and will not vote other than by this ballot  
61 at this election. I further state that I marked  
62 the enclosed ballot in secret or that I am blind,  
63 unable to read or write English, or physically  
64 incapable of marking the ballot, and the person of  
65 my choosing indicated below marked the ballot at  
66 my direction; all of the information on this  
67 statement is, to the best of my knowledge and  
68 belief, true.

69 \_\_\_\_\_  
70 Signature of Voter

\_\_\_\_\_  
Signature of  
Person

71  
72 \_\_\_\_\_  
Assisting Voter  
73 (if applicable)

74 Signed \_\_\_\_\_ Subscribed and  
75 sworn  
76 Signed \_\_\_\_\_ to before me  
77 this  
78 Address of Voter \_\_\_\_\_ day of  
79 \_\_\_\_\_, \_\_\_\_\_  
80 \_\_\_\_\_  
81 \_\_\_\_\_  
82 Mailing addresses Signature of  
83 notary or  
84 (if different) other officer  
85 authorized to  
86 administer oaths

87 3. The statement for persons voting absentee ballots  
88 pursuant to the provisions of subsection [2, 3,] 4, [or] 5,  
89 or 6 of section 115.277 without being registered shall be in  
90 substantially the following form:

91 State of Missouri  
92 County (City) of \_\_\_\_\_

93 I, \_\_\_\_\_ (print name), declare under the  
94 penalties of perjury that I am a citizen of the  
95 United States and eighteen years of age or older.  
96 I am not adjudged incapacitated by any court of  
97 law, and if I have been convicted of a felony or  
98 of a misdemeanor connected with the right of  
99 suffrage, I have had the voting disabilities  
100 resulting from such conviction removed pursuant to  
101 law. I hereby state under penalties of perjury  
102 that I am qualified to vote at this election.

103 I am [(check one)]:

104 \_\_\_\_\_ a resident of the state of Missouri and a  
105 registered voter in \_\_\_\_\_ County and moved  
106 from that county to \_\_\_\_\_ County, Missouri,  
107 after the last day to register to vote in  
108 this election.

109 [redacted] an interstate former resident of Missouri  
110 and authorized to vote for presidential and  
111 vice presidential electors.

112 I further state under penalties of perjury that I  
113 have not voted and will not vote other than by  
114 this ballot at this election; I marked the  
115 enclosed ballot in secret or am blind, unable to  
116 read or write English, or physically incapable of  
117 marking the ballot, and the person of my choosing  
118 indicated below marked the ballot at my direction;  
119 all of the information on this statement is, to  
120 the best of my knowledge and belief, true.

121 \_\_\_\_\_ Subscribed to  
122 and  
123 Signature of \_\_\_\_\_ sworn before me  
124 Voter this

125 \_\_\_\_\_ day of  
126 \_\_\_\_\_, \_\_\_\_\_

127 \_\_\_\_\_  
128 \_\_\_\_\_

129 Address of Voter \_\_\_\_\_ Signature of  
130 notary or  
131 other officer  
132 authorized to  
133 administer oaths

134 \_\_\_\_\_  
135 Mailing Address (if different) \_\_\_\_\_

136 \_\_\_\_\_  
137 \_\_\_\_\_

138 Signature of \_\_\_\_\_ Address of Last  
139 Person

140 Assisting Voter \_\_\_\_\_ Missouri  
141 Residence

142 (if applicable)

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

147 State of Missouri

148 County (City) of \_\_\_\_\_

149 I, \_\_\_\_\_ (print name), declare under the  
150 penalties of perjury that I expect to be prevented  
151 from going to the polls on election day due to  
152 (check one):

153 \_\_\_\_\_ absence on election day from the  
154 jurisdiction of the election authority in  
155 which I am directed to vote;

156 \_\_\_\_\_ incapacity or confinement due to illness or  
157 physical disability on election day,  
158 including caring for a person who is  
159 incapacitated or confined due to illness or  
160 disability and resides at the same address;

161 \_\_\_\_\_ religious belief or practice;

162 \_\_\_\_\_ employment as an election authority [or], by  
163 an election authority at a location other  
164 than my polling place, as a first responder,  
165 as a health care worker, or as a member of  
166 law enforcement;

167 \_\_\_\_\_ incarceration, although I have retained all  
168 the necessary qualifications of voting;

169 \_\_\_\_\_ certified participation in the address  
170 confidentiality program established under  
171 sections 589.660 to 589.681 because of  
172 safety concerns.

173 I hereby state under penalties of perjury that I  
174 own property in the \_\_\_\_\_ district and am  
175 qualified to vote at this election; I have not  
176 voted and will not vote other than by this ballot  
177 at this election. I further state that I marked  
178 the enclosed ballot in secret or that I am blind,  
179 unable to read and write English, or physically  
180 incapable of marking the ballot, and the person of  
181 my choosing indicated below marked the ballot at

182 my direction; all of the information on this  
183 statement is, to the best of my knowledge and  
184 belief, true.

185 \_\_\_\_\_ Subscribed and  
186 sworn

187 Signature of to before me  
188 Voter this

189 \_\_\_\_\_ day of

190 \_\_\_\_\_, \_\_\_\_\_

191 \_\_\_\_\_

192 \_\_\_\_\_

193 Address Signature of  
194 notary or  
195 other officer  
196 authorized to  
197 administer oaths

198 \_\_\_\_\_

199 Signature of Person

200 Assisting Voter

201 (if applicable)

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

204 The voter needed assistance in marking the ballot  
205 and signing above, because of blindness, other  
206 physical disability, or inability to read or to  
207 read English. I marked the ballot enclosed in this  
208 envelope at the voter's direction, when I was  
209 alone with the voter, and I had no other  
210 communication with the voter as to how he or she  
211 was to vote. The voter swore or affirmed the voter  
212 affidavit above and I then signed the voter's name  
213 and completed the other voter information above.  
214 Signed under the penalties of perjury.

215 Reason why voter needed assistance: \_\_\_\_\_

216 ASSISTING PERSON SIGN HERE

- 217 1. \_\_\_\_\_ (signature of assisting person)
- 218 2. \_\_\_\_\_ (assisting person's name printed)
- 219 3. \_\_\_\_\_ (assisting person's residence)
- 220 4. \_\_\_\_\_ (assisting person's home city or town).

221 [6. The election authority shall, for an election held  
222 during 2020, adjust the forms described in this section to  
223 account for voters voting absentee due to the reason  
224 established pursuant to subdivision (7) of subsection 1 of  
225 section 115.277.

226 [7.] 6. Notwithstanding any other provision of this  
227 section, any covered voter as defined in section 115.902 or  
228 persons who have declared themselves to be permanently  
229 disabled pursuant to section 115.284, otherwise entitled to  
230 vote, shall not be required to obtain a notary seal or  
231 signature on his or her absentee ballot.

232 [8.] 7. Notwithstanding any other provision of this  
233 section or section 115.291 to the contrary, the  
234 subscription, signature and seal of a notary or other  
235 officer authorized to administer oaths shall not be required  
236 on any ballot, ballot envelope, or statement required by  
237 this section if the reason for the voter voting absentee is  
238 due to the reasons established pursuant to subdivision (2)  
239 [or (7)] of subsection [1] 3 of section 115.277.

240 [9.] 8. No notary shall charge or collect a fee for  
241 notarizing the signature on any absentee ballot or absentee  
242 voter registration.

243 [10.] 9. A notary public who charges more than the  
244 maximum fee specified or who charges or collects a fee for  
245 notarizing the signature on any absentee ballot or absentee  
246 voter registration is guilty of official misconduct.

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

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

115.286. Absentee ballots under sections 115.275 to 115.304 received by the election authority in person or other authorized location designated by the election authority are deemed cast when received prior to election day. Absentee ballots received by the election authority through a common carrier such as the United States Postal Service are deemed cast when received prior to the time fixed by law for the closing of the polls on election day. Absentee ballots received by the election authority through a common carrier such as the United States Postal Service shall be received prior to the time fixed by law for the closing of polls on election day. The election authority shall hand mark or stamp each absentee ballot envelope as it is received, indicating the date and time the absentee ballot was received.

115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied the applicant is



3 entitled to vote by absentee ballot, the election authority  
4 shall, within three working days after receiving the  
5 application, or if absentee ballots are not available at the  
6 time the application is received, within five working days  
7 after they become available, deliver to the voter an  
8 absentee ballot, ballot envelope and such instructions as  
9 are necessary for the applicant to vote. Delivery shall be  
10 made to the voter personally in the office of the election  
11 authority or by bipartisan teams appointed by the election  
12 authority, or by first class, registered, or certified mail  
13 at the discretion of the election authority, or in the case  
14 of a covered voter as defined in section 115.902, the method  
15 of transmission prescribed in section 115.914. Where the  
16 election authority is a county clerk, the members of  
17 bipartisan teams representing the political party other than  
18 that of county clerk shall be selected from a list of  
19 persons submitted to the county clerk by the county chairman  
20 of that party. If no list is provided by the time that  
21 absentee ballots are to be made available, the county clerk  
22 may select a person or persons from lists provided in  
23 accordance with section 115.087. If the election authority  
24 is not satisfied that any applicant is entitled to vote by  
25 absentee ballot, it shall not deliver an absentee ballot to  
26 the applicant. Within three working days of receiving such  
27 an application, the election authority shall notify the  
28 applicant and state the reason he or she is not entitled to  
29 vote by absentee ballot. The applicant may file a complaint  
30 with the elections division of the secretary of state's  
31 office under and pursuant to section 115.219.

32 2. If, after 5:00 p.m. on the second Wednesday before  
33 an election, any voter from the jurisdiction has become  
34 hospitalized, becomes confined due to illness or injury, or  
35 is confined in an intermediate care facility, residential

36 care facility, or skilled nursing facility on election day,  
37 as such terms are defined in section 198.006, in the county  
38 in which the jurisdiction is located or in the jurisdiction  
39 of an adjacent election authority within the same county,  
40 the election authority shall appoint a team to deliver,  
41 witness the signing of and return the voter's application  
42 and deliver, witness the voting of and return the voter's  
43 absentee ballot. [In counties with a charter form of  
44 government and in cities not within a county, and in each  
45 city which has over three hundred thousand inhabitants, and  
46 is situated in more than one county,] If the election  
47 authority receives ten or more applications for absentee  
48 ballots from the same address it [may] shall appoint a team  
49 to deliver and witness the voting and return of absentee  
50 ballots by voters residing at that address, except when such  
51 addresses are for an apartment building or other structure  
52 wherein individual living units are located, each of which  
53 has its own separate cooking facilities. Each team  
54 appointed pursuant to this subsection shall consist of two  
55 registered voters, one from each major political party.  
56 Both members of any team appointed pursuant to this  
57 subsection shall be present during the delivery, signing or  
58 voting and return of any application or absentee ballot  
59 signed or voted pursuant to this subsection.

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

64 4. No information which encourages a vote for or  
65 against a candidate or issue shall be provided to any voter  
66 with an absentee ballot.

115.291. 1. Upon receiving an absentee ballot by  
2 mail, the voter shall mark the ballot in secret, place the

3 ballot in the ballot envelope, seal the envelope and fill  
4 out the statement on the ballot envelope. The affidavit of  
5 each person voting an absentee ballot shall be subscribed  
6 and sworn to before the election official receiving the  
7 ballot, a notary public or other officer authorized by law  
8 to administer oaths, unless the voter is voting absentee due  
9 to incapacity or confinement due to the provisions of  
10 section 115.284, illness or physical disability on election  
11 day, [for an election that occurs during the year 2020, the  
12 voter has contracted or is in an at-risk category for  
13 contracting or transmitting severe acute respiratory  
14 syndrome coronavirus 2, as defined in section 115.277,] or  
15 the voter is a covered voter as defined in section 115.902.  
16 If the voter is blind, unable to read or write the English  
17 language, or physically incapable of voting the ballot, the  
18 voter may be assisted by a person of the voter's own  
19 choosing. Any person assisting a voter who is not entitled  
20 to such assistance, and any person who assists a voter and  
21 in any manner coerces or initiates a request or a suggestion  
22 that the voter vote for or against or refrain from voting on  
23 any question, ticket or candidate, shall be guilty of a  
24 class one election offense. If, upon counting, challenge or  
25 election contest, it is ascertained that any absentee ballot  
26 was voted with unlawful assistance, the ballot shall be  
27 rejected. [For purposes of this subsection, the voters who  
28 are in an at-risk category for contracting or transmitting  
29 severe acute respiratory syndrome coronavirus 2 are voters  
30 who:  
31 (1) Sixty-five years of age or older;  
32 (2) Live in a long-term care facility licensed under  
33 chapter 198;  
34 (3) Have chronic lung disease or moderate to severe  
35 asthma;

- 36 (4) Have serious heart conditions;
- 37 (5) Are immunocompromised;
- 38 (6) Have diabetes;
- 39 (7) Have chronic kidney disease and are undergoing
- 40 dialysis; or
- 41 (8) Have liver disease. ]

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

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

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

68           5. No absentee ballot shall be delivered through a  
69 drop box and no election authority shall establish or use a  
70 drop box for the purpose of collecting absentee ballots.

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

10           2. Each application for a mail-in ballot shall be made  
11 to the election authority of the jurisdiction in which the  
12 person is registered. Each application shall be in writing  
13 and shall state the applicant's name, address at which he or  
14 she is registered, the address to which the ballot is to be  
15 mailed.

16           3. All applications for mail-in ballots received prior  
17 to the sixth Tuesday before an election shall be stored at  
18 the office of the election authority until such time as the  
19 applications are processed under section 115.281. No  
20 application for a mail-in ballot received in the office of  
21 the election authority after 5:00 p.m. on the second  
22 Wednesday immediately prior to the election shall be  
23 accepted by any election authority.

24           4. Each application for a mail-in ballot shall be  
25 signed by the applicant or, if the application is made by a  
26 guardian or relative under this section, the application  
27 shall be signed by the guardian or relative, who shall note  
28 on the application his or her relationship to the  
29 applicant. If an applicant, guardian, or relative is blind,  
30 unable to read or write the English language, or physically

31 incapable of signing the application, he or she shall sign  
32 by mark that is witnessed by the signature of an election  
33 official or person of his or her choice. Knowingly making,  
34 delivering, or mailing a fraudulent mail-in-ballot  
35 application is a class one election offense.

36 5. Not later than the sixth Tuesday prior to each  
37 election, or within fourteen days after candidate names or  
38 questions are certified under section 115.125, the election  
39 authority shall cause to have printed and made available a  
40 sufficient quantity of ballots, ballot envelopes, and  
41 mailing envelopes. As soon as possible after a proper  
42 official calls a special state or county election, the  
43 election authority shall cause to have printed and made  
44 available a sufficient quantity of mail-in ballots, ballot  
45 envelopes, and mailing envelopes.

46 6. Each ballot envelope shall bear a statement in  
47 substantially the same form described in subsection 9 of  
48 this section. In addition, any person providing assistance  
49 to the mail-in voter shall include a signature on the  
50 envelope identifying the person providing such assistance  
51 under penalties of perjury. Persons authorized to vote only  
52 for federal and statewide offices shall also state their  
53 former Missouri residence.

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

57 State of Missouri

58 County (City) of \_\_\_\_\_

59 I, \_\_\_\_\_ (print name), a registered voter of  
60 \_\_\_\_\_ County (City of St. Louis, Kansas  
61 City), declare under the penalties of perjury  
62 that: I am qualified to vote at this election; I  
63 have not voted and will not vote other than by  
64 this ballot at this election. I further state

65 that I marked the enclosed ballot in secret or  
66 that I am blind, unable to read or write English,  
67 or physically incapable of marking the ballot, and  
68 the person of my choosing indicated below marked  
69 the ballot at my direction; all of the information  
70 on this statement is, to the best of my knowledge  
71 and belief, true.

72 \_\_\_\_\_  
73 Signature of Voter \_\_\_\_\_ Signature of  
74 \_\_\_\_\_ Person  
75 \_\_\_\_\_ Assisting Voter  
76 \_\_\_\_\_ (if applicable)

77 Subscribed and sworn to before me this \_\_\_\_\_  
78 day of \_\_\_\_\_, \_\_\_\_\_.

79 \_\_\_\_\_  
80 Signature of notary or other officer authorized to  
81 administer oaths.

82 \_\_\_\_\_  
83 \_\_\_\_\_  
84 Mailing addresses  
85 (if different)

86 8. Upon receipt of a signed application for a mail-in  
87 ballot and if satisfied that the applicant is entitled to  
88 vote by mail-in ballot, the election authority shall, within  
89 three working days after receiving the application, or, if  
90 mail-in ballots are not available at the time the  
91 application is received, within five working days after such  
92 ballots become available, deliver to the voter a mail-in  
93 ballot, ballot envelope and such instructions as are  
94 necessary for the applicant to vote. If the election  
95 authority is not satisfied that any applicant is entitled to  
96 vote by mail-in ballot, the authority shall not deliver a  
97 mail-in ballot to the applicant. Within three working days  
98 of receiving such an application, the election authority

99 shall notify the applicant and state the reason he or she is  
100 not entitled to vote by mail-in ballot. The applicant may  
101 file a complaint with the elections division of the  
102 secretary of state's office under section 115.219.

103 9. On the mailing and ballot envelopes for each  
104 covered voter, the election authority shall stamp the words  
105 "ELECTION BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid,  
106 39 U.S.C. Section 3406".

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

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

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

130 13. The secretary of state may prescribe uniform  
131 regulations with respect to the printing of ballot envelopes



132 and mailing envelopes, which shall comply with standards  
133 established by federal law or postal regulations. Mailing  
134 envelopes for use in returning ballots shall be printed with  
135 business reply permits so that any ballot returned by mail  
136 does not require postage. All fees and costs for  
137 establishing and maintaining the business reply and postage-  
138 free mail for all ballots cast shall be paid by the  
139 secretary of state through state appropriations.

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

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

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

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

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

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

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

177 21. The provisions of this section terminate and shall  
178 be repealed on December 31, 2020, and shall not apply to any  
179 election conducted after that date.] Mail-in ballots shall  
180 not be authorized by any executive or administrative order  
181 and no authorization for the use of mail-in ballots shall be  
182 inferred from any general law. This section shall not  
183 preclude the use of absentee ballots authorized under this  
184 chapter. Any expansion of the use of mail-in ballots  
185 subsequent to the effective date of this act shall require  
186 the repeal of this section by explicit reference thereto.

115.349. 1. Except as otherwise provided in sections  
2 115.361 to 115.383 [or sections 115.755 to 115.785], no  
3 candidate's name shall be printed on any official primary  
4 ballot unless the candidate has filed a written declaration  
5 of candidacy in the office of the appropriate election  
6 official by 5:00 p.m. on the last Tuesday in March  
7 immediately preceding the primary election.

8 2. No declaration of candidacy for nomination in a  
9 primary election shall be accepted for filing prior to 8:00  
10 a.m. on the last Tuesday in February immediately preceding  
11 the primary election.

12           3. Each declaration of candidacy for nomination in a  
13 primary election shall state the candidate's full name,  
14 residence address, office for which such candidate proposes  
15 to be a candidate, the party ticket on which he or she  
16 wishes to be a candidate and that if nominated and elected  
17 he or she will qualify. The declaration shall be in  
18 substantially the following form:

19           I, \_\_\_\_\_, a resident and registered voter of the  
20 county of \_\_\_\_\_ and the state of Missouri,  
21 residing at \_\_\_\_\_, do announce myself a candidate  
22 for the office of \_\_\_\_\_ on the \_\_\_\_\_ party  
23 ticket, to be voted for at the primary election to  
24 be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and I  
25 further declare that if nominated and elected to  
26 such office I will qualify.

27	_____	Subscribed and
28		sworn
29	Signature of	to before me
30	candidate	this
31		_____ day of
32		_____, _____
33	_____	_____
34	Residence	Signature of
35	address	election
36		official or
37		other officer
38		authorized to
39		administer oaths
40	_____	
41	Mailing address (if different)	
42	_____	
43	Telephone Number (Optional)	

44           If the declaration is to be filed in person, it shall  
45 be subscribed and sworn to by the candidate before an  
46 official authorized to accept his or her declaration of  
47 candidacy. If the declaration is to be filed by certified  
48 mail pursuant to the provisions of subsection 2 of section  
49 115.355, it shall be subscribed and sworn to by the  
50 candidate before a notary public or other officer authorized  
51 by law to administer oaths.

          115.351. No person who files as a party candidate for  
2 nomination or election to an office shall, without  
3 withdrawing, file as another party's candidate or an  
4 independent candidate for nomination or election to the  
5 office for the same term. No person who files as an  
6 independent candidate for election to an office shall,  
7 without withdrawing, file as a party candidate for  
8 nomination or election to the office for the same term. No  
9 person shall file for one office and, without withdrawing,  
10 file for another office to be filled at the same election.  
11 [A person who files a request to be included on the  
12 presidential primary ballot is not prohibited by this  
13 section from filing or appearing on any ballot as a party  
14 candidate for nomination to another office.] Receipt by the  
15 secretary of state of proper certification of nomination  
16 pursuant to subsection 1 of section 115.399 constitutes  
17 withdrawal by operation of law pursuant to subsection 1 of  
18 section 115.359 of any presidential or vice presidential  
19 nominee from any other office for which such nominee is a  
20 candidate at the same election. Any person violating any  
21 provision of this section shall be disqualified from running  
22 for nomination or election to any office at the primary and  
23 general election next succeeding the violation.

          115.417. 1. Before the time fixed by law for the  
2 opening of the polls, the election authority shall deliver

3 to each polling place a sufficient number of voter  
4 instruction cards which include the following information:  
5 [if paper ballots or an electronic voting system is used,  
6 the instructions shall inform the voter on] how to obtain a  
7 ballot for voting, how to vote and prepare the ballot for  
8 deposit in the ballot box, and how to obtain a new ballot to  
9 replace one accidentally spoiled.

10 2. The election authority at each polling place shall  
11 post in a conspicuous place voting instructions on a poster  
12 no smaller than twenty-four inches by thirty inches. Such  
13 instructions shall also inform the voter that the electronic  
14 voting equipment can be demonstrated upon request of the  
15 voter. The election authority shall also publicly post  
16 during the period of time in which a person may cast an  
17 absentee ballot and on election day a sample version of the  
18 ballot that will be used for that election, the date of the  
19 election, the hours during which the polling place will be  
20 open, instructions for mail-in registrants and first-time  
21 voters, general information on voting rights in accordance  
22 with the state plan filed by the secretary of state pursuant  
23 to the Help America Vote Act of 2002, general information on  
24 the right to cast a provisional ballot and instructions for  
25 provisional ballots, how to contact appropriate authorities  
26 if voting rights have been violated, and general information  
27 on federal and Missouri law regarding prohibitions on acts  
28 of fraud and misrepresentation. The secretary of state may  
29 promulgate rules to execute this section. No rule or  
30 portion of a rule promulgated pursuant to the authority of  
31 this section shall become effective unless it has been  
32 promulgated pursuant to chapter 536.

33 3. The secretary of state may develop multilingual  
34 voting instructions to be made available to election  
35 authorities.

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

13 (1) Nonexpired Missouri driver's license;

14 (2) Nonexpired or nonexpiring Missouri nondriver's  
15 license;

16 (3) A document that satisfies all of the following  
17 requirements:

18 (a) The document contains the name of the individual  
19 to whom the document was issued, and the name substantially  
20 conforms to the most recent signature in the individual's  
21 voter registration record;

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

23 (c) The document includes an expiration date, and the  
24 document is not expired, or, if expired, the document  
25 expired after the date of the most recent general election;  
26 and

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

29 (4) Any identification containing a photograph of the  
30 individual which is issued by the Missouri National Guard,  
31 the United States Armed Forces, including the Space Force,  
32 or the United States Department of Veteran Affairs to a  
33 member or former member of the Missouri National Guard or

34 the United States Armed Forces, including the Space Force,  
35 and that is not expired or does not have an expiration date.

36 2. (1) An individual who appears at a polling place  
37 without a form of personal identification described in  
38 subsection 1 of this section and who is otherwise qualified  
39 to vote at that polling place [may execute a statement,  
40 under penalty of perjury, averring that the individual is  
41 the person listed in the precinct register; averring that  
42 the individual does not possess a form of personal  
43 identification described in subsection 1 of this section;  
44 acknowledging that the individual is eligible to receive a  
45 Missouri nondriver's license free of charge if desiring it  
46 in order to vote; and acknowledging that the individual is  
47 required to present a form of personal identification, as  
48 described in subsection 1 of this section, in order to  
49 vote. Such statement shall be executed and sworn to before  
50 the election official receiving the statement. Upon  
51 executing such statement, the individual may cast a regular  
52 ballot, provided such individual presents one of the  
53 following forms of identification:

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

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

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

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

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

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

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

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

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

85 "State of \_\_\_\_\_

86 County of \_\_\_\_\_

87 I do solemnly swear (or affirm) that my name is  
88 \_\_\_\_\_; that I reside at \_\_\_\_\_; that I am the  
89 person listed in the precinct register under this  
90 name and at this address; and that, under penalty  
91 of perjury, I do not possess a form of personal  
92 identification approved for voting. As a person  
93 who does not possess a form of personal  
94 identification approved for voting, I acknowledge  
95 that I am eligible to receive free of charge a  
96 Missouri nondriver's license at any fee office if  
97 desiring it in order to vote. I furthermore  
98 acknowledge that I am required to present a form  
99 of personal identification, as prescribed by law,  
100 in order to vote.



101 I understand that knowingly providing false  
102 information is a violation of law and subjects me  
103 to possible criminal prosecution.

104 \_\_\_\_\_

105 Signature of voter

106 Subscribed and affirmed before me this \_\_\_\_\_ day  
107 of \_\_\_\_\_, 20\_\_\_\_\_

108 \_\_\_\_\_

109 Signature of election official"

110 4. A voter] shall be allowed to cast a provisional  
111 ballot [under section 115.430 even if the election judges  
112 cannot establish the voter's identity under this section].

113 The election judges shall make a notation on the provisional  
114 ballot envelope to indicate that the voter's identity was  
115 not verified.

116 (2) No person shall be entitled to receive a  
117 provisional ballot until such person has completed a  
118 provisional ballot affidavit on the provisional ballot  
119 envelope. All provisional ballots shall be marked with a  
120 conspicuous stamp or mark that makes them distinguishable  
121 from other ballots.

122 (3) The provisional ballot envelope shall be completed  
123 by the voter for use in determining the voter's eligibility  
124 to cast a ballot.

125 3. The provisional ballot envelope shall provide a  
126 place for the voter's name, address, date of birth, and last  
127 four digits of his or her Social Security number, followed  
128 by a certificate in substantially the following form:

129 I do solemnly swear that I am the person  
130 identified above and the information provided is  
131 correct. I understand that my vote will not be  
132 counted unless:

133 (1) (a) I return to this polling place today  
134 between 6:00 a.m. and 7:00 p.m. and provide one of  
135 the following forms of identification:

136 a. Nonexpired Missouri driver's license;

137 b. Nonexpired or nonexpiring Missouri nondriver's  
138 license;

139 c. A document that satisfies all of the following  
140 requirements:

141 (i) The document contains my name, in  
142 substantially the same form as the most recent  
143 signature on my voter registration record;

144 (ii) The document contains my photograph;

145 (iii) The document contains an expiration date  
146 and is not expired, or if expired, the document  
147 expired after the date of the most recent general  
148 election; and

149 (iv) The document was issued by the United States  
150 or the state of Missouri; or

151 d. Identification containing my photograph issued  
152 to me by the Missouri National Guard, the United  
153 States Armed Forces, including Space Force, or the  
154 United States Department of Veteran Affairs as a  
155 member or former member of the Missouri National  
156 Guard or the United States Armed Forces that is  
157 not expired or does not have an expiration date;  
158 or

159 (b) The election authority verifies my identity  
160 by comparing my signature on this envelope to the  
161 signature on file with the election authority and  
162 determines that I was eligible to cast a ballot at  
163 this polling place; and

164 (2) This provisional ballot otherwise qualifies to  
165 be counted under the laws of the state of  
166 Missouri.

167 \_\_\_\_\_  
168 Signature of Voter                      Date  
169 \_\_\_\_\_

170 Signatures of Election  
171 Officials

172 Once voted, the provisional ballot shall be sealed in the  
173 provisional ballot envelope and placed in a separate secured  
174 container by the election judge.

175 4. The provisional ballot cast by such voter shall not  
176 be counted unless:

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

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

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

189 5. [The secretary of state shall provide advance  
190 notice of the personal identification requirements of  
191 subsection 1 of this section in a manner calculated to  
192 inform the public generally of the requirement for forms of  
193 personal identification as provided in this section. Such  
194 advance notice shall include, at a minimum, the use of  
195 advertisements and public service announcements in print,  
196 broadcast television, radio, and cable television media, as  
197 well as the posting of information on the opening pages of  
198 the official state internet websites of the secretary of  
199 state and governor] The secretary of state shall provide  
200 notice of the personal photo identification requirements

201 described in subsection 1 of this section on the official  
202 state internet website of the secretary of state.

203 6. (1) Notwithstanding the provisions of section  
204 136.055 and section 302.181 to the contrary, the state and  
205 all fee offices shall provide one nondriver's license at no  
206 cost to any otherwise qualified voter who does not already  
207 possess such identification and who desires the  
208 identification [in order to vote] for voting.

209 (2) This state and its agencies shall provide one copy  
210 of each of the following, free of charge, if needed by an  
211 individual seeking to obtain a form of photo  
212 identification described in subsection 1 of this section in  
213 order to vote:

- 214 (a) A birth certificate;
- 215 (b) A marriage license or certificate;
- 216 (c) A divorce decree;
- 217 (d) A certificate of decree of adoption;
- 218 (e) A court order changing the person's name;
- 219 (f) A Social Security card reflecting an updated name;

220 and

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

223 Any individual seeking one of the above documents in order  
224 to obtain a form of photo identification described  
225 in subsection 1 of this section [in order to vote] for  
226 voting may request the secretary of state to facilitate the  
227 acquisition of such documents. The secretary of state shall  
228 pay any fee or fees charged by another state or its  
229 agencies, or any court of competent jurisdiction in this  
230 state or any other state, or the federal government or its  
231 agencies, in order to obtain any of the above documents from  
232 such state or the federal government.

233 (3) [All costs associated with the implementation of  
234 this section shall be reimbursed from the general revenue of  
235 this state by an appropriation for that purpose. If there  
236 is not a sufficient appropriation of state funds, then the  
237 personal identification requirements of subsection 1 of this  
238 section shall not be enforced.

239 (4) Any applicant who requests a nondriver's license  
240 for [the purpose of] voting shall not be required to pay a  
241 fee [if the applicant executes a statement, under penalty of  
242 perjury, averring that the applicant does not have any other  
243 form of personal identification that meets the requirements  
244 of this section]. The state of Missouri shall pay the  
245 legally required fees for any such applicant. [The director  
246 of the department of revenue shall design a statement to be  
247 used for this purpose. The total cost associated with  
248 nondriver's license photo identification under this  
249 subsection shall be borne by the state of Missouri from  
250 funds appropriated to the department of revenue for that  
251 specific purpose.] The department of revenue and a local  
252 election authority may enter into a contract that allows the  
253 local election authority to assist the department in issuing  
254 nondriver's license photo identifications.

255 7. The director of the department of revenue shall, by  
256 January first of each year, prepare and deliver to each  
257 member of the general assembly a report documenting the  
258 number of individuals who have requested and received a  
259 nondriver's license photo identification for the purposes of  
260 voting under this section. The report shall also include  
261 the number of persons requesting a nondriver's license for  
262 purposes of voting under this section, but not receiving  
263 such license, and the reason for the denial of the  
264 nondriver's license.



297 voter in the appropriate place on the precinct register, the  
298 voter shall make his mark in lieu of signature, and the  
299 voter's mark shall be witnessed by the signature of an  
300 election judge.

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

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

115.447. 1. As used in this subchapter, unless the  
2 context clearly implies otherwise, the following terms shall  
3 mean:

4 (1) "Counting judges" are the two judges, one from  
5 each major political party, who read each vote received by  
6 all candidates and each vote for and against all questions  
7 at a polling place;

8 (2) "Receiving judges" are the two judges, one from  
9 each major political party, who initial each voter's ballot  
10 at a polling place;

11 (3) "Recording judges" are the two judges, one from  
12 each major political party, who tally the votes received by  
13 each candidate and for and against each question at a  
14 polling place. These terms describe functions rather than  
15 individuals, and any election judge may perform more than  
16 one function at a polling place on election day.

17           2. As used in this subchapter, unless the context  
18 clearly implies otherwise, the following terms shall mean:

19           (1) "Defective ballot" is any ballot [card] on which  
20 the number of write-in votes and votes cast on the ballot  
21 [card] for any office exceed the number allowed by law, and  
22 any ballot [card] which is bent or damaged so that it cannot  
23 be properly counted by automatic tabulating equipment;

24           (2) "Rejected ballot" is any ballot on which no votes  
25 are counted because the ballot fails to have the initials of  
26 the proper election judges, because the number of votes for  
27 all offices and on all questions exceeds the number  
28 authorized by law, because the voter is deemed by the  
29 election judges to be unqualified, because it is an absentee  
30 ballot not accompanied by a completed and signed affidavit,  
31 or because the ballot was voted with unlawful assistance;

32           (3) "Spoiled ballot" is any ballot accidentally  
33 spoiled by a voter and replaced by election judges in the  
34 manner provided in subsection 2 of section 115.439.

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

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

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

11           (3) The election is nonpartisan;

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



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

17 [2. Notwithstanding the provisions of subsection 1 of  
18 this section or any other provision of law to the contrary,  
19 an election may be conducted by mail as authorized under  
20 section 115.302, during the year 2020, to avoid the risk  
21 of contracting or transmitting severe acute respiratory  
22 syndrome coronavirus 2. This subsection shall expire  
23 December 31, 2020.]

115.776. The state party organization which is the  
2 state organization recognized by the national organization  
3 of that established political party shall, [after the  
4 primary and] before the national convention, conduct a  
5 series of caucuses culminating in congressional and state  
6 conventions for the purpose of nominating a candidate for  
7 the president of the United States. Delegates to the  
8 national conventions shall be chosen at the congressional  
9 district and state conventions pursuant to rules established  
10 by the political parties.

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

- 3 (1) "Covered voter":  
4 (a) A uniformed services voter who is registered to  
5 vote in this state;  
6 (b) A uniformed services voter defined in this section  
7 whose voting residence is in this state and who otherwise  
8 satisfies this state's voter eligibility requirements; or  
9 (c) An overseas voter;  
10 (2) "Dependent", an individual recognized as a  
11 dependent by a uniformed service;  
12 (3) "Federal postcard application", the application  
13 prescribed under Section 101(b)(2) of the Uniformed and

14 Overseas Citizens Absentee Voting Act, 42 U.S.C. Section  
15 1973ff(b) (2);

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

19 (5) "Military-overseas ballot":

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

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

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

26 (6) "Overseas voter":

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

30 (b) A person who resides outside the United States  
31 and, but for such residence, would be qualified to vote in  
32 the last place in which the person was domiciled before  
33 leaving the United States;

34 (7) "State", a state of the United States, the  
35 District of Columbia, Puerto Rico, the United States Virgin  
36 Islands, or any territory or insular possession subject to  
37 the jurisdiction of the United States;

38 (8) "Uniformed services":

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

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

46 (c) The Missouri National Guard;

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

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

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

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

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

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

115.904. The voting procedures in sections 115.900 to  
2 115.936 shall apply to:

3 (1) A general, special, [presidential preference,] or  
4 primary election for federal office;

5 (2) A general, special, or primary election for  
6 statewide or state legislative office or state ballot  
7 measure; or

8 (3) Any election in which absentee voting is conducted  
9 pursuant to sections 115.275 to 115.304.

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. (1) A system maintained by the secretary of  
33 state's office **[shall]** may be used to accept voter  
34 registration applications electronically **[subsequent to**  
35 **approval from the committee formed as set forth in this**  
36 **subsection:**

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

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

62 (3) Once the format and data collection standards are  
63 approved by the committee and implemented for the system  
64 maintained by the secretary of state, ]\_.

65 (2) Local election authorities shall accept the  
66 transmission of voter registration applications submitted to  
67 the approved system under the provisions of sections 432.200  
68 to 432.295[;

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

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

84 [(6)] (3) To improve the accuracy of voter  
85 registration application data and reduce costs for local  
86 election authorities, the system maintained by the secretary  
87 of state shall[, as soon as is practical,] provide a method  
88 where the data entered by the voter registration applicant  
89 does not have to be re-entered by the election authority to  
90 the state voter registration database.

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

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

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

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

108           7. ~~Notwithstanding the provisions of section 432.230]~~  
109 Except as provided under sections 115.160 and 432.230,  
110 nothing in this section shall require the election authority  
111 to accept voter registration records or signatures created,  
112 generated, sent, communicated, received, stored, or  
113 otherwise processed, or used by electronic means or in  
114 electronic form from any officer, agency, or organization  
115 not authorized under subsection 2 of this section without  
116 prior approval from the election authority. Election  
117 authorities shall accept and process voter registration  
118 records, including electronic images of applicant  
119 signatures, transmitted electronically by the division of  
120 motor vehicle and driver licensing of the department of  
121 revenue under section 115.160. Except as provided in  
122 subsection 2 of this section and section 115.160, no  
123 officer, agency, or organization shall give the voter the  
124 opportunity to submit a voter registration application with  
125 an electronic signature without first obtaining the approval  
126 of the local election authority.

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

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

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

2 Section 1. If any provision of section A of this act  
3 or the application thereof to anyone or to any circumstance  
4 is held invalid, the remainder of those sections and the  
5 application of such provisions to others or other  
6 circumstances shall not be affected thereby.

2 [115.755. A statewide presidential  
3 preference primary shall be held on the second  
4 Tuesday after the first Monday in March of each  
5 presidential election year.]

2 [115.758. On or before the tenth Tuesday  
3 prior to the date of the presidential preference  
4 primary, the secretary of state shall announce  
5 the official list of presidential candidates for  
6 each established political party as provided in  
7 section 115.761.]

2 [115.761. 1. The official list of  
3 presidential candidates for each established  
4 political party shall include the names of all  
5 constitutionally qualified candidates for whom,  
6 on or after 8:00 a.m. on the fifteenth Tuesday  
7 prior to the presidential primary, and on or  
8 before 5:00 p.m., on the eleventh Tuesday prior  
9 to the presidential primary, a written request  
10 to be included on the presidential primary  
11 ballot is filed with the secretary of state  
12 along with:

13 (1) Receipt of payment to the state  
14 committee of the established political party on  
15 whose ballot the candidate wishes to appear of a  
16 filing fee of five thousand dollars; or

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

31 I (We) the undersigned, do hereby request that the  
32 name of \_\_\_\_\_ be placed upon the February \_\_\_\_\_,



33 , presidential primary ballot as candidate  
34 for nomination as the nominee for President of the  
35 United States on the party ticket.

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

43 3. Any candidate or such candidate's  
44 authorized representative may have such  
45 candidate's name stricken from the presidential  
46 primary ballot by filing with the secretary of  
47 state on or before 5:00 p.m. on the eleventh  
48 Tuesday prior to the presidential primary  
49 election a written statement, sworn to before an  
50 officer authorized by law to administer oaths,  
51 requesting that such candidate's name not be  
52 printed on the official primary ballot.  
53 Thereafter, the secretary of state shall not  
54 include the name of that candidate in the  
55 official list announced pursuant to section  
56 115.758 or in the certified list of candidates  
57 transmitted pursuant to section 115.765.

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

[115.765. On or before the tenth Tuesday  
2 prior to a presidential preference primary, the  
3 secretary of state shall transmit to each  
4 election authority a certified list containing  
5 the names of all candidates whose names shall  
6 appear on the presidential preference primary  
7 ballot of each party. The names of the  
8 candidates shall appear in the order in which  
9 their request to be included on the presidential  
10 primary ballot was received in the office of the  
11 secretary of state, except that, in the case of  
12 candidates who file a request to be included on  
13 the presidential primary ballot with the  
14 secretary of state prior to 5:00 p.m. on the  
15 first day for filing, the secretary of state  
16 shall determine by random drawing the order in  
17 which such candidates' names shall appear on the  
18 ballot. The drawing shall be conducted so that  
19 each candidate, or candidate's representative,  
20 may draw a number at random at the time of  
21 filing. The secretary of state shall record the  
22 number drawn with the candidate's request to be  
23 included on the presidential primary ballot.  
24 The names of candidates filing on the first day  
25 for filing on each party ballot shall be listed  
26 in ascending order of the numbers so drawn.]

[115.767. Each election authority shall  
2 cause the name of candidates certified by the

3 secretary of state to appear on the presidential  
4 preference primary ballot of each party,  
5 followed by a listing for an uncommitted vote.]

2 [115.770. The conduct of the presidential  
3 preference primary election and the count and  
4 canvass of the votes cast therein shall conform  
5 as nearly as is practicable to that prescribed  
6 for the conduct of the primary election for  
7 state officers. All primary election laws not  
8 inconsistent with the provisions of sections  
9 115.750 to 115.785 shall be applicable to the  
10 conduct of this election, and the form of the  
11 ballot insofar as is practicable shall be  
12 substantially as that prescribed by section  
13 115.395. In a presidential preference primary,  
14 each voter shall be entitled to receive the  
15 ballot of one and only one established political  
16 party, designated by the voter before receiving  
17 such voter's ballot. Each voter who  
18 participates in a presidential preference  
19 primary shall be entitled to vote on all  
20 questions and for any candidates submitted by  
21 political subdivisions and special districts at  
22 the general municipal election. Each voter who  
23 does not wish to participate in a presidential  
24 preference primary may vote on all questions and  
25 for any candidates submitted by a political  
26 subdivision or special district at the general  
municipal election.]

2 [115.773. After the count and canvass of  
3 the votes cast, the secretary of state shall  
4 notify the state chair of each of the  
5 established political parties for whom a  
6 candidate was listed, of the number of votes  
7 recorded in that established political party's  
8 primary that each candidate and uncommitted  
listing received.]

2 [115.785. All costs of a presidential  
3 preference primary shall be paid by the state,  
4 except that, pursuant to section 115.065, costs  
5 shall be shared proportionately by the state and  
6 any political subdivisions and special districts  
7 holding an election on the same day as any such  
8 primary. For any county with more than five  
9 hundred polling places, the state shall assist  
in assuring adequate poll workers and equipment.]