SECOND REGULAR SESSION

SENATE BILL NO. 670

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

3224S.03I  ADRIANE D. CROUSE, Secretary

AN ACT


Be it enacted by the General Assembly of the State of Missouri, as 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 minimum, determine whether the local election

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
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. If, after completing the audit, 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 funds 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 a presidential election.

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;

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

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

"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;

"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;

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

"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;

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

[(13)] (12) "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)] (13) "Major political party", the political
party whose candidates received the highest or second
highest number of votes at the last general election;

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

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

[(17)] (16) "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)] (17) "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)] (18) "Political party", any established
political party and any new party;

[(20)] (19) "Political subdivision", a county, city,
town, village, or township of a township organization county;

[(21)] (20) "Polling place", the voting place
designated for all voters residing in one or more precincts
for any election;
"Precincts", the geographical areas into which the election authority divides its jurisdiction for the purpose of conducting elections;

"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;

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

"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;

"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;

"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

"Voting district", the one or more precincts within which all voters vote at a single polling place for any election.

115.031. Each election commissioner shall be a registered voter and a resident of the jurisdiction for which he is appointed for at least one year preceding his
appointment]. During his term of office, no commissioner shall hold any statutory position within a political party or on a political committee, be a candidate for political office or hold any other public office.

115.045. Each election authority shall have the authority to employ such attorneys and other employees as may be necessary to promptly and correctly perform the duties of the election authority. Where an electronic voting system or voting machines are used, the election authority shall designate competent employees to have custody of and supervise maintenance of the voting equipment. Board of election commissioners' employees shall be subject to the same restrictions and subscribe the same oath as members of the board of election commissioners, except that no employee of a board of election commissioners shall be required to post bond or reside and be a registered voter within the jurisdiction of the election authority unless directed to do so by the board. Employee oaths and any bonds shall be filed and preserved in the office of the board.

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

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

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

2. In all primary and general elections, the election
authority shall appoint at least two judges from each major
political party to serve at each polling place. The
committee of each major political party within the
jurisdiction of an election authority is authorized to
provide the election authority with a list of election judge
candidates who meet the requirements under section 115.085.
The candidates shall not be required to reside within the
jurisdiction of the election authority, as authorized under
section 115.085. If a committee of a major political party
within the jurisdiction of an election authority fails to
provide the prescribed number of qualified names to fill all
election judge positions before the date established by the
election authority, the election authority may select judges
to fill the positions as provided by law. If the election
authority determines that a name submitted by a committee of
a major political party is not qualified to serve as an
election judge, the election authority shall allow the party
to submit another name before filling the position as
provided by law. No major political party shall have a
majority of the judges at any polling place. No established
party shall have a greater number of judges at any polling place than any major political party.

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

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

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

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

115.085. No person shall be appointed to serve as an election judge who is not a registered voter in this state\[;\] provided that, before any election authority may appoint judges who are registered voters of another election authority's jurisdiction, the election authority shall obtain the written consent of the election authority for the jurisdiction where the prospective judges are registered to vote]. Each election judge shall be a person of good repute and character who can speak, read, and write the English language. No person shall serve as an election judge at any polling place in which his or her name or the name of a relative within the second degree, by consanguinity or affinity, appears on the ballot. However, no relative of any unopposed candidate shall be disqualified from serving as an election judge in any election jurisdiction of the state. No election judge shall, during his or her term of office, hold any other elective public office, other than as a member of a political party committee or township office, except any person who is elected to a board or commission of a political subdivision or special district may serve as an election judge except at a polling place where such political subdivision or special district has an issue or candidate on the ballot. In any county having a population of less than two hundred fifty thousand inhabitants, any candidate for the county committee of a political party who is not a candidate for any other office and who is unopposed for election as a member of the committee shall not be disqualified from serving as an election judge.

115.105. 1. The chair of the county committee of each political party named on the ballot shall have the right to
designate a challenger for each polling place, who may be present until all ballots are cast on the day of election, and a challenger for each location at which absentee ballots are counted, who may be present while the ballots are being prepared for counting and counted. No later than four business days before the election, the chair of each county committee of each political party named on the ballot shall provide signed official designation forms with the names of the designated challengers and substitutes to the local election authority for confirmation of eligibility to serve as a challenger. The local election authority, after verifying the eligibility of each designated and substitute challenger, shall sign off on the official designation forms, unless the challenger is found not to have the qualifications established by subsection 5 of this section. If the election authority determines that a challenger does not meet the qualifications of subsection 5 of this section, the designating party chair may designate a replacement challenger and provide the local election authority with the name of the replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute challengers at his or her discretion during such hours.

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

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

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

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

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

115.107. 1. At every election, the chairman of the county committee of each political party named on the ballot shall have the right to designate a watcher for each place votes are counted. The watcher shall not be required to reside within the jurisdiction of the election authority. If the election authority determines that a name submitted by a committee of a political party is not qualified to serve as watcher, the election authority shall allow the committee to submit another name.

2. Watchers are to observe the counting of the votes and present any complaint of irregularity or law violation to the election judges, or to the election authority if not
satisfied with the decision of the election judges. No watcher may be substituted for another on election day.

3. No watcher shall report to anyone the name of any person who has or has not voted.

4. A watcher may remain present until all closing certification forms are completed, all equipment is closed and taken down, the transportation case for the ballots is sealed, election materials are returned to the election authority or to the designated collection place for a polling place, and any other duties or procedures required under sections 115.447 to 115.491 are completed. A watcher may also remain present at each location at which absentee ballots are counted and may remain present while such ballots are being prepared for counting and counted.

5. All persons selected as watchers shall have the same qualifications required by section 115.085 for election judges[, except that such watcher shall be a registered voter in the jurisdiction of the election authority for which the watcher is designated as a watcher].

6. A candidate may select his or her own watchers at his or her own expense, provided that the watchers meet the other requirements of this section.

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

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

3. Each applicant who registers at a voter
registration agency or the division of motor vehicle and
drivers licensing of the department of revenue shall be
deemed to be registered as of the date the application is
signed by the applicant, if such application is accepted and
not rejected by the election authority and the verification
notice required pursuant to section 115.155 is not returned
as undeliverable by the postal service. Voter registration
agencies [and the division of motor vehicle and drivers
licensing of the department of revenue] shall transmit voter
registration application forms to the appropriate election
authority not later than five business days after the form
is completed by the applicant. The division of motor
vehicle and drivers licensing of the department of revenue
shall transmit voter registration application forms to the
appropriate election authority not later than three business
days after the form is completed by the applicant.

115.157. 1. The election authority may place all
information on any registration cards in computerized form
in accordance with section 115.158. No election authority
or secretary of state shall furnish to any member of the
public electronic media or printout showing any registration
information, except as provided in this section. Except as
provided in subsection 2 of this section, the election
authority or secretary of state shall make available
electronic media or printouts showing only unique voter
identification numbers, voters' names, [dates] years of
birth, addresses, townships or wards, and precincts.
Electronic data shall be maintained in at least the
following separate fields:
(1) Voter identification number;
(2) First name;
(3) Middle initial;
(4) Last name;
(5) Suffix;
(6) Street number;
(7) Street direction;
(8) Street name;
(9) Street suffix;
(10) Apartment number;
(11) City;
(12) State;
(13) Zip code;
(14) Township;
(15) Ward;
(16) Precinct;
(17) Senatorial district;
(18) Representative district;
(19) Congressional district.

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

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

4. [Except as provided in subsection 6 of this section, upon a request by a candidate, a duly authorized representative of a campaign committee, or a political party committee, the secretary of state shall furnish, for a fee determined by the secretary of state and in compliance with section 610.026, media in an electronic format or, if so requested, in a printed format, showing the names, addresses, and voter identification numbers of voters within the jurisdiction of a specific election authority who applied for an absentee ballot under section 115.279 for any specific election involving a ballot measure or an office for which the declaration of candidacy is required to be filed with the secretary of state pursuant to section 115.353, including primary elections, by township, ward, or precinct. Nothing in this section shall require such voter information to be released to the public over the internet. For purposes of this section, the terms "candidate", "campaign committee", and "political party committee" shall have the same meaning given to such terms in section 130.011. 5.] The amount of fees charged for information provided in this section shall be established pursuant to chapter 610. All revenues collected by the secretary of state pursuant to this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account established pursuant to section 28.160. [In even-numbered years, each election authority shall, upon request, supply the voter registration
list for its jurisdiction to all candidates and party committees for a charge established pursuant to chapter 610. Except as provided in subsection 6 of this section, all election authorities shall make the information described in this section available pursuant to chapter 610. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610.

6.] 5. Any person working as an undercover officer of a local, state or federal law enforcement agency, persons in witness protection programs, and victims of domestic violence and abuse who have received orders of protection pursuant to chapter 455 shall be entitled to apply to the circuit court having jurisdiction in his or her county of residence to have the residential address on his or her voter registration records closed to the public if the release of such information could endanger the safety of the person. Any person working as an undercover agent or in a witness protection program shall also submit a statement from the chief executive officer of the agency under whose direction he or she is serving. The petition to close the residential address shall be incorporated into any petition for protective order provided by circuit clerks pursuant to chapter 455. If satisfied that the person filing the petition meets the qualifications of this subsection, the circuit court shall issue an order to the election authority to keep the residential address of the voter a closed record and the address may be used only for the purposes of administering elections pursuant to this chapter. The election authority may require the voter who has a closed residential address record to verify that his or her residential address has not changed or to file a change of
address and to affirm that the reasons contained in the
original petition are still accurate prior to receiving a
ballot. A change of address within an election authority's
jurisdiction shall not require that the voter file a new
petition. Any voter who no longer qualifies pursuant to
this subsection to have his or her residential address as a
closed record shall notify the circuit court. Upon such
notification, the circuit court shall void the order closing
the residential address and so notify the election authority.

115.160. 1. All Missouri driver's license applicants
shall receive a voter registration application form as a
simultaneous part of the application for a driver's license,
renewal of driver's license, change of address, duplicate
request and a nondriver's license.

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

3. After conferring with the secretary of state as the
chief state election official responsible for overseeing of
the voter registration process, the director of revenue
shall adopt rules and regulations pertaining to the format
of the voter registration application used by the
department. The director of revenue shall utilize
electronic voter registration application forms and provide
for secure electronic transfer of voter registration
information to election authorities through the voter
registration system established in section 115.158 and
maintained by the secretary of state. The secretary of
state and the director of revenue shall ensure the
confidentiality and integrity of the voter registration data
collected, maintained, received, or transmitted under this
section.

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

5. Any voter registration application received
pursuant to the provisions of this section shall be
forwarded, in a secure and electronic manner, to the
election authority located within that county or any city
not within a county, or if there is more than one election
authority within the county, then to the election authority
located nearest to the location where the driver's license
application was received. Voter registration information,
including an electronic image of the signature of the
applicant, shall be transmitted in a format compatible with
the Missouri voter registration system established in
section 115.158 which allows for review by the election
authority and does not require the election authority to
manually reenter the information. The election authority
receiving the application forms shall review the
applications and forward, in a secure and electronic manner,
any applications pertaining to a different election
authority to that election authority.

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

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

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

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

(1) The name of the voter registration solicitor;
(2) The residential address, including street number,
city, state, and zip code;
(3) The mailing address, if different from the
residential address; and
(4) Whether the voter registration solicitor expects
to be paid for soliciting voter registrations;
(5) If the voter registration solicitor expects to be
paid, the identity of the payor; or
(6) The signature of the voter registration solicitor.

3. The solicitor information required in subsection 2
of this section shall be submitted to the secretary of
state's office with the following oath and affirmation: "I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

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

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;
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) Permits each voter, while voting, to clearly see the ballot label;

(10) 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.

5. If any election authority uses any touchscreen, direct-recording, electronic vote-counting machine, the election authority may continue to use such machine. Upon the removal of such voting machine from the election authority's inventory because of mechanical malfunction, wear and tear, or any other reason, the machine shall not be replaced and no additional direct-recording electronic vote-counting machine shall be added to the election authority's inventory. Such machines shall not be used beginning January 1, 2024, except that election authorities may allow the machines to be used by voters who are disabled as long as the machines are functional. Replacement of equipment for use by voters who are disabled shall be with paper ballot marking devices designed to assist voters.

6. Election authorities shall be members of the Elections Infrastructure Information Sharing and Analysis Center (EI-ISAC) and shall allow a cyber security assessment of their office by the secretary of state. If an election authority denies access for a cyber security assessment, the secretary of state may publicize a notice of noncompliance in a newspaper within the jurisdiction of the election authority or in electronic format. The secretary of state is also authorized to withhold funds from an election authority in violation of this section unless such funding is a federal mandate or part of a federal and state agreement.

7. The secretary of state may require cyber security testing, including penetration testing, of vendor machines,
programs, and systems. Failure to participate in such testing shall result in a revocation of vendor certification. Upon notice from another jurisdiction of cyber security failures or certification withholds or revocation, the secretary of state may revoke or withhold certification for vendors. The requirements of this section shall be subject to appropriation for the purpose of cyber security testing.

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, 2024, the official ballot shall be a paper ballot that is hand-marked by the voter, or in the case of voters who are disabled 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 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 [of the ballots] 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 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 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.

115.277. 1. Any registered voter of this state may cast an 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. Any registered voter casting a ballot under the provisions of this subsection shall provide a form of personal identification that is consistent with subsection 1 of section 115.427.

2. Except as provided in subsections 2, 3, 4, and 5, 6, and 7 of this section, any registered voter of this state may vote by cast an absentee ballot for all candidates and issues for which such voter would be 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: Any absentee ballot that is not requested and completed in person at the office of the election authority with a form of personal identification that is consistent with subsection 1 of section 115.427 shall have the statement on the ballot envelope notarized as required under section 115.283, except that absentee ballots requested under subdivisions (2) and (5) of subsection 3 of this section shall not require notarization. This subsection shall apply only in the case of absentee ballots that are not cast in person.
3. A voter may request an absentee ballot for any of the following reasons:

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

   (2) 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) Religious belief or practice;

   (4) 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) Incarceration, provided all qualifications for voting are retained; or

   (6) 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].

4. 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.] 5. Any interstate former resident may vote by absentee ballot for presidential and vice presidential electors.

[4.] 6. 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.] 7. 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. No individual, group, or party shall solicit a person to obtain an absentee ballot application. Absentee ballot applications shall not have any information pre-filled prior to being provided to an applicant.

[2.] 3. 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 under subsection 2 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 subdivision (6) of subsection [1] 3 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,] 4. 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] 7,
9, and 10 of this section.

[4.] 5. 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.] 6. (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 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.] 7. 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.] 8. The election authority in whose office an application is filed pursuant to subsection [6] 7 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.] 9. 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 ______
COUNTY OF ______, ss.

I, _______, do solemnly swear that:

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

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

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

(4) I hereby make application for an absentee ballot for candidates and issues on which I am entitled to vote pursuant to the laws of this state. 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)"

[9.] 10. 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 if
casting an absentee ballot under subsection 2 of section
115.277, and the voter's reason for voting an absentee
ballot. If the reason for the voter voting absentee is due
to the reasons established under subdivision (6) of
subsection [1] 3 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 under subsection 2 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), 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
3. The statement for persons voting absentee ballots pursuant to the provisions of subsection [2, 3,] 4, [or] 5, 6, or 7 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 ____________
Signature of Voter

__________________
Signature of notary or other officer authorized to administer oaths

__________________
Address of Voter

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4. 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;
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 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

Signature of Voter

______ day of

______, ______

_________________________  __

_________________________  __

_________________________  __

Address  Signature of notary or other officer

_________________________  __

Signature of Person authorized to administer oaths

_________________________  __

Signature of Person Assisting Voter
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 was to vote. The voter swore or affirmed the voter affidavit above and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.

Reason why voter needed assistance: ______

ASSISTING PERSON SIGN HERE

1. _____ (signature of assisting person)
2. _____ (assisting person's name printed)
3. _____ (assisting person's residence)
4. _____ (assisting person's home city or town)."

6. 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.

7.] 6. 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.
7. 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 subdivision (2) or [(7)] (5) of subsection [1] 3 of section 115.277.

8. No notary shall charge or collect a fee for notarizing the signature on any absentee ballot or absentee voter registration.

9. 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 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.

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 on election day, 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.

115.417. 1. Before the time fixed by law for the opening of the polls, the election authority shall deliver to each polling place a sufficient number of voter instruction cards which include the following information:

- [if paper ballots or an electronic voting system is used, the instructions shall inform the voter on] how to obtain a ballot for voting, how to vote and prepare the ballot for deposit in the ballot box and how to obtain a new ballot to replace one accidentally spoiled.

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

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

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
under section 115.277, at the office of the election
authority or other authorized location designated by the
election authority by presenting a form of personal
identification to election officials. No form of personal
identification other than the forms listed in this section
shall be accepted to establish a voter's qualifications to
vote. Forms of personal 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 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 Space Force**, and that is not expired or does not have an expiration date.

2. (1) An 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 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:

"State of ______
County of ______

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

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

__________________
Signature of voter

Subscribed and affirmed before me this ______ day of ______, 20______

__________________
Signature of election official"
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.

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

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

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

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

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

(a) Nonexpired Missouri driver's license;

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

(c) A document that satisfies all of the following requirements:
(i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;

(ii) The document contains my photograph;

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

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

(d) Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, including Space Force, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces, including Space Force, that is not expired or does not have an expiration date;

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

(3) This provisional ballot otherwise qualifies to be counted under the laws of the state of Missouri.

____________________  ______
Signature of Voter  Date

____________________  __________________
Signatures of Election Officials"
Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and placed in a separate secured container by the election judge.

4. 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.]

6. (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 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 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.] 6. 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.

[8.] 7. 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, 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.

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

[10.] 9. 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.] 10. 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.

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

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

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

(3) "Recording judges" are the two judges, one from
each major political party, who tally the votes received by
each candidate and for and against each question at a
polling place. These terms describe functions rather than
individuals, and any election judge may perform more than
one function at a polling place on election day.
2. As used in this subchapter, unless the context clearly implies otherwise, the following terms shall mean:

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

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

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

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
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);


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;

(9) "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;
(10) "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.

115.960. 1. An election authority is authorized to accept voter registration applications with a signature submitted to the election authority under the provisions of sections 432.200 to 432.295 as provided in this section:
(1) Sections 432.200 to 432.295 shall only apply to transactions between parties that have agreed to conduct transactions by electronic means;
(2) Except as provided in subsection 2 of this section, as used in this section and sections 432.200 to 432.295, the parties who agree to conduct voter registration transactions by electronic means shall be the local election authority who is required to accept or reject a voter registration application and the prospective voter submitting the application;
(3) A local election authority is authorized to develop, maintain, and approve systems that transmit voter registration applications electronically under sections 432.200 to 432.295;
(4) Except as provided in subsection 2 of this section and section 115.160, no officer, agency, or organization shall collect or submit a voter registration application with an electronic signature to an election authority without first obtaining approval of the data and signature format from the local election authority and the approval of the voter to collect and store the signature and data; and

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

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

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

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

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

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

(5) The committee shall meet not less than semiannually through June 30, 2019, to recommend and approve changes and enhancements proposed by the secretary of state or election authorities to the electronic voter registration application system. Vacancies that occur on the committee shall be filled by the president of the Missouri Association of County Clerks and Election Authorities at the time of the vacancy;
To improve the accuracy of voter registration application data and reduce costs for local election authorities, the system maintained by the secretary of state shall, as soon as is practical, provide a method where the data entered by the voter registration applicant does not have to be re-entered by the election authority to the state voter registration database.

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

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

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

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

7. Except as provided under sections 115.160 and 432.230,
prior approval from the election authority. Election authorities shall accept and process voter registration records, including electronic images of applicant signatures, transmitted electronically by the division of motor vehicle and drivers licensing of the department of revenue under section 115.160. Except as provided in subsection 2 of this section and section 115.160, no officer, agency, or organization shall give the voter the opportunity to submit a voter registration application with an electronic signature without first obtaining the approval of the local election authority.

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

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

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

[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 _________
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.