SECOND REGULAR SESSION

SENATE BILL NO. 633

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

AN ACT


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


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

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

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

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
(3) "Ballot card", a ballot which is voted by making a mark which can be tabulated by automatic tabulating equipment;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(20) "Political subdivision", a county, city, town, village, or township of a township organization county;
(21) "Polling place", the voting place designated for all voters residing in one or more precincts for any election;

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

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

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

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

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

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

(28) "Voting district", the one or more precincts within which all voters vote at a single polling place for any election.
115.225. 1. Before use by election authorities in this state, the secretary of state shall approve the marking devices and the automatic tabulating equipment used in electronic voting systems and may promulgate rules and regulations to implement the intent of sections 115.225 to 115.235.

2. No electronic voting system shall be approved unless it:
   (1) Permits voting in absolute secrecy;
   (2) Permits each voter to vote for as many candidates for each office as a voter is lawfully entitled to vote for;
   (3) Permits each voter to vote for or against as many questions as a voter is lawfully entitled to vote on, and no more;
   (4) Provides facilities for each voter to cast as many write-in votes for each office as a voter is lawfully entitled to cast;
   (5) Permits each voter in a primary election to vote for the candidates of only one party announced by the voter in advance;
   (6) Permits each voter at a presidential election to vote by use of a single mark for the candidates of one party or group of petitioners for president, vice president and their presidential electors;
   (7) Accurately counts all proper votes cast for each candidate and for and against each question;
   (8) Is set to reject all votes, except write-in votes, for any office and on any question when the number of votes exceeds the number a voter is lawfully entitled to cast;
   (9) Produces a paper ballot that the voter is required to hand-mark with his or her votes;
(10) Permits each voter, while voting, to clearly see the ballot label;

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

3. The secretary of state shall promulgate rules and regulations to allow the use of a computerized voting system. The procedures shall provide for the use of a computerized voting system with the ability to provide a paper audit trail. Notwithstanding any provisions of this chapter to the contrary, such a system may allow for the storage of processed ballot materials in an electronic form.

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

115.237. 1. Each ballot printed or designed for use with an electronic voting system for any election pursuant to this chapter shall contain all questions and the names of all offices and candidates certified or filed pursuant to this chapter and no other. Beginning January 1, 2023, the
official ballot shall be a paper ballot that is hand-marked by the voter, or in the case of voters with disabilities who need assistance, by a paper ballot marking device designed to assist voters, except as provided in subsection 5 of section 115.225. As far as practicable, all questions and the names of all offices and candidates for which each voter is entitled to vote shall be printed on one page except for the ballot for political party committee persons in polling places not utilizing an electronic voting system which may be printed separately and in conformity with the requirements contained in this section. As far as practicable, ballots containing only questions and the names of nonpartisan offices and candidates shall be printed in accordance with the provisions of this section, except that the ballot information may be listed in vertical or horizontal rows. The names of candidates for each office shall be listed in the order in which they are filed.

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

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

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

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

6. The secretary of state shall promulgate rules that specify uniform standards for ballot layout for each electronic or computerized ballot counting system approved under the provisions of section 115.225 so that the ballot used with any counting system is, where possible, consistent with the intent of this section. Nothing in this section shall be construed to require the format specified in this section if it does not meet the requirements of the ballot counting system used by the election authority.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.
115.257. 1. In jurisdictions where electronic voting machines are used, the election authority shall cause the voting machines to be put in order, set, adjusted and made ready for voting before they are delivered to polling places.

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

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

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

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

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

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

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

(2) "Covered voter":
(a) A uniformed services voter who is registered to vote in this state;
(b) A uniformed services voter defined in this section whose voting residence is in this state and who otherwise satisfies this state's voter eligibility requirements;
(c) An overseas voter;
(d) Civilian employees of the United States government working outside the boundaries of the United States, and their spouses and dependents;
(e) Active members of religious or welfare organizations assisting servicemen, and their spouses and dependents; or

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

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

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

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

(6) "Overseas voter":

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

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

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

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

(c) The Missouri National Guard;

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

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

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

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

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

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

115.276. 1. An election authority may conduct absentee voting in person pursuant to subdivision (1) of subsection 1 of section 115.277 only at locations as provided in this section.
2. Beginning on the sixth Tuesday prior to the
election the election authority may only conduct absentee
voting in person at the office of the election authority.

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

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

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

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

[(2)] b. Incapacity or confinement due to illness or
physical disability on election day, including a person who
is primarily responsible for the physical care of a person
who is incapacitated or confined due to illness or
disability and resides at the same address;
[(3)] c. Religious belief or practice;
[(4)] d. Employment as an election authority, as a
member of an election authority, or by an election authority
at a location other than such voter's polling place;
[(5)] e. Incarceration, provided all qualifications
for voting are retained; or
[(6)] f. Certified participation in the address
confidentiality program established under sections 589.660
to 589.681 because of safety concerns[; or
[(7)] For an election that occurs during the year 2020,
the voter has contracted or is in an at-risk category for
contracting or transmitting severe acute respiratory
syndrome coronavirus 2. This subdivision shall expire on
December 31, 2020].

(b) This subdivision shall only apply in the case of
absentee ballots that are not cast in person but that are
returned to the election authority:
   a. By the voter in person;
   b. In person by a relative of the voter who is within
the second degree of consanguinity or affinity;
   c. By mail or registered carrier; or
   d. By a team of deputy election authorities.

2. Any covered voter who is eligible to register and
vote in this state may vote in any election for federal
office, statewide office, state legislative office, or
statewide ballot initiatives by submitting a federal
postcard application to apply to vote by absentee ballot or
by submitting a federal postcard application at the polling
place even though the person is not registered. A federal
postcard application submitted by a covered voter pursuant
to this subsection shall also serve as a voter registration
application under section 115.908 and the election authority
shall, if satisfied that the applicant is entitled to
register, place the voter's name on the voter registration
file. Each covered voter may vote by absentee ballot or,
upon submitting an affidavit that the person is qualified to
vote in the election, may vote at the person's polling place.

3. Any interstate former resident may vote by absentee
ballot for presidential and vice presidential electors.

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

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

6. For purposes of this section, the voters who are
in an at-risk category for contracting or transmitting
severe acute respiratory syndrome coronavirus 2 are voters
who:
   (1) Are sixty-five years of age or older;
   (2) Live in a long-term care facility licensed under
       chapter 198;
   (3) Have chronic lung disease or moderate to severe
       asthma;
   (4) Have serious heart conditions;
   (5) Are immunocompromised;
(6) Have diabetes;

(7) Have chronic kidney disease and are undergoing dialysis; or

(8) Have liver disease.

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

2. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot, if casting an absentee ballot pursuant to subdivision (2) of subsection 1 of section 115.277, the address to which the ballot is to be mailed, if mailing is requested, and for absent uniformed services and overseas applicants, the applicant's email address if electronic transmission is requested. If the reason for the applicant voting absentee is due to the reasons established under subparagraph f of paragraph (a) of subdivision [(6)] (2) of subsection 1 of section 115.277, the applicant shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, address at which he or she is or would be registered, and address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot,
the election authority shall, within three working days
after receiving the application, notify the applicant by
mail that it will be unable to deliver an absentee ballot
until the applicant designates which political party ballot
he or she wishes to receive. If the applicant does not
respond to the request for political party designation, the
election authority is authorized to provide the voter with
that part of the ballot for which no political party
designation is required.

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

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

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

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

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

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

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

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

"STATE OF _______
COUNTY OF _______, ss.

I, _____, do solemnly swear that:

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

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

(3) I believe I am entitled pursuant to the laws of this state to vote in the presidential election to be held November _____, _____ (year);
(4) I hereby make application for a presidential and vice presidential ballot. I have not voted and shall not vote other than by this ballot at such election.

Signed __________________

(Applicant)

________________

(Residence Address)

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

Signed __________________

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

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

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

"STATE OF ______
9. An application for an absentee ballot by an interstate former resident shall be received in the office of the election authority where the applicant was formerly registered by 5:00 p.m. on the second Wednesday immediately prior to the election, unless the application is made in person by the applicant in the office of the election authority, in which case such application shall be made no later than 7:00 p.m. on the day of the election.
115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, the voter's voting address, the voter's mailing address and, if casting an absentee ballot pursuant to subdivision (2) of subsection 1 of section 115.277, the voter's reason for voting an absentee ballot. If the reason for the voter voting absentee is due to the reasons established under subparagraph f of paragraph (a) of subdivision [(6)] (2) of subsection 1 of section 115.277, the voter shall state the voter's identification information provided by the address confidentiality program in lieu of the applicant's name, voting address, and mailing address. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has not previously voted and will not vote again in the election, that the voter has personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the absentee voter shall include a statement on the envelope identifying the person providing assistance under penalties of perjury. Persons authorized to vote only for federal and statewide officers shall also state their former Missouri residence.

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

State of Missouri
County (City) of ________

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

___________________ ____________________
Signature of Voter Signature of Person

Assisting Voter (if applicable)

Signed __________ Subscribed and sworn to before me this

Signed __________ to before me this ___day of ____, ____

Address of Voter ___day of ____, ____

Signature of notary or

Address of Voter (if different) other officer

___________________ ____________________
Mailing address (if different) authorized to

___________________ ____________________
Signature of notary or authorized to administer oaths
State of Missouri

County (City) of _______________

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

_______ absence on election day from the jurisdiction of the election authority in which I am registered;

_______ incapacity or confinement due to illness or physical disability on election day, including caring for a person who is incapacitated or confined due to illness or disability and resides at the same address;

_______ religious belief or practice;

_______ employment as an election authority or by an election authority at a location other than my polling place;

_______ incarceration, although I have retained all the necessary qualifications for voting;

_______ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

I hereby state under penalties of perjury that I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.
3. 4. The statement for persons voting absentee ballots pursuant to the provisions of subsection 2, 3, 4, or 5 of section 115.277 without being registered shall be in substantially the following form:

_________ ____________
Signature of Voter         Signature of Person

Assisting Voter

(if applicable)

Signed _____                Subscribed and sworn

Signed _____                to before me this

Address of Voter                 _____day of _____,

_________ ____________
Signature of notary or

(other officer)

authorized to

administer oaths

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

State of Missouri

County (City) of _____

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

I am (check one):
a resident of the state of Missouri and a registered voter in _____ County and moved from that county to _____ County, Missouri, after the last day to register to vote in this election.

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

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

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

Address of Voter Signature of notary or other officer authorized to administer oaths

Mailing Address (if different) Signature of Person Address of Last
[4.] 5. The statement for persons voting absentee ballots who are entitled to vote at the election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially the following form:

State of Missouri
County (City) of ______
I, _____ (print name), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

______ absence on election day from the jurisdiction of the election authority in which I am directed to vote;

______ incapacity or confinement due to illness or physical disability on election day, including caring for a person who is incapacitated or confined due to illness or disability and resides at the same address;

______ religious belief or practice;

______ employment as an election authority or by an election authority at a location other than my polling place;

______ incarceration, although I have retained all the necessary qualifications of voting;

______ certified participation in the address confidentiality program established under sections 589.660 to 589.681 because of safety concerns.

I hereby state under penalties of perjury that I own property in the _____ district and am qualified to vote at this election; I have not
5. The statement for persons providing assistance to absentee voters shall be in substantially the following form:

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

__________________
Subscribed and sworn to before me this ______ day of ______, ______

Signature of Voter

__________________

Address

Signature of notary or other officer authorized to administer oaths

__________________

Signature of Person Assisting Voter (if applicable)
The election authority shall, for an election held during 2020, adjust the forms described in this section to account for voters voting absentee due to the reason established pursuant to subdivision (7) of subsection 1 of section 115.277.

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

Notwithstanding any other provision of this section or section 115.291 to the contrary, the subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the reason for the voter voting absentee is due to the reasons established pursuant to subparagraph f of paragraph (a) of subdivision (2) [or (7)] of subsection 1 of section 115.277.
9. No notary shall charge or collect a fee for notarizing the signature on any absentee ballot or absentee voter registration.

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

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

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

115.286. Absentee ballots under sections 115.275 to 115.304 received by the election authority in person at the office of the election authority or other authorized location designated as a polling place 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 or through an authorized drop box provided by the election authority are deemed cast when received prior to
the time fixed by law for the closing of the polls on

election day.

115.287. 1. Upon receipt of a signed application for
an absentee ballot and if satisfied the applicant is
entitled to vote by absentee ballot, the election authority
shall, within three working days after receiving the
application, or if absentee ballots are not available at the
time the application is received, within five working days
after they become available, deliver to the voter an
absentee ballot, ballot envelope and such instructions as
are necessary for the applicant to vote. Delivery shall be
made to the voter personally in the office of the election
authority or by bipartisan teams appointed by the election
authority, or by first class, registered, or certified mail
at the discretion of the election authority, or in the case
of a covered voter as defined in section 115.902, the method
of transmission prescribed in section 115.914. Where the
election authority is a county clerk, the members of
bipartisan teams representing the political party other than
that of county clerk shall be selected from a list of
persons submitted to the county clerk by the county chairman
of that party. If no list is provided by the time that
absentee ballots are to be made available, the county clerk
may select a person or persons from lists provided in
accordance with section 115.087. If the election authority
is not satisfied that any applicant is entitled to vote by
absentee ballot, it shall not deliver an absentee ballot to
the applicant. Within three working days of receiving such
an application, the election authority shall notify the
applicant and state the reason he or she is not entitled to
vote by absentee ballot. The applicant may file a complaint
with the elections division of the secretary of state's office under and pursuant to section 115.219.

2. If, after 5:00 p.m. on the second Wednesday before an election, any voter from the jurisdiction has become hospitalized, becomes confined due to illness or injury, or is confined in an intermediate care facility, residential care facility, or skilled nursing facility, as such terms are defined in section 198.006, in the county in which the jurisdiction is located or in the jurisdiction of an adjacent election authority within the same county, the election authority shall appoint a team to deliver, witness the signing of and return the voter's application and deliver, witness the voting of and return the voter's absentee ballot. [In counties with a charter form of government and in cities not within a county, and in each city which has over three hundred thousand inhabitants, and is situated in more than one county,] If the election authority receives ten or more applications for absentee ballots from the same address it [may] **shall** appoint a team to deliver and witness the voting and return of absentee ballots by voters residing at that address, except when such addresses are for an apartment building or other structure wherein individual living units are located, each of which has its own separate cooking facilities. Each team appointed pursuant to this subsection shall consist of two registered voters, one from each major political party. Both members of any team appointed pursuant to this subsection shall be present during the delivery, signing or voting and return of any application or absentee ballot signed or voted pursuant to this subsection.

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

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

115.291. 1. Upon receiving an absentee ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The affidavit of each person voting an absentee ballot shall be subscribed and sworn to before the election official receiving the ballot, a notary public or other officer authorized by law to administer oaths, unless the voter is voting absentee due to incapacity or confinement due to the provisions of section 115.284, illness or physical disability on election day, [for an election that occurs during the year 2020, the voter has contracted or is in an at-risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2, as defined in section 115.277,] or the voter is a covered voter as defined in section 115.902. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting a voter who is not entitled to such assistance, and any person who assists a voter and in any manner coerces or initiates a request or a suggestion that the voter vote for or against or refrain from voting on any question, ticket or candidate, shall be guilty of a class one election offense. If, upon counting, challenge or election contest, it is ascertained that any absentee ballot was voted with unlawful assistance, the ballot shall be rejected. [For purposes of this subsection, the voters who
are in an at-risk category for contracting or transmitting severe acute respiratory syndrome coronavirus 2 are voters who:

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

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

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

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

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

(1) Nonexpired Missouri driver's license;

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

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

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

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

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

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

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

2. (1) An individual who appears at a polling place, or other authorized location designated as a polling place by the election authority, without a form of personal photo identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place or other authorized location may execute a statement, under penalty of perjury, averring that the individual is the person listed in the precinct register; averring that the individual does not possess a form of personal identification described in subsection 1 of this section; acknowledging that the individual is eligible to receive a Missouri nondriver's license free of charge if desiring it in order to vote; and acknowledging that the individual is required to present a form of personal identification, as described in subsection 1 of this section, in order to vote. Such statement shall be executed and sworn to before the election official receiving the statement. Upon executing such statement, the individual may cast a regular ballot, provided such individual presents one of the following forms of identification:
(a) Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;

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

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

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

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

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

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

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

3. The statement to be used for voting under subdivision (1) of subsection 2 of this section shall be substantially in the following form:
4. A voter shall be allowed to cast a provisional ballot under section 115.430 even if the election judges cannot establish the voter's identity under this section. The election judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity was not verified. The provisional ballot cast by such voter shall not be counted unless:

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

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

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

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

(2) The affidavit shall be in substantially the
following form:
I do solemnly swear or affirm that the following is correct:

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Middle Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential Address</th>
<th>City</th>
<th>Zip Code</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>City</th>
<th>Zip Code</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Birth</th>
<th>Last 4 digits of SSN# (if exists)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I further swear or affirm that:

- I am a registered voter in:
  - ☐ _____ County
  - ☐ City of St. Louis
  - ☐ City of Kansas City
- I am a qualified voter in said county or city;
- I am eligible to vote at this polling place;
- I am a citizen of the United States of America and a resident of the state of Missouri;
- I am at least 18 years of age;
- I have not been adjudged incapacitated by any court of law; and
- I have not voted in this election.

I understand if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly
Upon completing the verification envelope affidavit the voter shall insert the envelope in a verification ballot box.

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

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

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

(5) All ballots cast by voters whose eligibility has been verified as provided in this subsection shall be counted in accordance with the rules governing ballot

providing false information is a violation of law and subjects me to possible criminal prosecution.

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

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

__________________

Signature of Voter

(3) Upon completing the verification envelope affidavit the voter shall insert the envelope in a verification ballot box.
tabulation. Ballots verified under this subsection shall not be counted until all such ballots are determined either eligible or ineligible and all such ballots shall have a determination of eligibility or ineligibility made before the election is certified.

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

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

(a) A birth certificate;
(b) A marriage license or certificate;
(c) A divorce decree;
(d) A certificate of decree of adoption;
(e) A court order changing the person's name;
(f) A Social Security card reflecting an updated name; and
(g) Naturalization papers or other documents from the United States Department of State proving citizenship.

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

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

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

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

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

VOTER'S IDENTIFICATION CERTIFICATE

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

PRECINCT

WARD OR TOWNSHIP ______

GENERAL (SPECIAL, JUNE PRIMARY, AUGUST PRIMARY) ELECTION

Held _____, 20_____

Date

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

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

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

[11.] 8. If any voter is unable to sign his name at the appropriate place on the certificate or computer printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

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

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

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

(1) The officer or agency calling the election submits a written request that the election be conducted by mail. Such request shall be submitted not later than the date specified in section 115.125 for submission of the notice of election and sample ballot;
(2) The election authority responsible for conducting the election authorizes the use of mailed ballots for the election;

(3) The election is nonpartisan;

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

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

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

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

(1) "Covered voter":

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

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

(c) An overseas voter;

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

(3) "Federal postcard application", the application prescribed under Section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)(2);
(4) "Federal write-in absentee ballot", the ballot described in Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

(5) "Military-overseas ballot":
   (a) A federal write-in absentee ballot;
   (b) A ballot specifically prepared or distributed for use by a covered voter in accordance with sections 115.900 to 115.936; and
   (c) A ballot cast by a covered voter in accordance with sections 115.900 to 115.936;

(6) "Overseas voter":
   (a) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or
   (b) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States;

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

(8) "Uniformed services":
   (a) Active and reserve components of the Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard of the United States;
   (b) The Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or
   (c) The Missouri National Guard;
"Uniformed services voter", an individual who is qualified to vote and is:

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

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

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

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

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

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

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

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

4. Each application for a mail-in ballot
shall be signed by the applicant or, if the
application is made by a guardian or relative
under this section, the application shall be
signed by the guardian or relative, who shall
note on the application his or her relationship
to the applicant. If an applicant, guardian, or
relative is blind, unable to read or write the
English language, or physically incapable of
signing the application, he or she shall sign by
mark that is witnessed by the signature of an
election official or person of his or her
choice. Knowingly making, delivering, or
mailing a fraudulent mail-in-ballot application
is a class one election offense.

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

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

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

State of Missouri

County (City) of ________

I, _________ (print name), a registered voter of
County (City of St. Louis, Kansas City),
declare under the penalties of perjury that: I am
qualified to vote at this election; I have not
voted and will not vote other than by this ballot
at this election. I further state that I marked
the enclosed ballot in secret or that I am blind,
unable to read or write English, or physically
incapable of marking the ballot, and the person of
8. Upon receipt of a signed application for a mail-in ballot and if satisfied that the applicant is entitled to vote by mail-in ballot, the election authority shall, within three working days after receiving the application, or, if mail-in ballots are not available at the time the application is received, within five working days after such ballots become available, deliver to the voter a mail-in ballot, ballot envelope and such instructions as are necessary for the applicant to vote. If the election authority is not satisfied that any applicant is entitled to vote by mail-in ballot, the authority shall not deliver a mail-in ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by mail-in ballot. The applicant may file a complaint with the elections division of the secretary of state's office under section 115.219.

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

10. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with a mail-in ballot.
11. Upon receiving a mail-in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The statement required under subsection 7 of this section shall be subscribed and sworn to before a notary public or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail-in ballot was voted with unlawful assistance, the ballot shall be rejected.

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

13. 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.

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

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

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

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

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

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

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

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

Section B. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.