SENATE BILL NO. 887

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

AN ACT

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

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

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2 are repealed and three new sections enacted in lieu thereof, to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

115.151. 1. Each qualified applicant who appears
2 before the election authority shall be deemed registered as
3 of the time the applicant's completed, signed and sworn
4 registration application is witnessed by the election
5 authority or deputy registration official.
6   2. Each applicant who registers by mail shall be
7 deemed to be registered as of the date the application is
8 postmarked, if such application is accepted and not rejected
9 by the election authority and the verification notice
10 required pursuant to section 115.155 is not returned as
11 undeliverable by the postal service.
12   3. Each applicant who registers at a voter
13 registration agency or the division of motor vehicle and
14 drivers licensing of the department of revenue shall be
15 deemed to be registered as of the date the application is
16 signed by the applicant, if such application is accepted and
17 not rejected by the election authority and the verification

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

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

       115.160. 1. All Missouri driver's license applicants
2   shall receive a voter registration application form as a
3   simultaneous part of the application for a driver's license,
4   renewal of driver's license, change of address, duplicate
5   request and a nondriver's license. **The director of revenue**
6   **shall utilize electronic voter registration application**
7   **forms and provide for secure electronic transfer of voter**
8   **registration information to election authorities. The**
9   **secretary of state and the director of revenue shall ensure**
10   **the confidentiality and integrity of the voter registration**
11   **data collected, maintained, received, or transmitted under**
12   **this section.**
13   2. If a single application form is used, the voter
14   registration application portion of any application
15   described in subsection 1 of this section may not require
16   any information that duplicates information required in the
17   driver's license portion of the form, except a second
18   signature or other information required by law.
19   3. After conferring with the secretary of state as the
20   chief state election official responsible for overseeing of
21   the voter registration process, the director of revenue

22 shall adopt rules and regulations pertaining to the format

23 of the voter registration application used by the

24 department.

25   4. No information relating to the failure of an

26 applicant for a driver's license or nondriver's license to

27 sign a voter registration application may be used for any

28 purpose other than voter registration.

29   5. Any voter registration application received

30 pursuant to the provisions of this section shall be

31 forwarded, **in a secure and electronic manner,** to the

32 election authority located within that county or any city

33 not within a county, or if there is more than one election

34 authority within the county, then to the election authority

35 located nearest to the location where the driver's license

36 application was received. **Voter registration information,**

37 **including an electronic image of the signature of the**

38 **applicant, shall be transmitted in a format compatible with**

39 **the Missouri voter registration system established in**

40 **section 115.158 which allows for review by the election**

41 **authority and does not require the election authority to**

42 **manually reenter the information.** The election authority

43 receiving the application forms shall review the

44 applications and forward, **in a secure and electronic manner,**

45 any applications pertaining to a different election

46 authority to that election authority.

47   6. A completed voter registration application accepted

48 in the driver's licensing process shall be transmitted to

49 the election authority described in subsection 5 of this

50 section not later than five business days after the form is

51 completed by the applicant.

52   7. Any person registering to vote when applying for or

53 renewing a Missouri driver's license shall submit with the

54 application form a copy of a birth certificate, a Native
55 American tribal document, or other proof of United States
56 citizenship, a valid Missouri driver's license, or other
57 form of personal identification. **Any person who, at the**
58 **time of a transaction with the division of motor vehicle and**
59 **drivers licensing of the department of revenue, provides a**
60 **document that establishes non-citizenship shall not be**
61 **offered the opportunity to register to vote as part of the**
62 **transaction.**
63   **8. The secretary of state and the director of revenue**
64 **shall jointly develop a process by which the division of**
65 **motor vehicle and drivers licensing of the department of**
66 **revenue, upon obtaining as part of a license transaction a**
67 **person's full name, date of birth, driver's license or state**
68 **identification number, residence address, and mailing**
69 **address if different from residence address, may use**
70 **information from the statewide voter registration database**
71 **to determine whether the person is already registered to**
72 **vote in the state and, if so, whether the person is**
73 **registered at the address and under the name the person**
74 **provided to the division of motor vehicle and drivers**
75 **licensing of the department of revenue.**
        115.960. 1. An election authority is authorized to
2   accept voter registration applications with a signature
3   submitted to the election authority under the provisions of
4   sections 432.200 to 432.295 as provided in this section:
5   (1) Sections 432.200 to 432.295 shall only apply to
6   transactions between parties that have agreed to conduct
7   transactions by electronic means;
8   (2) Except as provided in subsection 2 of this
9   section, as used in this section and sections 432.200 to
10 432.295, the parties who agree to conduct voter registration

11   transactions by electronic means shall be the local election

12   authority who is required to accept or reject a voter

13   registration application and the prospective voter

14   submitting the application;

15   (3) A local election authority is authorized to

16   develop, maintain, and approve systems that transmit voter

17   registration applications electronically under sections

18   432.200 to 432.295;

19   (4) Except as provided in subsection 2 of this section

20   **and section 115.160,** no officer, agency, or organization

21   shall collect or submit a voter registration application

22   with an electronic signature to an election authority

23   without first obtaining approval of the data and signature

24   format from the local election authority and the approval of

25   the voter to collect and store the signature and data; and

26   (5) Local election authorities who maintain a voter

27   registration application system shall direct voter

28   registration applicants from other jurisdictions to the

29   system used by the local election authority for that

30   jurisdiction to accept voter registration applications

31   electronically.

32   2. A system maintained by the secretary of state's

33   office shall be used to accept voter registration

34   applications electronically subsequent to approval from the

35   committee formed as set forth in this subsection:

36   (1) Within thirty days of, but in no event prior to

37   January 1, 2017, the president of the Missouri Association

38   of County Clerks and Election Authorities shall appoint

39   fourteen of its members to serve on a committee to approve

40   and develop uniform standards, systems, and modifications

41   that shall be used by the secretary of state in any

42   electronic voter registration application system offered by

43 that office. The committee may also make recommendations

44 regarding the purchase, maintenance, integration, and

45 operation of electronic databases, software, and hardware

46 used by local election authorities and the secretary of

47 state's office including, but not limited to, systems used

48 for military and overseas voting and for building and

49 conducting election operations. The committee shall have

50 fourteen local election authorities, including

51 representatives of each classification of counties, a

52 representative from an election board, and at least one

53 member who has experience processing online voter

54 registration transactions. In addition, one representative

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

56 the committee;

57   (2) The committee shall immediately meet to approve

58 electronic signature formats and a minimum set of data

59 collection standards for use in a voter registration

60 application system maintained by the secretary of state;

61   (3) Once the format and data collection standards are

62 approved by the committee and implemented for the system

63 maintained by the secretary of state, local election

64 authorities shall accept the transmission of voter

65 registration applications submitted to the approved system

66 under the provisions of sections 432.200 to 432.295;

67   (4) The secretary of state's office shall direct

68 eligible voters to a local election authority's system to

69 accept voter registration applications electronically if the

70 local election authority has a system in place as of August

71 28, 2016, or implements a system that meets the same

72 standards and format that has been approved by the committee

73 for the secretary of state's system;

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

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

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

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

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

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

106   7. **[**Notwithstanding the provisions of section 432.230**]**
107 **Except as provided under sections 115.160 and 432.230,**
108 nothing in this section shall require the election authority
109 to accept voter registration records or signatures created,
110 generated, sent, communicated, received, stored, or
111 otherwise processed, or used by electronic means or in
112 electronic form from any officer, agency, or organization
113 not authorized under subsection 2 of this section without
114 prior approval from the election authority. **Election**
115 **authorities shall accept and process voter registration**
116 **records, including electronic images of applicant**
117 **signatures, transmitted electronically by the division of**
118 **motor vehicle and drivers licensing of the department of**
119 **revenue under section 115.160.** Except as provided in
120 subsection 2 of this section **and section 115.160,** no
121 officer, agency, or organization shall give the voter the
122 opportunity to submit a voter registration application with
123 an electronic signature without first obtaining the approval
124 of the local election authority.
125   8. An election authority that agrees to conduct a
126 transaction by electronic means may refuse to conduct other
127 transactions by electronic means.
128   9. No election authority or the secretary of state
129 shall furnish to any member of the public any data collected
130 under a voter registration application system except as
131 authorized in subsections 1 to 5 of section 115.157.
132   10. Nothing in this section shall be construed to
133 require the secretary of state to cease operating a voter
134 registration application in place as of the effective date
135 of this act.

✓